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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>WY</u>	DEPUTY

Curtis G. Glawe, Pro Se
2240 570th Street
Aurelia, IA 51005
cglawe@live.com

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Curtis G. Glawe

Plaintiff

No. CV-18-01282-PHX-JJT

v.

Carpenter, Hazelwood, Delgado,&
Bolen PLC & Javier Delgado, Mark
Holmgren, Mark K. Sahl, & Gregory A.
Stein, Individually

Defendants

COMPLAINT

(Jury Trial Demanded)

I. Preliminary Statement

1. Plaintiff brings this action for damages based upon Defendant's violations of the Fair Debt Collections Practices Act ("FDCPA"), 15 U.S.C. § 1692 et. seq., for unfair, undignified, untruthful, disrespectful, and continuing violations. Since the violations

1 have not ceased since the time the first violation
2 occurred, violations that would usually be outside
3 the limitations periods under the Fair Debt
4 Collection Practices Act (FDCPA) and Arizona's Fair
5 Debt Collection Practices Act are still eligible
6 for consideration in this case due to "continuing
7 violation theory". Defendants have been and are
8 engaged in unfair, deceptive, abusive, false
9 representations, oppressive, simulated legal
10 process, harassment, and vindictive conduct. In the
11 course of attempting to collect a debt, Defendants
12 have taken actions which constitute unreasonable
13 debt collection practices and harassment. Plaintiff
14 seeks to recover actual damages, statutory damages,
15 punitive damages as well as other fees and costs
16 including attorney's fees (if Plaintiff hires an
17 attorney), and such other relief as may be just and
18 proper, for Defendants' egregious actions in this
19 case.
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II. Jurisdiction

2. Jurisdiction of this court, over this action and the parties herein, arises under 15 U.S.C. § 1692k(d) (FDCPA), and 28 U.S.C. § 1331. Venue lies in the Phoenix Division of the District of Arizona as Plaintiff's claims arose from acts of the Defendants perpetrated therein.

III. Parties

3. Plaintiff, Curtis Glawe owns retirement property in Maricopa County, Arizona, and resides in Aurelia, Iowa, 2240 570th Street 51005.

4. Curtis Glawe is a natural person obligated to pay HOA assessments from which the underlying debt is not relevant or an issue in this action.

5. Curtis Glawe is a "consumer" as the term is defined by FDCPA § 1692a(3).

6. Defendant Carpenter, Hazelwood, Delgado & Bolen PLC is a Public Limited Liability Company doing business in the state of Arizona.

1 7. Defendants Javier B. Delgado, Mark Holmgren Mark K.
2 Sahl, and Gregory A. Stein are Attorneys for
3 Carpenter, Hazelwood, Delgado and Bolen PLC that
4 violated and continue to violate the Federal Fair
5 Debt Collections Act ("FDCPA").
6
7

8 8. Defendants collect or attempt to collect debts owed
9 or asserted to be owed or due another.
10

11 9. A "Debt Collector" is someone who collects debts
12 when past due. Carpenter, Hazelwood, Delgado, &
13 Bolen PLC and Attorneys Javier Delgado, Mark
14 Holmgren, Mark K. Sahl and Gregory A. Stein are
15 "debt collectors" as the term is defined by FDCPA §
16 1692a(6) and Arizona Revised Statute (A.R.S.) Title
17 32 § 32-1051.
18
19

20 10. The FDCPA applies to consumer debt. The debt
21 incurred in this case qualifies in that it upon a
22 house purchased as a future retirement property for
23 the benefit of Curtis & Lorri Glawe to use as their
24 personal residence.
25
26
27
28

1 11. The FDCPA protects debtors from unfair billing
2 practices and being harassed by creditors. If
3
4 Creditors violate the act consumers can sue them
5 for damages - even if the consumer actually owes
6 the debt.
7

8 12. The FDCPA applies to the collection of
9 assessments.
10

11 13. FDCPA typically does not apply to homeowners'
12 associations attempting to collect a debt
13 themselves, but it does apply to debt collectors,
14 which are basically third parties attempting to
15 collect a debt owned by some other party. (A.R.S.
16 Title 32 § 32-1051).
17
18

19 14. The Federal Trade Commission's Investigative and
20 Law Enforcement Authority basic consumer protection
21 statute enforced by the commission Section 5(a) of
22 the FTC Act provides that "**unfair or deceptive acts**
23 **or practices** that cause or are likely to cause
24 reasonably foreseeable injury within the United
25 States" are actionable. "Unfair" practices are
26
27
28

