

1 CHRISTOPHER P. BURKE, ESQ.
Nevada Bar No.: 004093
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3 Las Vegas, Nevada 89101
(702) 385-7987
4 Attorney for Plaintiff
William R. Miller
5

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 WILLIAM R. MILLER, and all others
9 similarly situated,
10 Plaintiff,

Case No.:

11 v.

COMPLAINT FOR DAMAGES
AND INCIDENTAL RELIEF
AND DEMAND FOR JURY TRIAL
CLASS ACTION

12 CRISIS COLLECTION MANAGEMENT, LLC,
CHRISTOPHER ERIC MUMM and ROBERT
13 H. BROILI.
14 Defendants.

15 Plaintiff, William R. Miller, an individual (“Miller”) referred to as the “Class
16 Representative”, on behalf of himself and all others similarly situated, files this Complaint
17 for Damages and Incidental Relief under the Fair Debt Collection Practice Act (“FDCPA”)
18 against Defendants, Crisis Collection Management, LLC dba Crisis Collections (“Crisis
19 Collections”), and Christopher Eric Mumm, Esq. (“Mumm”), and Robert H. Broili, Esq.
20 (“Broili”) and allege as follows:

21 **INTRODUCTION**

- 22 1. This class action seeks injunctive and monetary relief to redress an unlawful
23 and deceptive pattern of wrongdoing by Crisis Collection, Mumm, and Broili

1 with respect to the renewal of judgments and affidavits of renewal of
2 judgments of consumers in the State of Nevada.

3 2. As more particularly described below Crisis Collection, Mumm, and Broili
4 improperly renewed judgments in Nevada without properly following the
5 strict statutory procedures of NRS 17.150 and NRS 17.214.

6 3. Any renewal of judgment entails specific mailing and timing requirements.
7 If not met, these judgments are not properly renewed. See *Leven v. Frey*, 123
8 Nev. 399 (2007). Thus, any attempt to collect on, levy, lien or garnish such
9 an improperly renewed judgment violates the Fair Debt Collection Practices
10 Act (“FDCPA”).

11 JURISDICTIONAL ALLEGATIONS

12 4. Plaintiff, William R. Miller, is an individual, a natural person, who is a citizen
13 of the State of Nevada.

14 5. Defendant, Crisis Collection Management, is a Nevada LLC., conducting
15 business as Crisis Collection Services in Nevada, with its principal place of
16 business in Nevada.

17 6. Defendant, Mumm is an attorney licensed in Nevada, who is employed by or
18 does work for Crisis Collection.

19 7. Defendant, Broili is an attorney licensed in Nevada, who is employed by or
20 does work for Crisis Collection.

21 8. This is an action for damages brought by an individual consumer for
22 Defendant’s violation of the Fair Debt Collection Practices Act, 15 U.S.C.
23 §1692, *et seq.* (hereinafter “FDCPA”), which prohibits debts collectors from

1 engaging in abusive, deceptive, and unfair practices.

- 2 9. Jurisdiction of this Court arises under 15 U.S.C. §1692k(d); 28 U.S.C. §1332
3 and 28 U.S.C. §1337.

4 PARTIES

- 5 10. At all times material hereto, the Class Representative was *sui juris* and a
6 resident of Clark County, Nevada.

- 7 11. The proposed class would consist of residents of the State of Nevada who had
8 a judgment renewed by Crisis Collection, Mumm, or Broili in the year
9 preceding the filing of this complaint, that was improperly mailed or filed
10 more than 90 days before the expiration of the date the original judgment was
11 docketed.

- 12 12. At all times material hereto, Defendant Crisis Collection was an LLC in
13 Nevada and Mumm and Broili were its collection attorneys licensed in
14 Nevada.

15 GENERAL ALLEGATIONS
16 OF CLASS REPRESENTATIVE

- 17 13. The Plaintiff alleges, realleges and incorporates by reference each and every
18 allegation contained in the preceding paragraphs.

- 19 14. In July 16, 1997 Ford Motor Credit Company, LLC (“Ford Motor”), received
20 a default judgment after a car repossession.

- 21 15. On April 22, 2003 Ford Motor renewed its judgment.

