

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK  
CIVIL DIVISION

JOHN CRUZ,  
ON BEHALF OF HIMSELF  
ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

v

CONSTAR FINANCIAL SERVICES, LLC,  
EMPEREON-CONSTAR,  
EMPEREON INTERNATIONAL MEMBER, LLC,  
NAVIENT SOLUTIONS, LLC, AND JOHN DOE,

Defendants.

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Civil Action, File No.

**COMPLAINT**

**DEMAND FOR TRIAL BY JURY**

Plaintiff, John Cruz [hereinafter “Cruz”] on behalf of himself and all others similarly situated, by and through his attorney, Mitchell L. Pashkin, Esq., complains of Defendants, Constar Financial Services, LLC (“CFS”), Empereon-Constar, Empereon International Member, LLC, Navient Solutions, LLC (“Navient”), and John Doe, collectively, individually and in any combination known as Defendants and alleges as follows:

1. This court has jurisdiction of this case pursuant to 15 U.S.C. § 1692k(d), 28 USCS § 1331, and/or pursuant to 28 USCS § 1332 (d)(2)(A).
2. Venue in this district is proper based on Defendants’ regular transaction of business within this district. Venue in this district also is proper based on one or more Defendants possessing a license from the New York City Department of Consumer Affairs to operate as a “Debt Collection Agency” in New York City which includes this district. Defendants also derive substantial revenue from services rendered in this district. The aforementioned

transaction of business and services includes but is not limited to the collection of debt from consumers who reside in this district.

3. Venue in this district also is proper in light of the occurrences which form the basis for this Complaint having occurred in whole or in part in this district.
4. Plaintiff demands a trial by jury pursuant to FRCP 38 (b).
5. Cruz is a natural person who resides at 968 60<sup>th</sup> Street, Apt. 308, Brooklyn, NY 11219.
6. Cruz is a “consumer” as defined by 15 U.S.C. § 1692(a)(3) of the FDCPA.
7. CFS is an Arizona Limited Liability Corporation and a New York Foreign Limited Liability Corporation with a principal place of business located at 10400 N.25th Ave., Ste.100 Phoenix, AZ 85021.
8. Per § 20-490 of the New York City Administrative Code, any business that seeks to collect personal or household debts from New York City residents must have a Debt Collection Agency License from the New York City Department of Consumer Affairs. Pursuant to New York City Local Law No. 15, a Debt Collection Agency includes any attorney-at-law or law firm engaging in traditional debt collection activity. See also Eric M. Berman, P.C. v. City of N.Y., 796 F.3d 171 (2nd Cir., 2015).
9. CFS possesses a license from the New York City Department of Consumer Affairs to operate as a “Debt Collection Agency”.
10. On Exhibit A, CFS sets forth that it is a debt collector attempting to collect an alleged debt. Exhibit A, contain disclosures required to be made by a “debt collector” under the FDCPA as part of a communication attempting to collect a ‘debt’ or in connection with the collection of a “debt”.
11. Based upon Exhibit A and upon CFS possessing a license from the New York City

Department of Consumer Affairs to operate as a “Debt Collection Agency”, the principal purpose of CFS is the collection of debts using the instrumentalities of interstate commerce, including mails and telephone; and it regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.

12. Based upon the allegations in the above four paragraphs, CFS is a “debt collector” as defined by 15 U.S.C. § 1692a(6) of the FDCPA.
13. Upon information and belief, Empereon-Constar directs and/or requires and/or allows its wholly owned “debt collectors” subsidiary CFS to carry out collection efforts on its behalf and for its sole benefit; and Empereon-Constar always possesses the beneficial interests in the collection accounts which its wholly owned “debt collector” CFS attempts to collect.
14. Based on the above, the principal purpose of Empereon-Constar is the collection of debts using the instrumentalities of interstate commerce, including mails and telephone; and it regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.
15. Based on the above, Empereon-Constar is a “debt collector” as defined by 15 U.S.C. § 1692a(6) of the FDCPA.
16. Upon information and belief, Empereon International Member, LLC directs and/or requires and/or allows its wholly owned “debt collectors” subsidiary CFS to carry out collection efforts on its behalf and for its sole benefit; and Empereon International Member, LLC always possesses the beneficial interests in the collection accounts which its wholly owned “debt collector” CFS attempts to collect.
17. Based on the above, the principal purpose of Empereon International Member, LLC is the collection of debts using the instrumentalities of interstate commerce, including mails and

telephone; and it regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.