1 defined as those that "cause or[] [are] likely to
2 cause **substantial injury** to consumers which is **not**
3 **reasonably avoidable** by consumers themselves and
4 **not outweighed by countervailing benefits** to
5 consumers or to competition" 1(15 U.S.C. Sec.
6 45(n)).
7

8
9 15. Plaintiff also seeks injunctive relief [§ 16
10 Clayton act] for defendants' past and current
11 violations of the Fair Credit Billing Act (FCBA),
12 enacted in 1974 as an amendment to the Truth in
13 Lending Act (codified at 15 U.S.C. § 1601 et seq.).
14 Private parties may apply for treble damages [§4
15 Clayton Act].
16
17
18

19 16. The Fair Credit Billing Act protects consumers
20 from unfair billing practices such as those
21 violated by defendants in this case.
22

23 A. Charges in the wrong amount

24 B. Statements mailed to the wrong address

25 C. Charges for goods or services not received by
26 the consumer
27
28

1 D. Charges for goods not delivered as agreed
2
3

4 **IV. Factual Allegations**

5 17. The underlying debt that Carpenter, Hazelwood,
6 Delgado, & Bolen PLC and Attorneys Javier Delgado,
7 Mark Holmgren, Mark M. Sahl, and Gregory Stein have
8 attempted to collect are HOA assessments.
9

10
11 18. From the time of defendants sending plaintiff a
12 collection letter for property known as Lot 79 at
13 22062 West Mohave Street in Buckeye, Arizona, up to
14 and including the filing of this complaint,
15 Carpenter, Hazelwood, Delgado, & Bolen PLC and
16 Attorneys Javier Delgado, Mark Holmgren, Mark M.
17 Sahl, and Gregory A. Stein, have unabatedly
18 violated not just one or two, but several Fair Debt
19 Collection practices act requirements that
20 Plaintiff demands be decided by jury.
21
22

23
24
25 19. Because most of the violations have been unabated
26 and continuous for almost 6 years plaintiff
27 contends that the complaint falls under "the
28

continuing violation theory" and therefore the agency Carpenter, Hazelwood, Delgado, & Bolen PLC., as well as Attorneys Javier Delgado, Mark Holmgren, Mark M. Sahl, and Gregory A. Stein do not qualify under the statute of limitations and this complaint is actionable under the Fair Debt Collection Practices Act (FDCPA).

20. Carpenter, Hazelwood, Delgado, & Bolen PLC and Attorneys Javier B. Delgado, Mark Holmgren, Mark M. Sahl, and Gregory A. Stein have violated the FDCPA by making false representations to Plaintiff and also to the Superior Court of Maricopa County. The allegations include but are not limited to lying to Plaintiff and the Court in order to keep Plaintiff from getting the jury trial Plaintiff demanded and was entitled to in a breach of contract dispute.

21. Defendants misrepresented the HOA by acting "as the HOA", and encouraging the HOA to act as a shield for them because the HOA is not subject to FDCPA and Defendants at all times negotiated in

1 place of the HOA and demanded Plaintiff not have
2 any contact with HOA, only to be "exclusively" with
3 defendants.
4

5 22. As a "debt collector" that accepts credit card
6 payments, defendants violated and continue to
7 violate the Fair Credit Billing Act(FCBA) for
8 unfair billing practices which would violate the
9 FDCPA requirement to deal openly, fairly, and
10 honestly in the conduct of collection agency
11 business.
12
13
14

15 23. A.R.S. § 32-1051 paragraphs 2 through 7 and § 32-
16 1055, subsection C, and subsection D, paragraphs 1,
17 2, 3, and 5 require compliance by, "Attorneys at
18 Law", which defendants qualify as. Defendants have
19 failed to uphold § 32-1051 paragraphs 3, 4, and 5.
20 The defendants have failed to, and continue to fail
21 to, "Deal openly, fairly and honestly in the
22 conduct of the collection agency business" (§ 32-
23 1051(3)), by continuing to perpetuate a lie to
24 plaintiff and the court that gave them an unfair
25
26
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1 advantage and changed the outcome of the Breach of
2 Contract lawsuit.