- 22 16. On March 16, 2009, Ford Motor, through Broili, renewed its judgment again.
23 However, the affidavit of mailing was prematurely mailed on March 11, 2009,

1 not 3 days *after* the renewal of judgment was filed as required by statute.
2 NRS 17.214.3. Thus, it was an invalid renewal of judgment.

3 17. In addition, the March 16, 2009 judgment was renewed more than 90 days
4 before the expiration of the original judgment being docketed i.e. July 16. See
5 NRS 17.150.2 and 17.214.1(a). Thus, the March 16, 2009 renewal of judgment
6 was an invalid for two reasons.

7 18. On March 5, 2015 Crisis Collection, through Mumm and Broili, renewed the
8 invalid judgment of Ford Motor a third time. However, it was renewed more
9 than 90 days before the expiration of the original judgment being docketed
10 i.e. July 16. See NRS 17.150.2 and 17.214.1(a). Thus, it was an invalid renewal
11 of judgment.

12 19. On March 5, 2021 Crisis Collection, through Mumm and Broili, renewed the
13 invalid judgment of Ford Motor for a fourth time. Prior to that, on February
14 18, 2021 Mumm signed an Affidavit of Renewal of Judgment that was
15 prematurely mailed on March 1, 2021. NRS 17.214.3.

16 20. The March 5, 2021 renewal of judgment was invalid for two reasons. One,
17 because it was prematurely mailed on March 1, 2021. The law requires it be
18 mailed “within 3 days *after* filing the affidavit” NRS 17.214.3. And two, it was
19 filed more than 130 days before the expiration of the judgment renewal date.
20 Whereas, the law provides a judgment has to be renewed within 90 days
21 before the date the judgment expires by limitation i.e. July 16 of the renewal
22 year. NRS 17.214(1)(a). Thus, the March 5, 2021 was invalid.

23 21. A true and correct copy of the original judgment and the March 1, 2021
24

1 renewed judgment has been attached as Exhibit “1” and “2”.

2 FIRST CLAIM FOR RELIEF

3 False Representation 15 U.S.C. §1692e(2) and (5)

4 22. The Plaintiff alleges, realleges and incorporates by reference each and
5 every allegation contained in the preceding paragraphs.

6 23. At the time the Defendants renewed Ford Motors Judgment in 2009, 2015
7 and 2021, they failed to comply with NRS 17.150 and 17.214. See also
8 *Leven v. Frey*, 123 Nev. 399 (2007).

9 24. That by improperly renewing Ford Motors judgment in 2021, after
10 previous improper renewals, the Defendants violated the FDCPA.

11 25. Crisis Collections, Mumm and Broili violated 15 U.S.C. §1692(e)(2) and (5)
12 by making, and continuing to make, false representations as to the
13 character and legal status of the debt alleged in its State Court complaint.

14 26. The remedy for these is the greater of actual damages or statutory damages
15 in the amount of \$1,000 per offense, subject to the limitation imposed by
16 15 U.S.C. §1692k(a)(1)(B).

17 27. As a sole, direct and proximate result of the foregoing, Plaintiff has been
18 damaged in a sum to be proven at trial.

19 28. As a sole, direct and proximate result of the foregoing, Plaintiff has been
20 forced and compelled to pay an attorney to protect his rights and is
21 entitled to his costs and damages.

22 SECOND CLAIM FOR RELIEF

23 Unfair Practices- 15 U.S.C. §1692f(1)

1 the Class Representative was a Renewal of Judgment in the form of Exhibits
2 “1” and “2” and has been subjected to the collection and credit reporting
3 activities as described above. As such the claims of the Class Representative
4 is identical to that of the class members.

5 Allegation of Numerosity

6 42. Based on the best due diligence and the experience of Class Counsel, the Class
7 Representative believes that Defendant Crisis Collections and through
8 Mumm and Broili, have filed hundreds if not thousands of Renewals of
9 Judgments in the past year.

10 43. Based on the foregoing the prospective class numbers are at least in the
11 hundreds and are so numerous that joinder of all members would be
12 impractical. The exact size of the proposed class and the identity of the
13 members thereof are readily ascertainable from Crisis Collections’s business
14 records.