18. Based on the above, Empereon International Member, LLC is a “debt collector” as defined by 15 U.S.C. § 1692a(6) of the FDCPA.
19. Navient is a Delaware Limited Liability Company and a New York Foreign Limited Liability Company.
20. A debt collector as defined by the FDCPA, 15 U.S.C. § 1692b(6), is a “person who uses any instrumentality of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.” The FDCPA itself does not define the word “person”; but the Dictionary Act’s definition of a person expressly includes “corporations” and “companies”. See 1 USC 1.
21. The products and services provided by Navient are described on the pages of its website annexed as Exhibit B.
22. Navient’s business also consists of it and/or its wholly owned subsidiaries taking assignment of student loans originated by a bank, hiring servicers to service these loans and collect the payments due on these loans, and, upon a person’s default on the repayment of these loans, hiring agents, attorneys, and/or third-party debt collectors to attempt to collect these defaulted loans.
23. If the aforementioned agents, attorneys, and/or third-party debt collectors hired to attempt to collect the aforementioned purchased defaulted loans are able to obtain payment, the payments are made payable to Navient and/or are received on behalf of or for the benefit of Navient.

24. As revealed from a search of the New York State Unified Court System eCourts website (“eCourts”), on a consistent and regular basis over a period of numerous years through the present, Navient’s wholly owned subsidiaries have been the plaintiff in numerous consumer debt collection lawsuits where the lawsuit alleged that Navient’s wholly owned subsidiaries took assignment of the loan.
25. Prior to Cruz’s receipt of the letters annexed as Exhibit A, Navient took assignment of the debts which are the subject of the letters annexed as Exhibit A.
26. Based on the allegations in the above six paragraphs, the principal purpose of Navient is the collection of debts using the instrumentalities of interstate commerce, including mails and telephone; and/or it regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.
27. Based on the allegations in the above seven paragraphs, Navient is a “debt collector” as defined by 15 U.S.C. § 1692a(6) of the FDCPA.
28. On January 31, 2018, CFS, on behalf of, at the request and/or with the authority of Navient, sent Cruz the letters annexed as Exhibit A to collect debts owed to Navient or the actual creditor.
29. For the reasons set forth below, Cruz’s receipt and reading of the letters annexed as Exhibit A deprived Cruz of his rights to not be subject to abusive, deceptive, or misleading debt collection practices.
30. CFS, on behalf of, at the request, and/or with the authority of Navient, sent Cruz the letters annexed as Exhibit A to attempt to collect from Cruz educational loan debts. Also, the letters annexed as Exhibit A were sent to Cruz in an attempt to collect these past due debts from Cruz in his individual capacity. Therefore, the past due debts at issue

arose out of a transaction used primarily for personal, family or household purposes, and is therefore a “debt” as that term is defined by 15 U.S.C. § 1692a(5).

