

1 Cynthia Fulton AZ State Bar 012480
2 LAW OFFICE OF CYNTHIA L. FULTON, INC.
3 3428 N. 17th Avenue
4 Phoenix, AZ 85015
5 TEL (602) 279-7659
6 FAX (602) 776-0611

7 Attorneys for Defendant Focus Receivables Management, L.L.C.

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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Christine Baker;)	Case No.: CV 06 2927 PCT-NVW
)	
Plaintiff,)	
)	
v.)	
)	DEFENDANT FOCUS
TransUnion LLC, Equifax Information)	RECEIVABLES MANAGEMENT,
Services, LLC, Focus Receivables)	L.L.C.'S ANSWER AND
Management, James Hurd, DirecTV, Dana)	AFFIRMATIVE DEFENSES
Capital Group, NCO Financial Systems,)	
Defendants.		

COMES NOW the Defendant Focus Receivables Management, L.L.C. (the "Defendant"), by and through its counsel of record and as its Answer and Affirmative Defenses to Plaintiff's Complaint, states and alleges as follows:

1. Defendant denies the allegations contained in Paragraph No. 1 of Plaintiff's Complaint.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth and veracity of the allegations contained in Paragraph No. 2 of Plaintiff's Complaint and accordingly denies same.

1 3. Defendant admits that jurisdiction and venue are appropriate with this Court.
2 Defendant denies the remaining allegations contained in Paragraph No. 3 of Plaintiff's Complaint.

3 4. Defendant denies the allegation contained in Paragraph No. 4 of Plaintiff's Complaint
4 alleging that Plaintiff is a "consumer" as defined by the FCRA. Defendant admits the allegation that
5 Plaintiff is an individual. Defendant is without knowledge or information sufficient to form a belief as
6 to the truth and veracity of the remaining allegations contained in Paragraph No. 4 of Plaintiff's
7 Complaint and accordingly denies same.

9 5. Defendant is without knowledge or information sufficient to form a belief as to the
10 truth and veracity of the allegations contained in Paragraph No. 5 of Plaintiff's Complaint and
11 accordingly denies same.

13 6. Defendant is without knowledge or information sufficient to form a belief as to the
14 truth and veracity of the allegations contained in Paragraph No. 6 of Plaintiff's Complaint and
15 accordingly denies same.

16 7. Defendant is without knowledge or information sufficient to form a belief as to the
17 truth and veracity of the allegations contained in Paragraph No. 7 of Plaintiff's Complaint and
18 accordingly denies same.

20 8. Defendant is without knowledge or information sufficient to form a belief as to the
21 truth and veracity of the allegations contained in Paragraph No. 8 of Plaintiff's Complaint and
22 accordingly denies same.

23 9. Defendant admits the allegations contained in Paragraph No. 9 of Plaintiff's
24 Complaint.
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1 10. Defendant denies the allegations contained in Paragraph No. 10 of Plaintiff's
2 Complaint.

3 11. Defendant is without knowledge or information sufficient to form a belief as to the
4 truth and veracity of the allegations contained in Paragraph No. 11 of Plaintiff's Complaint and
5 accordingly denies same.

6 12. Defendant is without knowledge or information sufficient to form a belief as to the
7 truth and veracity of the allegations contained in Paragraph No. 12 of Plaintiff's Complaint and
8 accordingly denies same.

9 13. Defendant is without knowledge or information sufficient to form a belief as to the
10 truth and veracity of the allegations contained in Paragraph No. 13 of Plaintiff's Complaint and
11 accordingly denies same.
12

13 14. Defendant is without knowledge or information sufficient to form a belief as to the
14 truth and veracity of the allegations contained in Paragraph No. 14 of Plaintiff's Complaint and
15 accordingly denies same.
16

17 15. Defendant is without knowledge or information sufficient to form a belief as to the
18 truth and veracity of the allegations contained in Paragraph No. 15 of Plaintiff's Complaint and
19 accordingly denies same.
20

21 16. Defendant is without knowledge or information sufficient to form a belief as to the
22 truth and veracity of the allegations contained in Paragraph No. 16 of Plaintiff's Complaint and
23 accordingly denies same.
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1 17. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 17 of Plaintiff's Complaint and
3 accordingly denies same.