15 Definition of Class

16 44. Pursuant to Federal Rule of Civil Procedure 23(a)(3), the class is composed
17 of all Nevada residents who in the last year preceding the filing of the instant
18 claim:

- 19 a. Have or had a judgment renewed by Crisis Collections, through
20 Mumm and/or Broili, for which the mailing was improper:
- 21 b. Had said judgment renewed in Nevada by Crisis Collections, through
22 its agents Mumm and/or Broili: and
- 23 c. Were mailed a Renewal of Judgment which failed to comply with the

1 mailing requirements mandated by statute disclosures under NRS
2 17.150 and NRS 17.214.

3 Adequacy of Class Representative

4 45. Pursuant to Federal Rule of Civil Procedure 23(a)(3), the Class
5 Representative will fairly and adequately protect and represent the interest
6 of each class member. The Class Representative has retained counsel with
7 substantial experience in handling class actions in federal and state court.

8 46. The Class Representative has no conflicts of interest which would interfere
9 with his ability to represent the interests of the class members.

10 Appropriateness of Hybrid Class Treatment Under FRCP 23(b)(2) and (3)

11 47. A class action is superior to other methods for the fair and efficient
12 adjudication of this controversy. Because the damages suffered by the
13 individual class member may be relatively small compared to the expense and
14 burden of litigation, it would be impractical and economically unfeasible for
15 class members to seek redress individually. The prosecution of separate
16 actions by the individual class members, even if possible, would create a risk
17 of inconsistent or varying adjudications with respect to the individual
18 members against Crisis Collections, Mumm, and Broili.

19 48. The Class Representative is represented by counsel competent and
20 experienced in both consumer protection and class action litigation.

21 49. Members of the proposed class who have an interest in individually
22 controlling the prosecution of separate claims against Crisis Collections,
23 Mumm, or Broili will not be prejudiced by this action. Each member of the

1 proposed class will be identified through discovery from Crisis Collections,
2 Mumm, and Broili and will be notified and given an opportunity to opt out of
3 the class.

4 50. The Class Representative does not presently know the nature and extent of
5 any pending litigation to which a member of the proposed class is a party and
6 in which any question of law or fact contained in the present action is to be
7 adjudicated. The Class representative will identify any such pending litigation
8 by discovery from Crisis Collections, Mumm, and Broili.

9 51. This Court is an appropriate forum for the present action in that the Class
10 Representative is, and at all times herein mentioned, has been a resident of
11 Clark County, Nevada; the Representatives judgment was renewed in Clark
12 County, Nevada; Crisis Collections, Mumm, and Broili do business in Clark
13 County, Nevada including without limitation engaging in collection work and
14 the Renewal of Judgments to residents throughout this state.

15 52. Certification of a class under Federal Rule of Civil Procedure 23(b)(2), is
16 appropriate as Crisis Collections, Mumm, and Broili have acted on grounds
17 generally applicable to the Class with respect to the renewal of judgments as
18 described above thereby making appropriate equitable relief with respect to
19 the Class as a whole. Unless restrained from such activities Crisis Collections,
20 Mumm, and Broili will continue to unlawfully harm the interests of the Class
21 Representative and the class for which no adequate remedy at law exists.

22 53. Certification of a class under Federal Rule of Civil Procedure 23, is also
23 appropriate in that:
24

- 1 a. The questions of law or fact common to the members of the class
- 2 predominate over any questions affecting an individual class member;
- 3 and
- 4 b. A class action is superior to other available methods for the fair and
- 5 efficient adjudication of this controversy.

6 54. The Class Representative requests certification of a “hybrid” class for
7 monetary damages under FRCP 23(b)(3) and for equitable relief under FRCP
8 23(b)(2). See *Penson v. Terminal Transport Co., Inc.*, 634 F.2d 989, 994 (5th
9 Cir. 1981); *Agan v. Kaizman & Korr, P.A.*, 222 F.R.D. 692 (S.D. Fla. 2004).

10 55. There are no difficulties likely to be encountered by the Court in the
11 management of this proposed class action.

12 56. The Class Representatives counsel is entitled to a reasonable fee from the
13 class members or from a common fund for the handling of this action.