31. Navient issued work standards, directives, and/or guidelines to CFS which contained instructions, controls, and rules governing the steps CFS could and could not take to attempt to collect debts including the contents of the letters annexed as Exhibit A.
32. All the actions alleged in this Complaint taken by CFS were taken by CFS as the attorney and/or “debt collector” for, on behalf of, or at the request of the “debt collector” Navient.
33. Upon information and belief, Empereon-Constar directs and/or requires and/or allows its wholly owned “debt collectors” subsidiary CFS to carry out collection efforts on its behalf and for its sole benefit; and Empereon-Constar always possesses the beneficial interests in the collection accounts which its wholly owned “debt collector” CFS attempts to collect.
34. Upon information and belief, Empereon International Member, LLC directs and/or requires and/or allows its wholly owned “debt collectors” subsidiary CFS to carry out collection efforts on its behalf and for its sole benefit; and Empereon International Member, LLC always possesses the beneficial interests in the collection accounts which its wholly owned “debt collector” CFS attempts to collect.
35. Based on the allegations in paragraphs 30 through 34 of this Complaint, Navient, Empereon-Constar and Empereon International Member, LLC are vicariously liable for the actions of CFS in attempting to collect the educational loan debt via the filing and/or service of Exhibit A.

#### **FIRST CAUSE OF ACTION-CLASS CLAIM**

36. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1-35 of this Complaint.

37. The letters annexed as Exhibit A identify the creditor as “Navient Ed Credit Finance Corp”.

38. Upon information and belief, there is no such entity as “Navient Ed Credit Finance Corp” and/or “Navient Ed Credit Finance Corp” is not the actual creditor.

39. Based on the allegations in this cause of action, Defendants violated 15 USC 1692e, 15 USC 1692e(2)(A), and/or 15 USC 1692e(10) as a result of CFS sending Cruz the letters annexed as Exhibit A.

### **SECOND CAUSE OF ACTION-CLASS CLAIM**

40. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1-35 of this Complaint.

41. The creditor continued to accrue interest, late charges, and/or other charges on the debts which are the subject of the letters annexed as Exhibit A.

42. The letters annexed as Exhibit A do not set forth a date by which Cruz could pay the debts in order to satisfy the debts set forth in the letters annexed as Exhibit A.

43. Based on the creditor continuing to accrue interest, late charges, and/or other charges on the debts set forth in the letters annexed as Exhibit A and the letters annexed as Exhibit A not setting forth a date by which Cruz could pay the debts in order to satisfy the debts set forth in the letters annexed as Exhibit A, Cruz’s prompt payment of the debts set forth in the letters annexed as Exhibit A could not have satisfied the debts set forth in the letters annexed as Exhibit A.

44. The letters annexed as Exhibit A failed to notify Cruz that the debts set forth in the letters annexed as Exhibit A may increase due to the aforementioned accrued interest, late charges, and/or other charges.

45. For one or more of the above reasons, as a result of the aforementioned omission from

Exhibit A, Defendants violated 15 USC 1692e, 15 USC 1692e(2)(A), and/or 15 USC 1692e(10) as a result of CFS sending Cruz the letters annexed as Exhibit A.

### **THIRD CAUSE OF ACTION-CLASS CLAIM**

46. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1-35 of this Complaint.
47. Upon information and belief, at the time CFS sent Cruz the letters annexed as Exhibit A, the statute of limitations to commence a lawsuit to collect the debts which are the subject of the letters annexed as Exhibit A had expired.
48. The letters annexed as Exhibit A did not contain any warnings regarding the expiration of the statute of limitations to commence a lawsuit to collect the debts which are the subject of the letters annexed as Exhibit A.
49. As a result of the above, Defendants violated 15 USC 1692e, 15 USC 1692e(2)(A), and/or 15 USC 1692e(10) as a result of CFS sending Cruz the letters annexed as Exhibit A.

### **FOURTH CAUSE OF ACTION-CLASS CLAIM**

50. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1-49 of this Complaint.
51. For the reasons set forth in the allegations set forth in the First and Second Cause of Action in this Complaint, the filing and/or service of Exhibit A by CFS was deceptive or misleading.
52. The letters annexed as Exhibit A, were consumer oriented for the following reasons:
  - a. They were directed at Cruz;
  - b. Cruz is a consumer;
  - c. The conduct at issue against Cruz affected or had the potential to affect



similarly situated consumers; and

- d. Defendants regularly attempt to collect student loans and other consumer debts from hundreds or thousands of consumers. The same or similar misrepresentations and deceptions set forth in the First, Second and Third Cause of Action of this Complaint were directed at numerous numbers of these consumers.