3
4 24.A.R.S. § 32-1051(4) states: "Except for Attorneys
5 licensed to practice law, that **are not in violation**
6 **of 32-1051 or 32-1055**, cannot attempt to collect
7 any collection fee, attorney's fee, court costs or
8 expenses unless the fees, charges or expenses are
9 justly due and legally chargeable against the
10 debtor, or have been judicially determined, nor
11 shall any licensee engage in any unfair or
12 misleading practices or resort to any oppressive,
13 vindictive or illegal means or methods of
14 collection". A.R.S. § 32-1051(5) states: "Except
15 for attorneys licensed to practice law, not give or
16 send to any debtor, or cause to be given or sent to
17 any debtor, any notice, letter, message or form
18 which:", etc.

19
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25 25. Plaintiff will show the court and the jury that
26 the defendants have, and/or continue to violate
27 every one of the allegations made. Defendants
28

1 employed vindictive and oppressive collection
2 methods.
3

4 26. Defendants violated and continue to violate the
5 FDCPA law by sending plaintiff documents that
6 include fees the debtor is not legally obligated to
7 pay and misrepresenting attorney fees, collection
8 fees and court costs as incurring additional
9 charges if not paid. For example, the defendant
10 submitted a bill to the court that showed that as
11 of February 14, 2016, plaintiff owed \$25,179.34 in
12 assessments, fines, fees, and attorney fees.
13
14 Additional documents were submitted throughout the
15 case until its decision in the Superior Court Case,
16 where defendants claimed the plaintiff owed
17 \$36,264.50 and assessments of \$2,782.00. The court
18 only awarded \$7,500.00 and assessments of \$2,364.25
19 on 11/21/2016 which was \$15,315.09 less than
20 defendants claimed plaintiff owed on February 14,
21 2016, showing the fees were clearly misrepresented
22 in previously filed documents in Superior Court.
23
24
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1 27. "Debt collectors employing attorneys or other
2 agents to carry out debt collection practices that
3 violate the FDCPA are vicariously liable for their
4 agents conduct" - *Martinez v Albuquerque Collection*
5 *Services, Inc.*, 867 F. Supp. 1945 (D.N.M. 1994).
6
7

8 28. Iowa Fair Debt Collection Practices Act is broader
9 than the FDCPA in that it applies to all **debt**
10 **collectors**, even persons who are **collecting** their
11 own **debts**.
12
13

14 29. Iowa Fair Debt Collection Practices Act statute of
15 limitations for written contracts is ten years
16 which plaintiff requests be applied in this case.
17

18 30. In the Superior Court Decision the judge ruled
19 "The court agrees with the Defense position that
20 Plaintiff did not timely and properly invoice for
21 any late fees or collection fees. Plaintiff is not
22 entitled to recover those alleged damages."
23
24 Defendants clearly were not reasonable in their
25 bill sending and customer response. This would be a
26 violation of the Fair Credit Billing Act, were it a
27
28

1 different type of debt. This indicates the behavior
2 is not generally seen as an acceptable business
3 practice regardless of its legality in this
4 particular case.
5

6
7 31. If the court rules plaintiff is not entitled to
8 proceed on the Fair Credit Billing Practices act,
9 Plaintiff requests that he be allowed to proceed
10 with the alleged illegal acts against Plaintiff in
11 which those Defendants knowingly or should have
12 known were being committed, such as sending
13 statements to the wrong address.
14
15

16 32. Defendants' actions as stated herein were intended
17 to Cause Plaintiff Curtis Glawe extreme emotional
18 and financial distress and has in fact caused him
19 extreme emotional and financial distress.
20
21

22 33. As a result and proximate cause of defendants'
23 actions, Plaintiff has suffered actual damages,
24 emotional distress, extreme physical distress,
25 embarrassment, humiliation, fear, suicidal
26
27
28

1 thoughts, extreme anxiety, and other extreme
2 emotional and physical difficulties.
3

4
5
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7 **V. Causes of Action**

8 ***a. Fair Debt Collection Practices Act***

9 34. Plaintiff repeats, realleges, and incorporates all
10 preceding paragraphs.
11

12 35. Defendants' violations of the FDCPA include, but
13 are not necessarily limited to, 15 U.S.C. §1692c,
14 1692d, 1692e, 1692f, 1692g, 1692i.
15

16 36. As a direct result and proximate cause of
17 Defendants' actions in violation of the FDCPA,
18 Plaintiff has suffered actual damages in excess of
19 \$35,000.00.
20
21

22
23 ***b. Punitive Damages***

24 38. Plaintiff repeats, realleges, and incorporates all
25 preceding paragraphs.
26
27
28

1 39. Defendants' actions as alleged above show willful
2 and malicious conduct in conscious disregard of the
3 rights of Plaintiff, and sufficient to justify and
4 warrant an award of punitive damages.
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8 **VI.DEMAND FOR JURY TRIAL**