14 **WHEREFORE**, The Plaintiff respectfully prays the judgment be entered against the
15 Defendants for the following;

- 16 1. To certify a class of Plaintiffs against Crisis Collection, Mumm, and Broili.
- 17 2. With respect to the First Claim for Relief, 15 USC §1692e(2) and (5) the
- 18 greater of actual damages or statutory damages in the amount of \$1,000 per
- 19 offense, subject to the limitations imposed by 15 U.S.C. §1692k(a)(1)(B) plus
- 20 reasonable attorney fees and costs.
- 21 3. With respect to the Second Claim for Relief, 15 USC §1692f(1) the greater of
- 22 actual damages or statutory damages in the amount of \$1,000 per offense,
- 23 subject to the limitations imposed by 15 U.S.C. §1692(k)(a)(1)(B) plus
- 24

1 reasonable attorney fees and costs.

2 4. With respect to the Third Claim for relief, to declare that all judgments that
3 were not properly renewed, be declared void and invalid as to each class
4 member.

5 5. That each class members credit report be restored and any negative credit
6 listing be removed.

7 6. For actual damages.

8 7. For attorneys fees.

9 8. For such other and further relief as this Court may deem appropriate.

10 Dated: This 11th day of February, 2022

11 /s/Christopher P. Burke, Esq.
12 Christopher P. Burke, Esq.
13 Nevada Bar No.: 004093
14 *atty@cburke.lvcoxmail.com*
15 218 S. Maryland Parkway
Las Vegas, Nevada 89101
(702) 385-7987
Attorney for Plaintiff

16 **Exhibit “1”** Judgment filed July 16, 1997

17 **Exhibit “2”** Latest Renewal of Judgment filed March 1, 2021

Exhibit '1'

Judgment filed July 16, 1997

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DFJD
THOMAS R. BROOKSBANK, ESQ.
Nevada Bar No. 002674
3753 Howard Hughes Parkway #200
Las Vegas, Nevada 89109
(702) 732-2255
Attorney for Plaintiff

FILED

JUL 16 1 43 PM '97

Loretta Dossman
CLERK

DISTRICT COURT

CLARK COUNTY, NEVADA

FORD MOTOR CREDIT COMPANY,
Plaintiff,

vs.

Case No: A368006
Dept. No: XII
Docket No: R

IMAGE LOUNGE,
WILLIAM R. MILLER,
and DOES I through V,
inclusive,
Defendant(s).

BROOKSBANK
& ASSOCIATES
ATTORNEYS AT LAW

JUDGMENT

A PROFESSIONAL CORPORATION

In this action, the Defendant(s), Image Lounge and William R. Miller, having been served with a Summons and Complaint on February 25, 1997, and having failed to appear and answer the Plaintiff's Complaint filed herein, the legal time for answering having expired, and no answer having been filed, the default of the Defendant(s), having been duly entered according to law, upon application of the Plaintiff, Judgment is hereby entered against the Defendant(s), pursuant to the prayer of the Complaint. This is an attempt to collect a debt. Any information obtained will be used for this purpose.

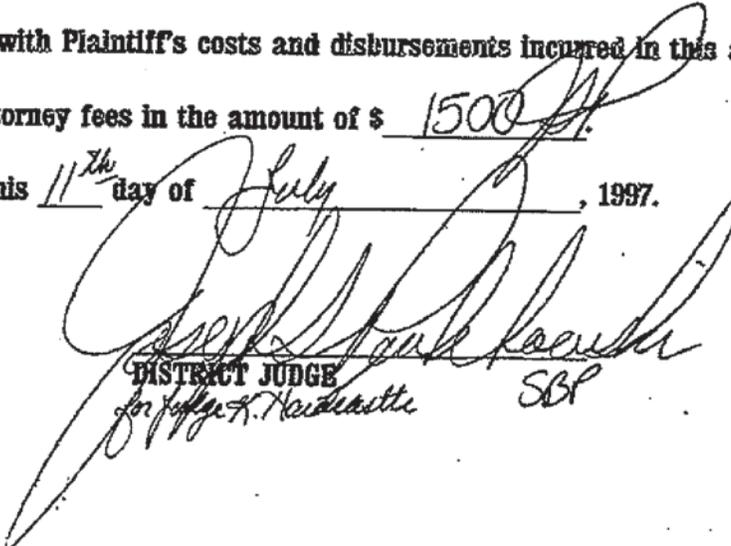
CE-05

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96-914

1 WHEREFORE, by virtue of the law and by reason of the premises aforesaid, it is
2 Ordered, Adjudged and Decreed, that the Plaintiff have and recover from the Defendant(s) the
3 sum of \$13,660.16, plus interest at the contract rate of 27.000%, per annum from October 9,
4 1995, together with Plaintiff's costs and disbursements incurred in this action in the sum of
5 \$177.00 and attorney fees in the amount of \$ 1500.00.