4 18. Defendant is without knowledge or information sufficient to form a belief as to the
5 truth and veracity of the allegations contained in Paragraph No. 18 of Plaintiff's Complaint and
6 accordingly denies same.
7

8 19. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 19 of Plaintiff's Complaint and
10 accordingly denies same.

11 20. Defendant is without knowledge or information sufficient to form a belief as to the
12 truth and veracity of the allegations contained in Paragraph No. 20 of Plaintiff's Complaint and
13 accordingly denies same.
14

15 21. Defendant is without knowledge or information sufficient to form a belief as to the
16 truth and veracity of the allegations contained in Paragraph No. 21 of Plaintiff's Complaint and
17 accordingly denies same.
18

19 22. Defendant is without knowledge or information sufficient to form a belief as to the
20 truth and veracity of the allegations contained in Paragraph No. 22 of Plaintiff's Complaint and
21 accordingly denies same.

22 23. Defendant is without knowledge or information sufficient to form a belief as to the
23 truth and veracity of the allegations contained in Paragraph No. 23 of Plaintiff's Complaint and
24 accordingly denies same.
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1 24. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 24 of Plaintiff's Complaint and
3 accordingly denies same.

4 25. Defendant is without knowledge or information sufficient to form a belief as to the
5 truth and veracity of the allegations contained in Paragraph No. 25 of Plaintiff's Complaint and
6 accordingly denies same.
7

8 26. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 26 of Plaintiff's Complaint and
10 accordingly denies same.

11 27. Defendant is without knowledge or information sufficient to form a belief as to the
12 truth and veracity of the allegations contained in Paragraph No. 27 of Plaintiff's Complaint and
13 accordingly denies same.
14

15 28. Defendant is without knowledge or information sufficient to form a belief as to the
16 truth and veracity of the allegations contained in Paragraph No. 28 of Plaintiff's Complaint and
17 accordingly denies same.
18

19 29. Defendant is without knowledge or information sufficient to form a belief as to the
20 truth and veracity of the allegations contained in Paragraph No. 29 of Plaintiff's Complaint and
21 accordingly denies same.

22 30. Defendant is without knowledge or information sufficient to form a belief as to the
23 truth and veracity of the allegations contained in Paragraph No. 30 of Plaintiff's Complaint and
24 accordingly denies same.
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1 31. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 31 of Plaintiff's Complaint and
3 accordingly denies same.

4 32. Defendant admits that (678) 228-3415 is a telephone number used by Defendant as
5 alleged in paragraph 32 of Plaintiff's Complaint.

6 33. Defendant denies the allegations contained in Paragraph No. 33 of Plaintiff's
7 Complaint.

8 34. Plaintiff claims to have recorded her conversation with Mr. Hurd. Defendant submits
9 that any such recording will speak for itself and accordingly denies the allegations contained in
10 Paragraph No. 34 of Plaintiff's Complaint.

11 35. Plaintiff claims to have recorded her conversation with Mr. Hurd. Defendant submits
12 that any such recording will speak for itself and accordingly denies the allegations contained in
13 Paragraph No. 35 of Plaintiff's Complaint.

14 36. Plaintiff claims to have recorded her conversation with Mr. Hurd. Defendant submits
15 that any such recording will speak for itself and accordingly denies the allegations contained in
16 Paragraph No. 36 of Plaintiff's Complaint.

17 37. Defendant denies the allegations contained in Paragraph No. 37 of Plaintiff's
18 Complaint.

19 38. Defendant is without knowledge or information sufficient to form a belief as to the
20 truth and veracity of the allegations contained in Paragraph No. 38 of Plaintiff's Complaint and
21 accordingly denies same.

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1 39. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 39 of Plaintiff's Complaint and
3 accordingly denies same.

4 40. Defendant is without knowledge or information sufficient to form a belief as to the
5 truth and veracity of the allegations contained in Paragraph No. 40 of Plaintiff's Complaint and
6 accordingly denies same.
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8 41. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 41 of Plaintiff's Complaint and
10 accordingly denies same.