9 40. Plaintiff hereby demands a jury trial on all
10 issues so triable.
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VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that judgment be entered against Defendants for:

- a) Actual Damages;
- b) Statutory damages;
- c) Punitive damages;
- d) Costs and reasonable attorney's fees; and
- e) Such other relief as may be just and proper

Dated 4/25/18

Curtis G Glawe

Curtis G Glawe Pro-Se

2240 570th Street

Aurelia, Iowa 51005

712-221-9178

cglawe@live.com

ATTACHMENTS:

1. Complaint and Request for Injunction form

UNITED STATES DISTRICT COURT

for the

District of Arizona



Phoenix Division

Curtis Gordon Glawe

Case No.

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Carpenter, Hazelwood, Delgado, & Bolen PLC &
Javier Delgado, Mark Holmgren, Mark K. Sahl, &
Gregory A. Stein, Individually.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Curtis G Glawe
Street Address	2240 570th Street
City and County	Aurelia
State and Zip Code	Iowa
Telephone Number	712-434-5552
E-mail Address	cglawe@live.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Carpenter, Hazelwood, Delgado, & Bolen PLC
Job or Title <i>(if known)</i>	Attorneys at Law, Debt Collectors
Street Address	1400 E Southern Avenue, Suite 400
City and County	Tempe
State and Zip Code	Arizona 85282
Telephone Number	480-991-6949
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Javier B. Delgado
Job or Title <i>(if known)</i>	Attorney at Law, Debt Collector
Street Address	1400 E Southern Avenue, Suite 400
City and County	Tempe
State and Zip Code	Arizona 85282
Telephone Number	480-991-7040
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	Mark Holmgren
Job or Title <i>(if known)</i>	Attorney at Law, Det Collector
Street Address	1400 E Southern Ave
City and County	Tempe
State and Zip Code	Arizona 85282
Telephone Number	480-991-7040
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	Gregory A Stein
Job or Title <i>(if known)</i>	Attorney at Law, Debt Collector
Street Address	1400 E Southern Ave
City and County	Tempe
State and Zip Code	Arizona 85282
Telephone Number	480-991-7040
E-mail Address <i>(if known)</i>	

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 5

Name

Mark K Sahl

Job or Title *(if known)*

Attorney at Law, Debt Collector

Street Address

1400 East Southern Avenue

City and County

Tempe, Maricopa County

State and Zip Code

Arizona 85282

Telephone Number

480-427-2857 800-743-9324

E-mail Address *(if known)*

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name	Carpenter, Hazelwood, Delgado & Bolen PLC
Job or Title <i>(if known)</i>	Attorneys at Law, Debt Collectors
Street Address	1400 E Southern Avenue
City and County	Tempe, Maricopa County
State and Zip Code	Arizona 85282
Telephone Number	480-991-6949 480-427-2883 800-743-9324
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Javier B. Delgado

Attorney at Law, Debt Collector

1400 E Southern Avenue, Suite 400

Tempe, Maricopa County

Arizona, 85282

480-991-6949 480-427-2883 800-743-9324

Defendant No. 3

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 4

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name

Mark A. Holmgren

Job or Title *(if known)*

Attorney at Law, Debt Collector

Street Address

1400 East Southern Avenue, Suite 400

City and County

Tempe, Maricopa County

State and Zip Code

Arizona 85282

Telephone Number

800-743-9324

E-mail Address *(if known)*

Defendant No. 4

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 4

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Gregory A Stein

Attorney at Law, Debt Collector

1400 East Southern Avenue

Tempe, Maricopa County

Arizona 85282

480-427-2857 800-743-9324

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 2

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 3

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 5

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Mark K Sahl
Attorney at Law, Debt Collector
1400 East Southern Avenue
Tempe, Maricopa County
Arizona 85282
480-427-2857 800-743-9324

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Federal Fair Debt Collection Practices Act (FDCPA), Fair Credit Billing Act ("FCBA"), 7th Amendment to the United States Constitution, Arizona Fair Debt Collection Practices Act, Iowa Fair Debt Collection Practices Act Statutes 537.7103, 537.5108 and 537.5201

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Curtis Gordon Glawe, is a citizen of the State of *(name)* Iowa.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual** MARK K SWAN, Gregory Astem

The defendant, *(name)* Javier B Delgado, Mark Holmgren, is a citizen of the State of *(name)* Arizona. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) Carpenter, Hazelwood, Delgado & ^{Plc} Soler, is incorporated under the laws of the State of (name) Arizona, and has its principal place of business in the State of (name) Arizona.
 Or is incorporated under the laws of (foreign nation) _____,
 and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

The FDCPA allows for recovery of actual damages, statutory damages, punitive damages, costs of reasonable attorney fees, and such other relief as may be just and proper.