53. Cruz suffered injuries as a result of the deceptive or misleading actions including but not limited to the aforementioned violations of his rights under the FDCPA, the cost of retaining an attorney to defend himself, and the emotional distress of being sued and having to defend against a lawsuit.

54. In light of the allegations in this cause of action, each of the aforementioned misrepresentations and deceptions set forth above constitute a violation of General Business Law 349 by all Defendants.

#### **FIFTH CAUSE OF ACTION-CLASS CLAIM**

55. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1-35 of this Complaint.

56. The letters annexed as Exhibit A amounted to a false, deceptive or misleading means in connection with the collection of a debt by Defendants in violation of 15 USC 1692e, 15 USC 1692e(2)(A), 15 U.S.C. § 1692e(3), 15 U.S.C. § 1692e(5), and 15 USC 1692e(10).

#### **SIXTH CAUSE OF ACTION-CLASS CLAIM**

57. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1-35 of this Complaint.

58. The letters annexed as Exhibit A amounted to a false, deceptive or misleading means in connection with the collection of a debt by Defendants in violation of 15 USC 1692g.

### **CLASS ALLEGATIONS**

59. Plaintiff brings this action on behalf of a class pursuant to Fed. R. Civ. P. 23(a) and (b)(3).

60. The class consists of (a) all natural persons (b) who received a letter from CFS dated between January 31, 2018 and the present (c) to collect a past due consumer debt, (d) in a form materially identical or substantially similar to Exhibit A.

61. The class members are so numerous that joinder is impracticable. On information and belief, there are more than 50 members.

62. There are questions of law and fact common to the class members, which common questions predominate over any questions that affect only individual class members.

63. The predominant common question is whether Defendants' lawsuits violate the FDCPA and/or NY GBL 349.

64. Plaintiff will fairly and adequately represent the interests of the class members. Plaintiff has retained counsel experienced in consumer credit and debt collection abuse cases and class actions.

65. A class action is the superior means of adjudicating this dispute.

66. Individual cases are not economically feasible.

**WHEREFORE**, Plaintiff requests the following relief:

1. A Judgment against Defendants in favor of Plaintiff and the class members for statutory and actual damages in an amount to be determined at trial, and costs and attorney's fees; and

2. Any and all other relief deemed just and warranted by this court.

Dated: January 30, 2019

/s/  
\_\_\_\_\_  
Mitchell L. Pashkin, Esq. (MLP-9016)  
Attorney For Plaintiff  
775 Park Avenue, Suite 255  
Huntington, NY 11743  
(631) 335-1107





Change of Address Notification

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Address \_\_\_\_\_ Apt # \_\_\_\_\_

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City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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(\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Home Phone Business Phone Other Phone

**NOTE: The below information is not intended to be a complete list of rights consumers may have under State and Federal law.**

**Please be advised that the following state and municipal disclaimers are only applicable to consumers living in those states or municipalities.**

**California Residents:**

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or [www.ftc.gov](http://www.ftc.gov)

**Colorado Residents:**

A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt. FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [WWW.COAG.GOV/CAR](http://WWW.COAG.GOV/CAR).

Constar Colorado Office: 2953 S Peoria St Suite 200 Aurora, CO 80014 303-500-5537 Hours: 9am - 5pm Monday through Friday

**Massachusetts Residents:**

You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to this agency.

**Minnesota Residents:**

This collection agency is licensed by the Minnesota Department of Commerce.

**New York Residents:**

This collection agency is licensed in New York City, License # 1223510.

Debt collectors, in accordance with the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., are prohibited from engaging in abusive, deceptive, and unfair debt collection efforts, including but not limited to: a) the use or threat of violence; b) the use of obscene or profane language; and c) repeated phone calls made with the intent to annoy, abuse, or harass.

