IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

KAREN SAMPSON,)
	Plaintiff,)
v.) Case No. 15 C 2258
MRS BPO, LLC)
1930 Olney Ave.)
Cherry Hill, NJ 08003,)
	Defendant.)

MEMORANDUM ORDER

This Court has received in chambers, one day after its March 16 filing, a copy of the Complaint brought by counsel for plaintiff Karen Sampson ("Sampson") against debt collector MRS BPO, LLC ("MRS BPO"), asserting a claimed violation of two provisions of the Fair Debt Collection Practices Act ("Act"): 15 U.S.C. §§ 1692d and 1692f (those statutes are hereafter cited simply "Section --," omitting the prefatory "15 U.S.C. §"). Despite the fact that the delivered copy of the Complaint may be viewed as a true "courtesy copy" in the literal sense (that copy does not even show any case number or any other indication of filing, so that Sampson's counsel must have delivered it as soon as the original had in fact been filed in the Clerk's Office and assigned at random to this Court's calendar), this sua sponte memorandum order is regrettably compelled to extend less courtesy to Sampson's counsel.

Here are the Complaint's allegations that purportedly support liability under those provisions of the Act:

13. In a collection letter by Defendant, received on or about March 2, 2015, Defendant placed Plaintiff's collection account number on the outside of

the envelope for the public to observe who views the envelope. See Exhibit A.

14. Approximately one month before the above described collection letter was sent out, Defendant sent a collection letter to Plaintiff that did not include the Plaintiff's account number on the envelope. See Exhibit B.

Through some inexplicable oversight Sampson's court filing included neither Ex. A nor Ex. B -- instead Dkt. 1 comprises only the 3-page text of the Complaint itself. But because the delivery to this Court's chambers <u>did</u> include those exhibits, they are attached to and made a part of this memorandum order.

It takes only a quick look at those two exhibits to see that the Complaint is a bad joke -- a joke because the claims are so patently absurd, and a bad one because \$400 has been wasted on a filing fee. In order for any hypothetical member of the public "who views the envelope" (as Complaint ¶ 13 puts it) that is depicted in Ex. A to be able to perceive that debt collection is involved and is at issue, so that MRS BPO assertedly "used unfair and unconscionable means to collect a debt" (Section 1692f, cited in Complaint ¶ 16) or "engaged in conduct likely to oppress, harass or abuse in connection with the collection of a debt" (Section 1692d, cited in Complaint ¶ 17), that member of the public would have to be blessed (or cursed?) with x-ray vision that enabled him or her to read the letter contained in the sealed and assertedly offending envelope. Absent that, any deciphering of the impenetrable string of numbers and symbols on the outside of the Ex. A envelope would have to depend on some sort of divination.

That is simply not the stuff of which any legitimate invocation of the Act or its constructive purposes can be fashioned. If there are indeed (1) any "unfair and unconscionable means to collect a debt" (that is, a debt that would be created by any imposition of damages in this lawsuit) or (2) any "abuse in connection with the collection of a debt" (the latter term being

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used in the same sense) in this case, those statutory sins have been committed by Sampson's

counsel and not by MRS BPO.

Accordingly, in the exercise of its power under Fed. R. Civ. P. ("Rule") 12(f), this Court

strikes the entire Complaint and dismisses this action. Under the circumstances Sampson's

counsel is ordered to appear in court at 9 a.m. March 30, 2015 to explain how his filing of the

Complaint even arguably complied with the requirements of subjective and objective good faith

mandated by Rule 11(b).

Milton I. Shadur

Senior United States District Judge

Willan D Shaden

Date: March 17, 2015

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Return Address : MRS BPO, L.L.C. 1930 OLNEY AVENUE CHERRY HILL NJ 08003



PRESORT FIRST-CLASS U.S. POSTAGE & FEES PAID HOV SERVICES

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S-SFMRSA11 L-STL002WTT A-LU4.2088707.4129641 P49UVF00304599 - 054810138 I04600 KAREN S SAMPSON 1376 WILLIAMSBURG DR UNIT C2 SCHAUMBURG IL 60193-1930



MRS DE CAPAC SOLUTIONS REA RESULTS

Send Payment/Correspondence to: MRS Associates of New Jersey 1930 Olney Avs. Cherry Hill, NJ 08003 800-949-3208

Office Hours :

Monday - Thursday 9am - 9pm

Friday

9am - 8pm

RE: CHASE BANK USA N.A.