6
7 Dated this 11th day of July, 1997.

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10 
11 DISTRICT JUDGE
for Judge K. Henderson SCL

12 Submitted by:

13 BROOKSBANK & ASSOCIATES

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15 BROOKSBANK
& ASSOCIATES
16 ATTORNEYS AT LAW
A PROFESSIONAL
CORPORATION

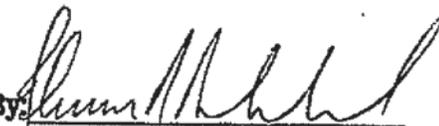
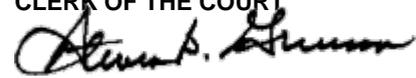
17 By: 
18 THOMAS R. BROOKSBANK, ESQ.
Nevada Bar No. 002674
3753 Howard Hughes Parkway #200
Las Vegas, Nevada 89109
(702) 732-2255
19 Attorney for Plaintiff

Exhibit '2'

Latest Renewal of Judgment
filed March 1, 2021

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Steven D. Grierson
CLERK OF THE COURT



1 ARJ

2 **CHRISTOPHER ERIC MUMM, ESQ.**

3 Nevada Bar No. 3314

4 **ROBERT H. BROILI, ESQ.**

5 Nevada Bar No. 3685

6 634 Ryland Street, Suite A

7 POST OFFICE BOX 3479

8 Reno, NV, USA 89505-3479

9 PH: (775) 329-5114

10 FX: (775) 329-5481

11 info@crisiscollections.com

12 Attorneys for the Plaintiff

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 *****

16 FORD MOTOR CREDIT COMPANY, LLC,

17 Plaintiff, CASE NO. A368006

18 vs.

19 DEPT NO. XII

20 WILLIAM R. MILLER,

21 IMAGE LOUNGE

22 Defendant. /

23 **AFFIDAVIT OF RENEWAL OF JUDGMENT**

24 **as to WILLIAM R. MILLER "ONLY"**

25 STATE OF NEVADA)

26) ss.

27 COUNTY OF WASHOE)

28 I, CHRISTOPHER ERIC MUMM, ESQ., do hereby affirm and state under
penalty of perjury that the following assertions of this Affidavit are true:

1. That I am the attorney for Plaintiff, FORD MOTOR CREDIT
COMPANY, LLC.

2. The Plaintiff's name is FORD MOTOR CREDIT COMPANY, LLC,
and the Defendant is WILLIAM R MILLER.

96-00916-1

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3. The date of the Judgment is July 11, 1997, and the Judgment amount was for the principal sum of \$13,660.16, plus accrued interest in the amount of \$6,464.00, costs of \$177.00, and attorneys fees in the amount of \$1,500.00, recorded in CLARKCounty on , as Document number .

4. There is no outstanding writ of execution.

5. The Judgment has been partially satisfied in the amount of \$.

6. Post-Judgment interest has accrued at the legal interest rate, and the unpaid judgment balance is \$58,876.60.

7. The Judgment Debtor has no set-offs or counterclaims which would constitute payments or credits on the Judgment.

8. The exact amount due on the Judgment as of February 18, 2021, is \$58,876.60.

This Affidavit is made from the affiant's personal knowledge.

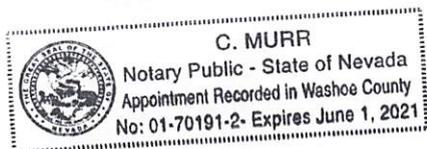
AFFIRMATION: This Affidavit does not contain any social security numbers.



CHRISTOPHER ERIC MUMM, ESQ.
Attorney for Plaintiff

SUBSCRIBED AND SWORN to before me
on this 18 day of July, 2021


NOTARY PUBLIC



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THOMAS R. BROOKSBANK, ESQ.
Nevada Bar No. 002674
3753 Howard Hughes Parkway #200
Las Vegas, Nevada 89109
(702) 732-2255
Attorney for Plaintiff

FILED

JUL 16 1 43 PM '97

Janette Rossman
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

FORD MOTOR CREDIT COMPANY,
Plaintiff,

vs.