If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: 1. Supplemental security income, (SSI); 2. Social security; 3. Public assistance (welfare); 4. Spousal support, maintenance (alimony) or child support; 5. Unemployment benefits; 6. Disability benefits; 7. Workers' compensation benefits; 8. Public or private pensions; 9. Veterans' benefits; 10. Federal student loans, federal student grants, and federal work study funds; and 11. Ninety percent of your wages or salary earned in the last sixty days.

**City of Buffalo Residents:**

This collection agency is licensed by the City of Buffalo, New York License # CAG11-549716.

**North Carolina:**

North Carolina Department of Insurance Permit # 102557.

**Tennessee**

This collection agency is licensed by the Collection Service Board, State Department of Commerce and Insurance, James Robertson Parkway, Nashville, Tennessee 37243.

**West Virginia**

The activities of collection agencies in West Virginia are regulated by the Attorney General's Consumer Protection Division, 812 Quarrier St., Charleston, WV 25301. Federal law prohibits agencies from contacting you about your debt if you send a letter requesting that all contacts stop.



Personal & Confidential

|||...|||...  
JOHN CRUZ  
968 60TH ST APT 308  
BROOKLYN NY 11219-4858

REMIT TO:

|||...|||...  
CONSTAR FINANCIAL SERVICES, LLC  
10400 N 25TH AVE, SUITE 100  
PHOENIX AZ 85021

Please fill in the check box, if your address or phone number has changed and notate on the back.

Constar # :	Total Due :	Settlement Amount:	Monthly Payment
2569987	\$15,490.74	\$4,368.00	\$91.00
<b>Creditor : NAVIENT ED CREDIT FINANCE CORP</b>			

✂ Detach Upper Portion And Return With Payment ✂

### EXTENDED SETTLEMENT OFFER

January 31, 2018

Creditor : NAVIENT ED CREDIT FINANCE CORP  
Constar # : 2569987  
Current Creditor Account # : 2116803640102  
**Total Due : \$ 15,490.74**

As you are aware, Navient has placed the above account with us for collections. Our client has permitted us to extend a special settlement offer to you for a limited time.

Navient will settle in full your account in the amount of \$4,368.00 if you agree to make payments in the amount of \$91.00 for the next forty-eight (48) consecutive months. Each payment must be received by the 20th of each month beginning February 2018. It is important to understand that if any payments are not received by the agreed due date, this arrangement will be canceled and the current balance, plus any accrued interest, will be due and immediately payable.

If you would like to take advantage of this money-saving offer, or need additional time, please contact this office today.

Payment Options – Check by Phone, Money Gram or Mail  
When payment is received in our office, all collection activity will cease.

OFFICE HOURS:  
6:00AM - 6:00PM MONDAY-FRIDAY  
6:00AM - 10:00AM SATURDAY  
Your representative: Kendrell Beck  
Toll Free (877) 889-0250

Please write your Constar # on all payments and correspondence.  
**Make your payments payable to CONSTAR FINANCIAL SERVICES LLC:**

**Mail your Payment to:**  
Constar Financial Services, LLC  
10400 N 25TH AVE, SUITE 100  
PHOENIX AZ 85021

**Money Gram Instructions:**  
Constar Financial Services  
Phoenix AZ  
Receive Code: 6326

#### NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



Address		Apt #
City	State	Zip
( ) -	( ) -	( ) -
Home Phone	Business Phone	Other Phone

**NOTE: The below information is not intended to be a complete list of rights consumers may have under State and Federal law.**

**Please be advised that the following state and municipal disclaimers are only applicable to consumers living in those states or municipalities.**

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The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or [www.ftc.gov](http://www.ftc.gov)

**Colorado Residents:**

A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt. FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [WWW.COAG.GOV/CAR](http://WWW.COAG.GOV/CAR).

Constar Colorado Office: 2953 S Peoria St Suite 200 Aurora, CO 80014 303-500-5537 Hours: 9am - 5pm Monday through Friday

**Massachusetts Residents:**

You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to this agency.