11 42. Defendant is without knowledge or information sufficient to form a belief as to the
12 truth and veracity of the allegations contained in Paragraph No. 42 of Plaintiff's Complaint and
13 accordingly denies same.
14

15 43. Defendant is without knowledge or information sufficient to form a belief as to the
16 truth and veracity of the allegations contained in Paragraph No. 43 of Plaintiff's Complaint and
17 accordingly denies same.
18

19 44. Defendant is without knowledge or information sufficient to form a belief as to the
20 truth and veracity of the allegations contained in Paragraph No. 44 of Plaintiff's Complaint and
21 accordingly denies same.

22 45. Defendant is without knowledge or information sufficient to form a belief as to the
23 truth and veracity of the allegations contained in Paragraph No. 45 of Plaintiff's Complaint and
24 accordingly denies same.
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1 46. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 46 of Plaintiff's Complaint and
3 accordingly denies same.

4 47. Defendant is without knowledge or information sufficient to form a belief as to the
5 truth and veracity of the allegations contained in Paragraph No. 47 of Plaintiff's Complaint and
6 accordingly denies same.
7

8 48. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 48 of Plaintiff's Complaint and
10 accordingly denies same.

11 49. Defendant is without knowledge or information sufficient to form a belief as to the
12 truth and veracity of the allegations contained in Paragraph No. 49 of Plaintiff's Complaint and
13 accordingly denies same.
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15 50. Defendant is without knowledge or information sufficient to form a belief as to the
16 truth and veracity of the allegations contained in Paragraph No. 50 of Plaintiff's Complaint and
17 accordingly denies same.
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19 51. Defendant is without knowledge or information sufficient to form a belief as to the
20 truth and veracity of the allegations contained in Paragraph No. 51 of Plaintiff's Complaint and
21 accordingly denies same.

22 52. Defendant is without knowledge or information sufficient to form a belief as to the
23 truth and veracity of the allegations contained in Paragraph No. 52 of Plaintiff's Complaint and
24 accordingly denies same.
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1 53. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 53 of Plaintiff's Complaint and
3 accordingly denies same.

4 54. Defendant is without knowledge or information sufficient to form a belief as to the
5 truth and veracity of the allegations contained in Paragraph No. 54 of Plaintiff's Complaint and
6 accordingly denies same.
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8 55. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 55 of Plaintiff's Complaint and
10 accordingly denies same.

11 56. Defendant repeats and realleges its responses to Paragraphs 1-55 of Plaintiff's
12 Complaint as though fully set forth herein.
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14 57. Defendant is without knowledge or information sufficient to form a belief as to the
15 truth and veracity of the allegations contained in Paragraph No. 57 of Plaintiff's Complaint and
16 accordingly denies same.
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18 58. Defendant is without knowledge or information sufficient to form a belief as to the
19 truth and veracity of the allegations contained in Paragraph No. 58 of Plaintiff's Complaint and
20 accordingly denies same.

21 59. Defendant is without knowledge or information sufficient to form a belief as to the
22 truth and veracity of the allegations contained in Paragraph No. 59 of Plaintiff's Complaint and
23 accordingly denies same.
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1 60. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 60 of Plaintiff's Complaint and
3 accordingly denies same.

4 61. Defendant is without knowledge or information sufficient to form a belief as to the
5 truth and veracity of the allegations contained in Paragraph No. 61 of Plaintiff's Complaint and
6 accordingly denies same.
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8 62. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 62 of Plaintiff's Complaint and
10 accordingly denies same.

11 63. Defendant is without knowledge or information sufficient to form a belief as to the
12 truth and veracity of the allegations contained in Paragraph No. 63 of Plaintiff's Complaint and
13 accordingly denies same.
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15 64. Defendant is without knowledge or information sufficient to form a belief as to the
16 truth and veracity of the allegations contained in Paragraph No. 64 of Plaintiff's Complaint and
17 accordingly denies same.
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19 65. Defendant is without knowledge or information sufficient to form a belief as to the
20 truth and veracity of the allegations contained in Paragraph No. 65 of Plaintiff's Complaint and
21 accordingly denies same.

22 66. Defendant is without knowledge or information sufficient to form a belief as to the
23 truth and veracity of the allegations contained in Paragraph No. 66 of Plaintiff's Complaint and
24 accordingly denies same.
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1 67. Defendant is without knowledge or information sufficient to form a belief as to the
2 truth and veracity of the allegations contained in Paragraph No. 67 of Plaintiff's Complaint and
3 accordingly denies same.

