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12.

FACTUAL ALLEGATIONS

Prior to filing for Chapter 7 bankruptcy protection, plaintiff owed a debt to defendants.

13.

Plaintiff filed for Chapter 7 bankruptcy protection in this Honorable Court on June 21, 2012.

14.

Plaintiff has not incurred new debt with defendants after filing bankruptcy and has not used defendants' services or products after filing bankruptcy.

15.

After the commencement of her bankruptcy case, defendants seized funds from plaintiff's bank account in attempts to collect on their claim against her.

16.

On or around September 7, 2012 defendants received actual notice that plaintiff filed for bankruptcy protection and of the automatic stay.

17.

On or around September 7, 2012 defendants were notified that plaintiff was represented by an attorney regarding her debt.

18.

On or around September 7, 2012 defendants were asked not to contact plaintiff directly in the future and were provided her attorney's contact information.

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19.

Defendants did not motion this Bankruptcy Court for relief from the automatic stay.

20.

After receiving actual notice of plaintiff's bankruptcy case and the automatic stay, defendants willfully harassed plaintiff in an attempt to collect on a claim arising before the commencement of her bankruptcy case.

21.

Specifically, defendants continued to harass plaintiff with collection attempts on or around September 18, 2012 and September 19, 2012.

22.

Defendants' failure to take affirmative steps to ensure compliance with the automatic stay resulted in willful acts to collect.

23.

Defendants fail to return all funds seized from plaintiff's bank account in violation of the stay and fail to otherwise remedy their contempt.

24.

As a direct and proximate result of defendants' choices, plaintiff suffers actual damages, including severe ongoing worry, anxiety, embarrassment and other negative emotions to be proven at trial.

25.

As a direct and proximate result of defendants' choices, plaintiff suffers actual damages in the form of time spent and expenses including fees and costs to remedy their contempt.

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WHEREFORE, plaintiff request judgment against defendants as follows:

- A. An award of actual damages, punitive damages, and reasonable attorneys fees and costs necessary to remedy defendants' contempt;
- B. For such other and further relief as this Court may deem just and proper.

Dated: February 14, 2013

/s/ Michael Fuller
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