**Minnesota Residents:**

This collection agency is licensed by the Minnesota Department of Commerce.

**New York Residents:**

This collection agency is licensed in New York City, License # 1223510.

Debt collectors, in accordance with the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., are prohibited from engaging in abusive, deceptive, and unfair debt collection efforts, including but not limited to: a) the use or threat of violence; b) the use of obscene or profane language; and c) repeated phone calls made with the intent to annoy, abuse, or harass.

If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: 1. Supplemental security income, (SSI); 2. Social security; 3. Public assistance (welfare); 4. Spousal support, maintenance (alimony) or child support; 5. Unemployment benefits; 6. Disability benefits; 7. Workers' compensation benefits; 8. Public or private pensions; 9. Veterans' benefits; 10. Federal student loans, federal student grants, and federal work study funds; and 11. Ninety percent of your wages or salary earned in the last sixty days.

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BROOKLYN NY 11219-4858

REMIT TO:

CONSTAR FINANCIAL SERVICES, LLC  
10400 N 25TH AVE, SUITE 100  
PHOENIX AZ 85021

Please fill in the check box, if your address or phone number has changed and notate on the back.

Constar # :	Total Due :	Settlement Amount:	Monthly Payment
2569988	\$8,392.20	\$2,352.00	\$49.00
<b>Creditor : NAVIENT ED CREDIT FINANCE CORP</b>			

✂ Detach Upper Portion And Return With Payment ✂

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Constar # : 2569988  
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**Total Due : \$ 8,392.20**

January 31, 2018

As you are aware, Navient has placed the above account with us for collections. Our client has permitted us to extend a special settlement offer to you for a limited time.

Navient will settle in full your account in the amount of \$2,352.00 if you agree to make payments in the amount of \$49.00 for the next forty-eight (48) consecutive months. Each payment must be received by the 20th of each month beginning February 2018. It is important to understand that if any payments are not received by the agreed due date, this arrangement will be canceled and the current balance, plus any accrued interest, will be due and immediately payable.

If you would like to take advantage of this money-saving offer, or need additional time, please contact this office today.

Payment Options – Check by Phone, Money Gram or Mail  
When payment is received in our office, all collection activity will cease.

OFFICE HOURS:  
6:00AM - 6:00PM MONDAY-FRIDAY  
6:00AM - 10:00AM SATURDAY  
Your representative: Kendrell Beck  
Toll Free (877) 889-0250

Please write your Constar # on all payments and correspondence.  
**Make your payments payable to CONSTAR FINANCIAL SERVICES LLC:**

**Mail your Payment to:**  
Constar Financial Services, LLC  
10400 N 25TH AVE, SUITE 100  
PHOENIX AZ 85021

**Money Gram Instructions:**  
Constar Financial Services  
Phoenix AZ  
Receive Code: 6326

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Zip	
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If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: 1. Supplemental security income, (SSI); 2. Social security; 3. Public assistance (welfare); 4. Spousal support, maintenance (alimony) or child support; 5. Unemployment benefits; 6. Disability benefits; 7. Workers' compensation benefits; 8. Public or private pensions; 9. Veterans' benefits; 10. Federal student loans, federal student grants, and federal work study funds; and 11. Ninety percent of your wages or salary earned in the last sixty days.

**City of Buffalo Residents:**

This collection agency is licensed by the City of Buffalo, New York License # CAG11-549716.

**North Carolina:**

North Carolina Department of Insurance Permit # 102557.

**Tennessee**

This collection agency is licensed by the Collection Service Board, State Department of Commerce and Insurance, James Robertson Parkway, Nashville, Tennessee 37243.

**West Virginia**

The activities of collection agencies in West Virginia are regulated by the Attorney General's Consumer Protection Division, 812 Quarrier St., Charleston, WV 25301. Federal law prohibits agencies from contacting you about your debt if you send a letter requesting that all contacts stop.