4 68. To the extent that the allegations contained in Paragraph No. 68 of Plaintiff's
5 Complaint are directed towards Defendant, Defendant denies same.

6 69. To the extent that the allegations contained in Paragraph No. 69 of Plaintiff's
7 Complaint are directed towards Defendant, Defendant denies same.

8 70. To the extent that the allegations contained in Paragraph No. 70 of Plaintiff's
9 Complaint are directed towards Defendant, Defendant denies same.

10 71. To the extent that the allegations contained in Paragraph No. 71 of Plaintiff's
11 Complaint are directed towards Defendant, Defendant denies same.

12 72. Defendant repeats and realleges its responses to Paragraphs 1-71 of Plaintiff's
13 Complaint as though fully set forth herein.

14 73. Defendant denies the allegations contained in Paragraph No. 73 of Plaintiff's
15 Complaint.

16 74. Defendant denies the allegations contained in Paragraph No. 74 of Plaintiff's
17 Complaint.

18 75. Defendant denies the allegations contained in Paragraph No. 75 of Plaintiff's
19 Complaint.

20 76. Defendant denies the allegations contained in Paragraph No. 76 of Plaintiff's
21 Complaint.

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1 77. Defendant denies the allegations contained in Paragraph No. 77 of Plaintiff's
2 Complaint.

3 78. Defendant denies the allegations contained in Paragraph No. 78 of Plaintiff's
4 Complaint.

5 79. Defendant repeats and realleges its responses to Paragraphs 1-78 of Plaintiff's
6 Complaint as though fully set forth herein.

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8 80. Defendant is without knowledge or information sufficient to form a belief as to the
9 truth and veracity of the allegations contained in Paragraph No. 80 of Plaintiff's Complaint and
10 accordingly denies same.

11 81. Defendant is without knowledge or information sufficient to form a belief as to the
12 truth and veracity of the allegations contained in Paragraph No. 81 of Plaintiff's Complaint and
13 accordingly denies same.

14 82. Defendant repeats and realleges its responses to Paragraphs 1-81 of Plaintiff's
15 Complaint as though fully set forth herein.

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17 83. Defendant is without knowledge or information sufficient to form a belief as to the
18 truth and veracity of the allegations contained in Paragraph No. 83 of Plaintiff's Complaint and
19 accordingly denies same.

20
21 84. Defendant repeats and realleges its responses to Paragraphs 1-83 of Plaintiff's
22 Complaint as though fully set forth herein.

23 85. Defendant is without knowledge or information sufficient to form a belief as to the
24 truth and veracity of the allegations contained in Paragraph No. 85 of Plaintiff's Complaint and
25 accordingly denies same.

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1 WHEREFORE, Defendant respectfully prays that Plaintiff's Complaint be dismissed with
2 prejudice in its entirety, that Defendant be awarded its reasonable attorneys' fees and costs incurred
3 to date in defending this action and for such other and further relief as this Court deems proper.

4 DATED this 8th day of January, 2007.

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6 Respectfully submitted,

7 LAW OFFICE OF CYNTHIA L. FULTON, INC.
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9 By: s/ Cynthia L. Fulton
10 **Cynthia L. Fulton**
11 3428 N. 17th Avenue
12 Phoenix, AZ 85015
13 Telephone: (602) 279-7659
14 FAX: (602) 776-0611
15 E-mail: cynthiafulton@fultonlaw.net

16 Attorneys for Defendant Focus Receivables
17 Management, L.L.C.

18 **Certificate of Service**

19 I hereby certify that on January 8, 2007, I electronically filed the foregoing with the Clerk of
20 Court using the CM/ECF system. A copy will be sent via U.S. Mail to:

21 Christine Baker
22 

23 By: s/ Cynthia L. Fulton
24 **Cynthia L. Fulton**
25 3428 N. 17th Avenue
26 Phoenix, AZ 85015
27 Telephone: (602) 279-7659
28 FAX: (602) 776-0611
E-mail: cynthiafulton@fultonlaw.net

Attorneys for Defendant Focus Receivables
Management, L.L.C.