MRS ACCT#: LU4.2088707.4129641

CLIENT ACCT#: xxxxxxxxxx3398

ACCOUNT BALANCE: \$7,940.66

March 2, 2015

Dear KAREN S SAMPSON,

We recognize that a possible hardship or pitfall may have prevented you from satisfying your obligation. We are presenting three options that will enable you to avoid further collection activity being taken against you. We are not obligated to renew this offer.

ET

ET

Option 1: You pay only \$2,779.24 in ONE PAYMENT that must be received in this office on or before 03/20/2015.

Option 2: You make TWO PAYMENTS of \$1,985.17 each. The first payment must be received in this office on or before 03/20/2015 and the second payment on or before 04/24/2015.

Option 3: A monthly payment plan on the full balance of the account.

Payment may be made by calling 800-949-3208, mailing to the above address or by using our online payment website at https://mrspay.webview.com (internet connection required). If you have any questions or wish to discuss other arrangements, you may contact us.

When you call please let our representative know that you have received the CHASE BANK USA N.A. Option Letter.

Sincerely,

MRS Associates of New Jersey 800-949-3208

MRS Associates of New Jersey is a trade name of MRS BPO, L.L.C.

Tax time is a great time to put issues like this behind you. Consider using your tax refund to satisfy your outstanding obligation.

IRS requires certain amounts that are discharged as a result of the cancellation of debt to be reported on a Form 1099-C. You will receive a copy of Form 1099-C if one is required to be filed with the IRS.

Chase wants you to know that this debt settlement may affect your ability to open a new account or borrow money from Chase in the future. In most cases, Chase does not approve applications from customers who haven't paid the account balance back in full—even when an agreement is made for a partial payment to satisfy a debt.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

This communication is from a debt collector.

Exhibit A

250246

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Return Address: MRS BPO, L.L.C. 1930 OLNEY AVENUE CHERRY HILL NJ 08003



PRESORT FIRST-CLASS U.S. POSTAGE & FEES PAID HOV SERVICES

S-SFMRSA11 L-STL002wWP P47B8Z00213057 - 050117309 I13058 KARENS SAMPSON 1376 WILLIAMSBURG DR UNIT C2 SCHAUMBURG IL 60193-1930



Send Payment/Correspondence to: MRS Associates of New Jersey 1930 Olney Ave.

Cherry Hill, NJ 08003 800-949-3208

Office Hours:

Monday - Thursday 9am - 9pm Friday

9am - 8pm

RE: CHASE BANK USA N.A. CLIENT ACCT#: xxxxxxxxxx3398

MRS ACCT#: LU4.2088707 Use only bold numbers when calling

ACCOUNT BALANCE: \$7,940.66

February 2, 2015

Dear KAREN S SAMPSON.

We recognize that a possible hardship or pitfall may have prevented you from satisfying your obligation. We are presenting three options that will enable you to avoid further collection activity being taken against you. We are not obligated to renew this offer.

ET

ET

Option 1: You pay only \$2,779.24 in ONE PAYMENT that must be received in this office on or before 02/20/2015.

Option 2: You make TWO PAYMENTS of \$1,786.65 each. The first payment must be received in this office on or before 02/20/2015 and the second payment on or before 03/20/2015.

Option 3: A monthly payment plan on the full balance of the account.

Payment may be made by calling 800-949-3208, mailing to the above address or by using our online payment website at https://mrspay.webview.com (infernet connection required). If you have any questions or wish to discuss other arrangements, you may contact us.

When you call please let our representative know that you have received the CHASE BANK USA N.A. Option Letter.

Sincerely,

MRS Associates of New Jersey

800-949-3208

MRS Associates of New Jersey is a trade name of MRS BPO, L.L.C. LU4.2088707.4039449

IRS requires certain amounts that are discharged as a result of the cancellation of debt to be reported on a Form 1099-C, You will receive a copy of Form 1099-C if one is required to be filed with the IRS.

Chase wants you to know that this debt settlement may affect your ability to open a new account or borrow money from Chase in the future. In most cases, Chase does not approve applications from customers who haven't paid the account balance back in full—even when an agreement is made for a partial payment to satisfy a debt.

This is an attempt to collect a debt and any information obtained will be used for that purpose. This communication is from a debt collector.

Exhibit B