Address	Apt #	
City	State	Zip
(      ) - _____	(      ) - _____	(      ) - _____
Home Phone	Business Phone	Other Phone

**NOTE: The below information is not intended to be a complete list of rights consumers may have under State and Federal law.**

**Please be advised that the following state and municipal disclaimers are only applicable to consumers living in those states or municipalities.**

**California Residents:**

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or [www.ftc.gov](http://www.ftc.gov)

**Colorado Residents:**

A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt. FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [WWW.COAG.GOV/CAR](http://WWW.COAG.GOV/CAR).

Constar Colorado Office: 2953 S Peoria St Suite 200 Aurora, CO 80014 303-500-5537 Hours: 9am - 5pm Monday through Friday

**Massachusetts Residents:**

You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to this agency.

**Minnesota Residents:**

This collection agency is licensed by the Minnesota Department of Commerce.

**New York Residents:**

This collection agency is licensed in New York City, License # 1223510.

Debt collectors, in accordance with the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., are prohibited from engaging in abusive, deceptive, and unfair debt collection efforts, including but not limited to: a) the use or threat of violence; b) the use of obscene or profane language; and c) repeated phone calls made with the intent to annoy, abuse, or harass.

If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: 1. Supplemental security income, (SSI); 2. Social security; 3. Public assistance (welfare); 4. Spousal support, maintenance (alimony) or child support; 5. Unemployment benefits; 6. Disability benefits; 7. Workers' compensation benefits; 8. Public or private pensions; 9. Veterans' benefits; 10. Federal student loans, federal student grants, and federal work study funds; and 11. Ninety percent of your wages or salary earned in the last sixty days.

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Personal & Confidential



JOHN CRUZ  
968 60TH ST APT 308  
BROOKLYN NY 11219-4858

REMIT TO:



CONSTAR FINANCIAL SERVICES, LLC  
10400 N 25TH AVE, SUITE 100  
PHOENIX AZ 85021

Please fill in the check box, if your address or phone number has changed and notate on the back.

Constar # :	Total Due :	Settlement Amount:	Monthly Payment
2569990	\$8,077.37	\$2,304.00	\$48.00
Creditor : NAVIENT ED CREDIT FINANCE CORP			

✂ Detach Upper Portion And Return With Payment ✂

### EXTENDED SETTLEMENT OFFER

Creditor : NAVIENT ED CREDIT FINANCE CORP  
Constar # : 2569990  
Current Creditor Account # : 2116803640105  
Total Due : \$ 8,077.37

January 31, 2018

As you are aware, Navient has placed the above account with us for collections. Our client has permitted us to extend a special settlement offer to you for a limited time.

Navient will settle in full your account in the amount of \$2,304.00 if you agree to make payments in the amount of \$48.00 for the next forty-eight (48) consecutive months. Each payment must be received by the 20th of each month beginning February 2018. It is important to understand that if any payments are not received by the agreed due date, this arrangement will be canceled and the current balance, plus any accrued interest, will be due and immediately payable.

If you would like to take advantage of this money-saving offer, or need additional time, please contact this office today.

Payment Options – Check by Phone, Money Gram or Mail  
When payment is received in our office, all collection activity will cease.

OFFICE HOURS:  
6:00AM - 6:00PM MONDAY-FRIDAY  
6:00AM - 10:00AM SATURDAY  
Your representative: Kendrell Beck  
Toll Free (877) 889-0250

Please write your Constar # on all payments and correspondence.  
**Make your payments payable to CONSTAR FINANCIAL SERVICES LLC:**

**Mail your Payment to:**  
Constar Financial Services, LLC  
10400 N 25TH AVE, SUITE 100  
PHOENIX AZ 85021

**Money Gram Instructions:**  
Constar Financial Services  
Phoenix AZ  
Receive Code: 6326

**NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION**

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



Address

Apt #

City

State

Zip

( ) -  
Home Phone

( ) -  
Business Phone

( ) -  
Other Phone

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# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Brooklyn Debtor Files Class Action Over Allegedly Misleading Student Loan Collection Letters](#)

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