1. Plaintiff will be seeking actual damages of more than \$35,000.00.
2. Plaintiff will be seeking punitive damages well in excess of \$40,000.00

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The events took place at the workplace of Defendants, at the Maricopa County Superior Court, at the Arizona Appeals Court, Division one, through the United States Postal Service and aimed at the Plaintiff in this case.

1. March 2012 misleading and FDCPA violating e-mail.
2. August 14, 2013 Defendants demanded Plaintiff pay \$1125.00 when past due assessments were due in the amount of \$378.78
3. February 2, 2016 Ledger demanding \$25,178.34. Many more instances up to current date

B. What date and approximate time did the events giving rise to your claim(s) occur?

4. End of Superior Court case in 2018 requested \$36,264.50 in attorney fees.
5. End of Appeals Cour Case in 2018 requested additional \$14,000.00+ Attorney Fees.
6. Currently practicing unfair, undignified, untruthful, disresectful, deceptive, abusive, oppressive, harassing, and vindictive conduct by not taking heed of underadvisement ruling by the Maricopa County Superior Court.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

continued from previous page

2.a) In February 2018 the Arizona Appeals Court Division One, unknowingly allowed Defendants to continue to perpetuate lies to the Court and the Plaintiff when they upheld the Superior Court grantin defendants Motion for Summary Judgment.

B. What date and approximate time did the events giving rise to your claim(s) occur?

continued from previous page

7. On November 23, 2016 Maricopa County Superior Court in its judgement showed Defendants were still being unfair, and unreasonable when they granted Defendants only \$7500.00 in attorney fees and \$2364.25 in costs on a request of \$36,264.50.

8. On January 9, 2018 again Defendants continued their violations of FDCPA and unfairness, and unreasonableness when they requested more than \$14,400.00. The court awarded \$7500.00 in attorney fees, \$164.30 in costs. The violations continue as defendants still have not requested their client abide by the Superior Court Ruling that they have not timely and properly invoiced Plaintiff.

9. This case will be about continuing violations of FDCPA.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

All of the facts alleged in this complaint, except the personal effects on Plaintiff and his family being subjected to the Breach of Contract Lawsuit, can be proven by written records and or court documents.

1. The main fact to be considered in this case is the continuing violations by defendants in this case involving, unfair, deceptive, oppressive, abusive, harassing, vindictive and etc., etc. by the Defendants.
 2. My wife and my son Jordan also had to be subjected to defendants actions.
 3. Defendants committed egregious actions that are clearly violations of decency and the FDCPA.
 4. All of the defendants were involved in violating FDCPA and will be called to testify as well as the manager of Sundance HOA, Thomas Campenella.
 5. Plaintiff was subject to willful and malicious conduct that resulted in extreme stress, mental and physical effects, and overall personal abuse and will testify to all that.
-

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

Defendants are trying to collect on a judgment in Maricopa County Superior Court and if they are allowed to proceed with collection actions, it would be detrimental to Plaintiff's financial and physical conditions and may lead to difficulty collecting on any judgment in this case.

Plaintiff Curtis Glawe suffers from numerous medical conditions, and has for a number of years. The amount of damages in this case are increasing every day that defendants continue to violate the Fair Debt Collection Practices Act, The Fair Credit Billing Act as well as human decency, fair and non misleading actions etc.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

The injunction the Plaintiff is seeking relief for, is to have any collection efforts from a judgment pursuant to the Appellate Mandate defendants have filed in Maricopa County Superior Court that partly led to this lawsuit vacated or stopped until this case is finally resolved.

That judgment was based on intentional deceptive, unfair, acts by the defendants which plaintiff will prove in this court.

Plaintiff will be seeking actual damages between \$35,000.00 and \$50,000.00 based on actual cost to Plaintiff. Plaintiff will be seeking Statutory damages based on what is allowed.

Plaintiff will be seeking punitive damages in an amount that will make defendants sure not to treat anyone else as the have this Plaintiff. A case in Missouri resulted in \$82,000.000.00 in punitive damages.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

Signature of Plaintiff

Printed Name of Plaintiff



Curtis Gordon Glawe

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address