

## USCB Settles TCPA Class Action for \$2.7 Million

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USCB America, a receivable and resource management company, recently obtained preliminary approval of a settlement of a consumer class action alleging that the company violated the Telephone Consumer Protection Act (TCPA), the Fair Debt Collection Practices Act, and California state law by calling the cell phone numbers of individuals across the nation without their consent. The lead plaintiff originally filed suit in California federal court in November 2013, and claimed that USCB repeatedly called her cell phone number using an automated dialing service regarding collection of a debt that she did not owe and in spite of her requests that USCB stop calling her. The court noted that USCB acquired many telephone numbers using “skip tracing” or another indirect method instead of collecting the numbers from the consumers directly, which may have led to the higher volume of mistaken and unauthorized calls. As part of the settlement, USCB will enter into a five year partner with Neustar, a company that provides scrubbing services for a call database to verify if a phone number belongs to a cell phone. The court also gave preliminary approval to USCB’s payment of a settlement amount of \$2.75 million into a settlement fund.

**Tip: Companies that call consumers using automated dialing technology and artificial or pre-recorded messages must comply with the relatively complex consent requirements. As this case makes clear, settlements for violations can be for millions of dollars, and thus companies should thus ensure they have the right consents in place, or that they take steps to avoid calling cell phone numbers.**

1 Min Read

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