Case No: A368006
Dept. No: XII
Docket No: R

IMAGE LOUNGE,
WILLIAM R. MILLER,
and DOES I through V,
inclusive,
Defendant(s).

BROOKSBANK
& ASSOCIATES
ATTORNEYS AT LAW

A PROFESSIONAL
CORPORATION

JUDGMENT

In this action, the Defendant(s), Image Lounge and William R. Miller, having been served with a Summons and Complaint on February 25, 1997, and having failed to appear and answer the Plaintiff's Complaint filed herein, the legal time for answering having expired, and no answer having been filed, the default of the Defendant(s), having been duly entered according to law; upon application of the Plaintiff, Judgment is hereby entered against the Defendant(s), pursuant to the prayer of the Complaint. This is an attempt to collect a debt. Any information obtained will be used for this purpose.

CE-05

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WHEREFORE, by virtue of the law and by reason of the premises aforesaid, it is Ordered, Adjudged and Decreed, that the Plaintiff have and recover from the Defendant(s) the sum of \$13,660.16, plus interest at the contract rate of 27.000%, per annum from October 9, 1995, together with Plaintiff's costs and disbursements incurred in this action in the sum of \$177.00 and attorney fees in the amount of \$ 1500.00.

Dated this 11th day of July, 1997.

[Handwritten Signature]
DISTRICT JUDGE
for Judge T. H. Haskett SBP

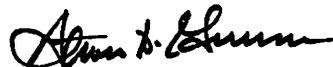
Submitted by:

BROOKSBANK & ASSOCIATES

**BROOKSBANK
& ASSOCIATES
ATTORNEYS AT LAW**
A PROFESSIONAL CORPORATION

By: *[Handwritten Signature]*
THOMAS R. BROOKSBANK, ESQ.
Nevada Bar No. 002674
3753 Howard Hughes Parkway #200
Las Vegas, Nevada 89109
(702) 732-2255
Attorney for Plaintiff

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CLERK OF THE COURT

1 AJR
2 ROBERT H. BROILI, ESQ.
3 Nevada Bar No. 3685
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13 info@crisiscollections.com

14 Attorneys for the Plaintiff

15 DISTRICT COURT
16 CLARK COUNTY, NEVADA

17 FORD MOTOR CREDIT COMPANY,
18 Plaintiff,

CASE NO. A368006

19 vs.

DEPT NO. XII

20 WILLIAM R. MILLER,
21 IMAGE LOUNGE
22 Defendant

23 AFFIDAVIT OF RENEWAL OF JUDGMENT

24 STATE OF NEVADA)
25) ss.
26 COUNTY OF WASHOE)

27 I, CHRISTOPHER ERIC MUMM, ESQ., do hereby affirm and state under
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1. That I am the attorney for Plaintiff, FORD MOTOR CREDIT
COMPANY.

2. The Plaintiff's name is FORD MOTOR CREDIT COMPANY, and the
Defendant is WILLIAM R. MILLER.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

William R. Miller, and all others similarly situated,

(b) County of Residence of First Listed Plaintiff Clark (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Christopher P. Burke, Esq. 218 S. Maryland Parkway, Las Vegas, NV 89101 (702) 385-7987

DEFENDANTS

Crisis Collection Management, LLC; Christopher Eric Mumm and Robert H. Broili

County of Residence of First Listed Defendant Washoe (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Large grid table for Nature of Suit with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 USC 1692

Brief description of cause: VIOLATION OF FDCA - IMPROPER RENEWAL OF JUDGMENT

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 250,000 CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 2/11/22

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

WILLIAM R. MILLER, and all others
similarly situated,

Plaintiff(s)

v.

CRISIS COLLECTION MANAGEMENT, LLC;
CHRISTOPHER ERIC MUMM and
ROBERT H. BROILI

Defendant(s)

Civil Action No. 2:22-CV-00262

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Crisis Collection Management, LLC
Christopher Eric Mumm, Esq.
Robert H. Broili, Esq.
634 Ryland St. Suite A
Reno, Nevada 89505

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Christopher P. Burke, Esq. Nevada Bar No. 004093 218 S. Maryland Parkway Las Vegas, Nevada 89101 Email: atty@cburke.lvcoxmail.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 2:22-CV-00262

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: