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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

26 SERGIO L. RAMIREZ, on behalf of himself  
27 and all others similarly situated,

Plaintiff,

v.

TRANS UNION, LLC,

Defendant.

Case No. 3:12-cv-00632-JSC

**JOINT REPORT**  
**RE: POST-APPEAL PROCEEDINGS**

1 Pursuant to this Court’s Order of October 25, 2021 (ECF 389), the parties submit this joint  
2 report containing their respective proposals as to further proceedings in this action following the  
3 Ninth Circuit’s August 23, 2021 Order directing this Court to conduct further proceedings consistent  
4 with the Supreme Court’s decision in *TransUnion LLC v. Ramirez*, 594 U.S. \_\_\_, 141 S. Ct. 2190  
5 (2021). The parties were unable to reach agreement as to next steps in this litigation. Plaintiff’s  
6 proposed next steps and supporting reasons are immediately below; TransUnion’s begin on page 10  
7 of this document.

8 **I. Plaintiffs’ Proposal**

9 Plaintiffs propose further proceedings in three stages: First, a factual determination of which  
10 class members can satisfy the Supreme Court’s Article III standing rule announced in *TransUnion*  
11 *LLC v. Ramirez*. Second, a reassessment of class certification under Rule 23(c)(1)(C). Third, a  
12 process for arriving at an amended or new judgment through a combination of briefing and/or a  
13 limited new trial.

14 **A. Stage One – Class Member Standing Determination**

15 This first stage is essential and fully within this Court’s discretion to authorize, and necessary  
16 in this case to prevent a miscarriage of justice, as discussed below. Two factors, one legal and the  
17 other factual, drive the need for a fresh determination of class member standing.

18 **1. Changed Legal Standard**

19 The U.S. Supreme Court in *TransUnion LLC v. Ramirez* announced for the first time that  
20 every class member in an FCRA section 1681e(b) case must show third-party *publication* in order  
21 to have Article III standing to recover money damages. *TransUnion LLC*, 141 S. Ct. at 2208.  
22 Consistent with this ruling, the Court confirmed that the 1,853 class members for whom there was  
23 confirmed publication had Article III standing. However, in announcing that “[e]very class member  
24 must have Article III standing in order to recover individual damages” the Court cited to no previous  
25 decisions on point, and only to a concurring opinion in *Tyson Foods, Inc. v. Bouaphakeo*, 577 U.S.  
26 442, 466 (2016) (Roberts, C.J., concurring). *Id.* At the time of this class action trial in June 2017,  
27 the legal standard for standing did not require a showing of publication for all class members.  
28

1           Indeed, the parties briefed Article III standing in detail before this Court prior to the trial in  
2 this matter. This Court issued a pre-trial order specific to standing on October 17, 2016, in which it  
3 found that Plaintiffs had satisfied the Supreme Court’s Article III standard announced only earlier  
4 that year in *Spokeo, Inc. v. Robins*, 578 U.S. 330 (2016) (“*Spokeo*”) (ECF 209). *Spokeo* was an  
5 FCRA section 1681e(b) class action seeking statutory and punitive damages, just like the case at bar.  
6 The Supreme Court held that a “material risk of harm” (or as the Court otherwise stated, “the risk of  
7 real harm”) was the standard for concreteness under Article III standing principles, and did not so  
8 much as mention the need for “publication” in that FCRA section 1681e(b) case, much less the need  
9 for every class member to show publication of the inaccurate report to a third party about him or her  
10 in order to recover money damages by the time of trial. *See generally Spokeo*, 578 U.S. 330, 341-  
11 342; *see also* ECF 209 at pp. 4-9 (applying *Spokeo* pre-trial in this matter).

12           There can be no question that at the 2017 trial Plaintiffs satisfied the existing legal standard  
13 as set forth in *Spokeo* because they showed a material risk of harm to every class member. (*See* ECF  
14 344) (this Court’s post trial order denying Defendant’s motion for a new trial)). But material risk  
15 alone is now not enough according to *TransUnion LLC v. Ramirez* in a case seeking money damages  
16 at trial. Of course, *Spokeo* was an FCRA section 1681e(b) case seeking money damages also, but  
17 the publication element was never announced or even mentioned there, even for the lead plaintiff. It  
18 would be patently unfair and a deprivation of due process for class members in this case to be denied  
19 a recovery because at their 2017 trial they did not all satisfy a publication standard for Article III  
20 standing that was not announced until 2021.

21           The Ninth Circuit has found that upon remand discovery may need to be reopened pursuant  
22 to Rule 16, and that such determination is “reviewed for an abuse of discretion.” *King v. GEICO*  
23 *Indem. Co.*, 712 Fed. App’x. 649, 651 (9th Cir. 2017) (“A district court’s determination regarding  
24 whether to ... reopen discovery is reviewed for abuse of discretion.”); *City of Pomona v. SQM N.*  
25 *Am. Corp.*, 866 F.3d 1060, 1066-67 (9th Cir. 2017) (refusal to reopen discovery to reflect post-  
26 appeal developments was an abused of discretion).

27           Courts within the Ninth Circuit have recognized that a change in the law as a result of an  
28 appellate determination provides good cause to reopen discovery. Courts within the Ninth Circuit

1 have also recognized that a change in the law as a result of an appellate determination provides good  
2 cause to reopen discovery. *Thomas v. Cassia Cnty, Idaho*, 2019 WL 5270200, at \*11 (D. Idaho Oct.  
3 17, 2019); *Ave. 6e Invs., LLC v. City of Yuma*, 2017 WL 4922019, at \*6 (D. Ariz. Oct. 27, 2017).  
4 Reopening discovery here is an appropriate use of this Court’s discretion in light of the change in  
5 the law on standing which shaped this case, and would allow the parties to establish conclusively,  
6 one way or the other, which class members can satisfy the publication standard.

## 7 **2. Factual Concealments or Misrepresentations by Trans Union**

8 From a factual point of view, the issue of publication (which Trans Union made the crown  
9 jewel of its appeal) was predicated upon a set of evidentiary concealments or misrepresentations by  
10 Defendant that were not known, and could not reasonably have been known, by Plaintiffs at the time  
11 of the June 2017 trial. Indeed, the Supreme Court was led to believe by Trans Union’s appellate  
12 counsel that for the vast majority of class members the OFAC inaccuracy was present only in an  
13 “internal credit file, that is not disclosed to a third party” just like someone who “wrote a defamatory  
14 letter and then stored it in her desk drawer.” *TransUnion LLC v.*, 141 S. Ct. at 2210. But this is  
15 fiction predicated upon Defendant’s concealments or misrepresentations.

16 First, Defendant repeatedly misrepresented that its “name-only” OFAC product was in use  
17 for a limited period of time, and the scope of the class here was limited based upon Defendant’s  
18 representations that its name-only matching procedure at the heart of this case had materially  
19 changed. Plaintiff filed his class action complaint on February 9, 2012. (ECF 1). He sought  
20 damages for a class “during a period beginning two (2) years prior to the filing of this Complaint  
21 and continuing through the date of the resolution of this case . . . .” (ECF 1 at ¶ 81). This is nothing  
22 unusual given that the FCRA has a 2-year statute of limitations and violations can be continuous, or  
23 at least injuries could continue into the future, as in any cases sounding in tort. *See* 15 U.S.C. §  
24 1681p. Plaintiff also sought injunctive relief, to stop the false reporting caused by the name-only  
25 matching procedure. (*See, e.g.*, ECF 1 at ¶ 110).

26 But Defendant contended in documents (largely filed under seal) that the name-only  
27 matching practice had ended by late 2013 and into 2014 when Defendant “implemented a DOB  
28 filer.” (*See* ECF 218-4 at pp. 16, 32) (filed under seal). Trans Union witness Michael O’Connell

1 swore in his February 18, 2017 Declaration that as of 2014 Trans Union allegedly developed its own  
2 technology and began “to use DOB data to filter OFAC results.” (ECF 218-22) (filed under seal).  
3 Defendant argued vigorously and in detail that Plaintiff’s request for injunctive relief was “moot”  
4 (ECF 218-4 at p. 32) (filed under seal) allegedly because the name-only procedure that formed the  
5 basis of his claim was materially changed by 2014 due to “new technology.” (ECF 227-3 at pp. 9-  
6 10) (filed under seal). Trans Union repeated these same inaccurate statements and arguments at trial  
7 to the jury, again through witness O’Connell. (T.T., Vol 3, pp. 487:489:22; 512:13-513:4). Indeed,  
8 at trial O’Connell, when questioned by his own counsel, testified that the new DOB-based filter was  
9 working “very good.” (*Id.* at p. 513:3-4).

10 Trans Union’s statements were false, but Plaintiff did not know it until after the trial. Ample  
11 evidence has now come to light that Trans Union continued with its name-only matching procedure  
12 for OFAC into 2014, 2017, 2018 and 2020, and perhaps other time periods as well. This evidence  
13 also shows that Trans Union published the credit reports of class members who were associated with  
14 false OFAC alerts for a much longer period than originally believed possible given the contentions  
15 of Trans Union at summary judgment and at trial, which obviously took place after the close of  
16 discovery.

17 This newly discovered post-trial evidence (summarized below) is vitally important given the  
18 fact that the Supreme Court considered its new “publication” standard only in light of limited  
19 publication data about potential creditor inquiries (and not also employment, tenant, account review  
20 or other forms of publication inquiries) and only for a limited 7-month window in 2011 based on a  
21 trial stipulation (intended by Plaintiff to establish “material risk” of harm and, obviously, not actual  
22 publication for every class member). *See TransUnion LLC*, 141 S. Ct. at 2208-2212.

23 Importantly, the Supreme Court noted that evidence beyond the stipulation *and beyond the*  
24 *7-month period* may be relevant. *Id.* 141 S. Ct. at 2212. The Supreme Court was not persuaded by  
25 Trans Union’s argument that injury could occur only in the 7-month period in 2011 used to identify  
26 the class objectively (as employed within the class definition) and found that examining the “entire  
27 46-month period permitted by the statute of limitations” was a “serious argument.” *Id.* Now, we  
28 know that the permissible period is much longer than 46 months (likely double that period, or longer)

1 because Trans Union continued to prepare and sell credit reports for victims of the name-only  
2 matching procedure *for many years after it represented to this Court that it fixed the problem and*  
3 *began using a date of birth filter to weed out false positives.*

4 Like the Supreme Court, this Court was never persuaded by Trans Union's attempt to limit  
5 the possible injury period to a 7-month period in 2011, expressly rejecting defense counsel's attempt  
6 to do that during the closing argument. T.T. Vol. 5 at 733:21-734:23 (charging conference). At the  
7 end of the day, however, the Supreme Court stated that the Plaintiffs' trial evidence was "too weak"  
8 and "insufficient" to demonstrate third party publication for approximately 75% of class members.  
9 *Id.* 141 S. Ct. at 2212. But there are good reasons why this evidence was weak.

10 As noted above, under *Spokeo*, and at the time of trial, evidence of publication was not  
11 needed to establish Article III standing or any element of any claim prosecuted by Plaintiffs in this  
12 action. Plaintiffs had satisfied the Supreme Court's 2016 standing standard from *Spokeo* eight  
13 months before trial (ECF 209), and did not try the case to jury seeking to establish constitutional  
14 principles, but the merits of their FCRA claims.

15 And although Plaintiffs sought publication evidence in discovery in order to establish the  
16 fact that credit reports are sold routinely to creditors and others, and also used this evidence to  
17 establish *material risk* of harm under *Spokeo*, Trans Union flatly misrepresented the availability of  
18 such evidence and the time period in which it may exist. For example, Plaintiff sought publication  
19 evidence in written discovery, but Trans Union responded that a response was not possible because  
20 Trans Union (one of the largest data sellers in the world) allegedly could not conduct electronic  
21 searches of its own database, and also that the results of any search "cannot be guaranteed because  
22 of changes in the database and potential differences in inquiry input between the report and  
23 disclosure." (See ECF 66-2, Trans Union's responses to Plaintiff's Interrogatories 5-11). Even after  
24 this Court compelled Trans Union to respond to some of Plaintiff's Interrogatories (ECF 75), Trans  
25 Union continued to insist that data on publication of OFAC hits to third parties was not "reasonably  
26 accessible" for any consumers other than those to whom it sent the OFAC disclosure letter. (See  
27 ECF 110-20 Trans Union's 7/18/13 Suppl. Resps. To Interrogatories 1, 3, 5, 7-11).

28

1 Trans Union furthermore limited its review of “billing table” data to publications that took  
2 place between January 1, 2011 and July 26, 2011. (ECF 289 ¶ 1(b)). Therefore, a class member  
3 who had an OFAC hit delivered to a potential creditor in December 2010, for example, and thus  
4 unquestionably experienced the publication harm contemplated by the Supreme Court within the  
5 statute of limitations, but did not receive the OFAC letter until January 2011, is *excluded* from the  
6 group of 1,853 found to have Article III standing. Trans Union billing data could have been used to  
7 identify additional publications within the statute of limitations.

8 After the trial it has further come to light that Trans Union maintains at least one type of  
9 record called an “Input/Output” log that identifies exactly which of its clients has purchased an  
10 OFAC alert and the exact date and content of the third-party report. (*See* Appendix I, Ex. 2, *Al-*  
11 *Shaikli v. Trans Union, LLC*, No. 5:20-cv-4155 (E.D. Pa.), 8/25/2021 Trans Union Suppl. Resp. to  
12 Pl. Rog. 3). This and other evidence, such as the billing records evidence discussed above can  
13 conclusively establish who within the class had their credit report published while the name-only  
14 OFAC procedure was still in effect, and who did not have such a third party publication.

15 At any rate, now that the Supreme Court has spoken and we know that third-party publication  
16 is required for every class member and further know that the entire statute of limitation period may  
17 be considered for publication purposes, this Court should allow discovery that would definitely  
18 establish publication or lack thereof for every class member during the relevant period. Such  
19 discovery is permitted under Ninth Circuit law and Rule 16 on remand, *see supra* at pp. 2-3, and  
20 consistent with the Supreme Court’s decision in *Trans Union LLC v Ramirez*.

21 **a. Evidence of Trans Union’s Use of the Name-Only Procedure, with no DOB**  
22 **Filter, And Publication For Years After 2014**

23 Following the Supreme Court’s decision announcing the new publication standard, class  
24 counsel gathered information from class members about further publication. Some of their  
25 experiences demonstrate why further discovery on standing is warranted.

26 For example, class member **Miguel E. Rodriguez** had multiple false OFAC alert on his  
27 Trans Union credit report in 2011 associating him with multiple versions of the name Miguel  
28 Rodriguez Olivera and date of births which were not even close to his own. **Rodriguez** had multiple  
false OFAC alerts on his Trans Union credit report in 2011 associating him with multiple versions



1 of the name Miguel Rodriguez Olivera and date of births which were not even close to his own. *See*  
2 App. I Ex. 2 at ¶¶ 1-15. But this was not the end of the story. Trans Union continued to place the  
3 same false OFAC alert on Mr. Rodriguez’s credit report in 2018. *Id.* at ¶¶ 16-31 and Exhibit C  
4 thereto. That OFAC alert continued to show the Miguel Rodriguez Olivera name and a date of birth  
5 some 33 years different than Mr. Rodriguez’s. *Id.* at ¶¶ 15, 19 and Exhibit C thereto. The 2018 Trans  
6 Union credit report shows that it was sold to several third parties, including a car dealership in Miami  
7 in 2017 and to some of Mr. Rodriguez’s existing creditors in 2018. *Id.* at ¶¶ 19, 30-31 and Exhibit  
8 C thereto. Mr. Rodriguez disputed this false OFAC alert directly with Trans Union in 2018 but Trans  
9 Union did not remove it from his credit file despite telling him in a letter that it took his dispute  
10 “seriously.” *Id.* at ¶¶ 21- 26 and Exhibits D and E thereto. It is unclear whether Trans Union is still  
11 selling false OFAC alerts about class member Rodriguez – but what is clear is that Trans Union was  
12 not “implementing” a “DOB filter” to eliminate false positives after 2014, and that it was selling  
13 third party reports about Mr. Rodriguez in 2017 and 2018 while it had an OFAC alert on his file  
14 based on nothing more than a partial name match.

15       The experience of class member **Jose Guadalupe Leal** is also instructive. Two of Mr. Leal’s  
16 2014 Trans Union credit reports associated him with an OFAC list Columbian named Jose Guillermo  
17 Leal Rodriguez. App. I Ex. 3 at ¶¶ 1-14 and Exhibits A and B thereto. The dates of birth for the  
18 OFAC suspect are 40 years different than Mr. Leal’s actual date of birth at it appears in his Trans  
19 Union credit file, showing that no date of birth filter was being used by Trans Union at those times  
20 to eliminate false positives. Mr. Leal’s credit report was sold by Trans Union to multiple third parties  
21 in this timeframe. *See Id.* ¶¶ 15-18 and Exhibits A and B thereto.

22       Non-class member **Ahmed Al-Shaikli** also presents an experience which undermines Trans  
23 Union’s representations that it filed the OFAC matching problem by implementing a “DOB filter”  
24 in 2014. *See* App. I Ex. 4 at ¶¶ 1-11 and Exhibits A and B thereto. Mr. Al-Shaikli received Trans  
25 Union “personal credit reports” on April 11, 2018 and on April 8, 2020 showing OFAC alerts  
26 matched on what appear to be nothing more than a partial name. *Id.* Although years of birth on the  
27 OFAC alerts themselves are from 1949, 1951 and 1967, this data was not used by Trans Union to  
28



1 eliminate Mr. Al-Shaikli as a possible OFAC match, despite the fact that his date of birth in Trans  
2 Union's own credit files is in 1986. *Id.*

3 Trans Union has taken the position in separate litigation brought by Mr. Al-Shaikli, *Al-*  
4 *Shaikli v. Trans Union, LLC*, No. 5:20-cv-4155 (E.D. Pa.), that it can determine through its records  
5 that although the OFAC alert was on file for Mr. Al-Shaikli in 2018 and 2020, it did not sell it to a  
6 third party in a credit report. *See App. I Ex. 1.* Importantly, however, the same records would show  
7 a third-party sale of OFAC when it has occurred for a particular consumer. *Id.* There can be no  
8 question that Mr. Al-Shaikli's experience shows that no DOB filter was not actually implemented  
9 in 2014 and therefore, despite Mr. O'Connell's testimony, and the same basic name-only procedure  
10 led to false positives for consumers in the three-plus years since the trial in this matter.

11 **b. Further Evidence of Third-Party Publication Outside of the 7-Month Window**

12 In addition to the evidence above, the experiences of other class members show that Trans  
13 Union sold credit reports about them to third parties outside of the 7-month period in 2011 that was  
14 part of the trial stipulation.

15 For example, the experience of class member **Luis A. Garcia** shows a false OFAC alert  
16 based upon a name-only match in 2012 and publications within the statute of limitations period both  
17 before and after the 7-month window in 2011. *See App. I Ex. 5 at ¶¶ 1-14 and Ex. A thereto.* The  
18 experience of class member **Jose Luis Jimenez** is also instructive. Mr. Jimenez, who was born in  
19 1985, also had 2012 credit report provided to him by Trans Union with false OFAC alerts using the  
20 name-only procedure and not using dates of birth in 1945 and 1963 to eliminate false positives. *See*  
21 *App. I Ex. 5 at ¶¶ 1-15 and Ex. A thereto.* This document also lists multiple third-party publications  
22 to his potential and existing creditors in 2012, and well outside of the 7-month window, but well  
23 within the statute of limitations period for injury. *Id.* at ¶¶ 10-15 and Ex. A thereto.

24 These class member experiences individually and collectively show that there is a substantial  
25 basis to now think that class members, including some or all of the class members who fall within  
26 the population of 6,332 who did not specifically show third party publication at trial, can satisfy the  
27 publication standard announced in *Trans Union LLC v. Ramirez*. Given the changed legal landscape  
28 since *Spokeo* and Trans Union's lack of transparency and disclosure as to which class members had

1 a third-party publications and over what period of time the name-only procedure was in place while  
2 OFAC sales were occurring, this Court should use its discretionary power under Rule 16 to allow  
3 limited and targeted discovery on the subject of third party publication as a first stage of further  
4 proceeding following remand.

5 **B. Stage Two – Class Certification Determination**

6 A class remains certified in this case and the Supreme Court did not disturb that certification  
7 ruling. *Trans Union LLC v. Ramirez*, 141 S. Ct. at 2214. Rule 23(c)(1)(C) permits a court to “alter[]  
8 or amend[] before final judgment” any order granting or denying class certification. Plaintiffs  
9 propose that once it is determined through a period of limited discovery which class members have  
10 third party publication, this Court should set a briefing schedule under Rule 23 when the parties can  
11 argue whether the named Plaintiff Ramirez is typical of the class, the additional issue that Trans  
12 Union sought to challenge on appeal to the Supreme Court. In Plaintiffs’ view, however, such  
13 briefing and any alteration of this Court’s class certification order, if appropriate, should take place  
14 only after a first stage of factual discovery regarding the number of class members who meet the  
15 publication standard announced in *Trans Union LLC v. Ramirez*.

16 **C. Stage Three – Amended or New Judgment Determination**

17 As a final stage of post-remand proceedings, this Court should determine whether it can  
18 reinstate or modify the previous judgment in this matter based upon the June 2017 trial through  
19 dispositive motions and/or a new trial on limited issues. As noted above, the Supreme Court affirmed  
20 that at least 1,853 members of the class have Article III standing and the judgment in their favor still  
21 stands. In Plaintiffs’ view, re-litigating issues of reasonableness of procedures or the willfulness of  
22 Defendant’s non-compliance with FCRA section 1681e(b) will likely be unnecessary, but it is  
23 difficult at this stage to propose a more detailed process before the parties know how this Court will  
24 deal with scope of a class with standing (which includes only class members who can demonstrate  
25 publication and over what period of time) and whether this Court will revisit, alter or uphold its  
26 previous class certification order. Plaintiff proposes that once stages one and two of post-remand  
27 proceedings discussed above are completed, this Court should order the parties to once again confer  
28 and propose an efficient process to bring this matter to a close.

1           **II.     Defendant’s Proposal**

2           **A. Background and Summary of TransUnion’s Position**

3           Plaintiff’s proposal seeks sweeping discovery that would effectively restart the entire  
4 litigation. It is based on allegations and accusations so obviously false that the very submission of  
5 the proposal impugns Plaintiff’s credibility. Early in the case, Plaintiff sought detailed discovery  
6 about which putative class members had OFAC data about them transmitted to third parties (the  
7 1,853 “Publication” class members), and which did not (the 6,332 “No-Publication” class members).  
8 TransUnion explained the methodology behind production of the Publication and No-Publication  
9 lists, and this methodology and the lists resulting from it were accepted by Plaintiff’s counsel.  
10 Plaintiff never questioned these, and to the contrary stipulated to the relevant figures at trial. Now,  
11 having obtained this information through contested discovery and having stipulated to its accuracy,  
12 Plaintiff’s counsel artfully repackage what they have had for a decade in an attempt to re-open an  
13 issue that has been litigated all the way to the Supreme Court. They do so by painting a picture for  
14 the Court that is a hopeless fallacy, one that is easily disproven.

15           It is no coincidence that TransUnion only received the specifics of Plaintiff’s proposal on  
16 Monday, November 8, despite requesting it for two months, and despite Plaintiff’s counsels’  
17 repeated representations that they would provide it with sufficient time for TransUnion to analyze it  
18 and for the parties to meaningfully meet and confer regarding its contents. Instead, Plaintiff emailed  
19 the instant proposal just 48 hours before the briefing deadline, and waited another 6 hours before  
20 providing the supporting exhibits in a form that was so heavily redacted as to impair TransUnion’s  
21 review. TransUnion can only assume that these tactics were employed to hamper its ability to vet  
22 Plaintiff’s allegations and effectively respond. However, even a cursory review reveals that  
23 Plaintiff’s proposal is riddled with inaccuracies upon which the Court cannot rely.

24           That the parties have reached this point is unfortunate. In an attempt to avoid what will  
25 surely be further protracted litigation and trial, TransUnion has repeatedly tried to engage Plaintiff’s  
26 counsel in settlement talks. TransUnion made a settlement offer soon after the Supreme Court ruled,  
27 and expressed a willingness to mediate if Plaintiff provided a meaningful counter. Plaintiff rejected  
28 the offer without any counterproposal. Just last month, TransUnion again tried to initiate settlement

1 discussions. Once again, Plaintiff declined and, instead, has chosen to demand a re-do of the class  
2 discovery that was completed more than eight years ago. Plaintiff's proposal is untenable and should  
3 be rejected. After continual attempts to be reasonable, TransUnion is left with no option but to  
4 vigorously pursue its available remedies.

5 Consistent with the Supreme Court's ruling, TransUnion proposes the following.

6 First, the Court should enter an order dismissing Counts III and V, which assert claims for  
7 violation of disclosure provisions of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681g,  
8 since the Supreme Court found that no class member had standing to assert these claims.

9 Second, the Court should enter an order dismissing the claims of all 6,332 No-Publication  
10 class members. Plaintiff stipulated before trial that these class members did not have OFAC data  
11 about them published to third parties during the class period.<sup>1</sup> As discussed in greater detail below,  
12 there is no justification to re-open discovery as to these class members. At no time has Plaintiff filed  
13 a motion to be relieved from the stipulation pertaining to the numbers of Publication and No-  
14 Publication class members. Nor, as explained below, is there any factual or legal basis for such a  
15 motion. The notice administrator previously used to give notice of the pendency of the class action  
16 should give notice to the No-Publication class members that their claims are dismissed and the case  
17 is complete as to them. Because TransUnion is the prevailing party as to these class members,  
18 Plaintiff or his counsel should bear the cost of such notice.

19 Third, on Plaintiff Sergio Ramirez's personal claim, TransUnion should pay Mr. Ramirez  
20 \$4,921.10, reflecting the jury's verdict as reduced by the Ninth Circuit. Upon receipt of payment,  
21 Mr. Ramirez should be dismissed from the case, without prejudice to a subsequent motion for  
22 attorneys' fees, costs and a service award, to be filed after completion of all other proceedings in the  
23 case. TransUnion reserves the right to oppose such motion and/or the amounts sought in such  
24 motion.

25  
26  
27 <sup>1</sup> These specific individuals can be identified by removing from the class list all persons who do not  
28 appear on Exhibit D to TransUnion's July 17, 2013, Supplemental Response to Plaintiff's First Set  
of Interrogatories.

1           Fourth, as ordered by the Supreme Court, typicality (and TransUnion contends, also other  
2 Rule 23 elements) must be re-assessed. TransUnion maintains that Mr. Ramirez's claim is not  
3 typical of the 1,853 remaining class members, and that Mr. Ramirez is not adequate (per Fed. R.  
4 Civ. P. 23(a)(4)) to continue pursuit of claims on behalf of the remaining class members. Plaintiff's  
5 submission does not make clear whether Mr. Ramirez still wishes to represent the class, or if  
6 alternative class representatives will be proposed. The Court should order Plaintiff to identify any  
7 additional proposed class representatives within 30 days, and thereafter establish a schedule for  
8 discovery focused on the qualifications of any additional proposed representative. Within the same  
9 30-day period, Mr. Ramirez should indicate whether he intends to continue to attempt to represent  
10 what remains of the class. Within a reasonable time thereafter (depending on the responses received  
11 and whether discovery pertaining to the qualifications of any additional representatives is required)  
12 TransUnion would file a motion to decertify the class.

13           Fifth, should the Court deny TransUnion's motion to decertify the class, then the Court  
14 should enter an order in that regard and schedule a new trial on Count I, which seeks statutory  
15 damages under 15 U.S.C. § 1681e(b). This is the only count that survives the Supreme Court's  
16 ruling, and given how much evidence was put before the jury on counts that were rejected by the  
17 Supreme Court as a matter of law, it would be prejudicial error to deny TransUnion a new trial on  
18 Count I. In scheduling the trial, the Court should make provision for the possibility of appellate  
19 review pursuant to Fed. R. Civ. P. 23(f) of any ruling on decertification of the class.

20           Sixth, after trial, the Court should address all issues pertaining to attorneys' fees, costs and  
21 whether any service award is appropriate for Mr. Ramirez (and/or any substitute class  
22 representative(s)).

1           **B. There Is No Basis to Re-Open Discovery.**

2           **1. Plaintiff's Counsel Have Long Been Aware of the Importance of**  
3           **Determining Which Class Members Had OFAC Information Published**  
4           **About Them During the Class Period, but Never Challenged the Findings to**  
5           **Which They Stipulated at Trial.**

6           This case was tried in June 2017 on three claims under the FCRA. Two claims (Counts III  
7 and V of the Complaint) challenged the adequacy of defendant TransUnion's disclosures to  
8 consumers. See 15 U.S.C. § 1681g(a), (c). One claim (Count I) alleged that, in transmitting certain  
9 consumer reports with information pertaining to the U.S. Treasury's Office of Foreign Assets  
10 Control ("OFAC"), TransUnion failed to employ reasonable procedures designed to assure the  
11 maximum possible accuracy of the information transmitted. See 15 U.S.C. § 1681e(b).<sup>2</sup> All claims  
12 were asserted on behalf of a certified class of 8,185 consumers. The jury rendered a verdict of  
13 \$984.22 in statutory damages per class member and \$6,353.08 in punitive damages per class  
14 member. The Ninth Circuit reduced the punitive damages verdict to \$3,936.88.

15           As set forth in the jointly-submitted Proposed Final Pretrial Order (Dkt. 250), TransUnion  
16 contended "that Plaintiff will be unable to prove injury in fact as a result of any statutory violation,  
17 and that proof of injury in fact is a condition of any recovery for the class." In its June 25, 2021,  
18 opinion in this case, the Supreme Court accepted TransUnion's contention in full with respect to the  
19 two disclosure claims, and accepted TransUnion's contention in part with respect to the reasonable  
20 procedures claim. The trial record did not show sufficient injury in fact to any class member to  
21 support either disclosure claim. The 6,332 class members who did not have OFAC information  
22 about them communicated externally to a third party (the "No-Publication" class members) lacked  
23 sufficient injury in fact to pursue any claim at all. The Supreme Court also ordered that further  
24 proceedings occur with respect to whether the element of typicality, per Fed. R. Civ. P. 23(a)(3),  
25 was sufficiently established for class certification.

26  
27 \_\_\_\_\_  
28 <sup>2</sup> Counts II, IV and VI asserted claims under state law, but the Court denied Plaintiff's motion to  
certify those claims for class treatment, and they were abandoned before trial.

1 Plaintiff relies on Thomas v. Cassia County, No. 4:17-CV-00256-DCN, 2019 WL 5270200  
 2 (D. Idaho Oct. 17, 2019), to argue that a change in law provides good cause to re-open discovery on  
 3 class membership.<sup>3</sup> Thomas does not help them. There, the Supreme Court decision turned on a  
 4 new, unforeseen factual issue, on which there was no previous discovery – circumstances nothing  
 5 like the present case. This Court will recall that it was Plaintiff who argued that discovery of which  
 6 consumers were Publication class members and which were No-Publication class member mattered  
 7 greatly to the case, and Plaintiff who successfully pursued a discovery motion seeking both the  
 8 numbers in each category as well as the consumers’ names and addresses. When this information  
 9 was provided, Plaintiff accepted it without further discovery efforts, and ultimately entered into a  
 10 stipulation conclusively resolving the factual issue and definitively establishing the size of each  
 11 population. Unlike Thomas, the present case involves no unforeseen factual issue created by the  
 12 Supreme Court’s ruling. Plaintiff’s counsel both foresaw the factual issue and took discovery on it.  
 13 The parties have long foreseen the importance of distinguishing between Publication and No-  
 14 Publication class members, a methodology for identifying them was employed, the outcome was  
 15 accepted via stipulation and its implications were argued by both sides at trial and on appeal.<sup>4</sup>

16 \_\_\_\_\_  
 17 <sup>3</sup> In Ave. 6e Invs., LLC v. City of Yuma, 2017 WL 4922019 (D. Ariz. Oct. 27, 2017), also cited by  
 18 plaintiff, the court never addressed the issue of whether a change in law provides good cause to  
 reopen discovery.

19 <sup>4</sup> Regardless, Plaintiff’s claim that the Supreme Court’s ruling constitutes “new law” on the subject  
 20 of whether third-party communication must be shown to pursue a §1681e(b) claim is untrue. The  
 21 statute itself defines a “consumer report” as a “communication,” 15 U.S.C. § 1681a(d)(1), and for  
 22 that reason most courts found communication to be an element of a §1681e(b) claim. See, e.g.,  
 23 Collins v. Experian Info. Sols., Inc., 775 F.3d 1330, 1335 (“A ‘consumer report’ requires  
 24 communication to a third party....”), pet. for reh’g denied, 781 F.3d 1270 (11<sup>th</sup> Cir. 2015);  
 25 Washington v. CSC Credit Servs., Inc., 199 F.3d 263, 267 (5<sup>th</sup> Cir. 2000) (“a plaintiff bringing a  
 26 claim that a reporting agency violated the ‘reasonable procedures’ requirement of § 1681e must  
 27 first show that the reporting agency released the report”); Johnson v. Equifax, Inc., 510 F. Supp. 2d  
 28 638, 645 (S.D. Ala. 2007) (“a prerequisite to a cause of action under § 1681e(b) is evidence  
 showing that a consumer report was furnished to a third party,” and not simply to the consumer  
 himself). Ninth Circuit authority holding to the contrary, Guimond v. Trans Union Credit Info.  
Co., 45 F.3d 1329 (9<sup>th</sup> Cir. 1995), was an outlier, and its authority was crumbling by the time of  
 trial here. Plaintiff’s counsel concede that the Supreme Court’s 2016 Spokeo ruling discussed  
 standing requirements and the need for plaintiffs to plead injury-in-fact, and was the foundation for  
 the Supreme Court decision here. Moreover, on Spokeo’s remand to the Ninth Circuit in 2017, the  
 Ninth Circuit effectively repudiated Guimond, saying that third-party communication must be



1            Thomas also confirms that diligence is the most important factor in determining whether  
2 good cause justifies re-opening discovery. Id. at \*11. Plaintiff did not exercise diligence here.  
3 Critically, at no time during the pre-trial or trial proceedings did Plaintiff challenge the evidence  
4 showing which class members fell into the “Publication” category and which fell into the “No-  
5 Publication” category. Nothing justifies re-doing factual analysis that was completed more than  
6 eight years ago.

7            Plaintiff first sought discovery as to the parameters of the class in 2012 by way of his First  
8 Set of Interrogatories (the “Interrogatories”), and TransUnion first responded in August 2012.  
9 Subsequently, Plaintiff questioned whether TransUnion’s response was sufficient, and the Court  
10 entered its March 13, 2013 Order re: Joint Discovery Dispute Statement. In response, on July 17,  
11 2013, TransUnion served its Supplemental Responses to the Interrogatories. These were verified by  
12 Lynn Romanowski (also known as Lynn Prindes).

13            Among other things, TransUnion identified, by name and address, all 8,192 individuals  
14 originally in the class (seven later opted out of the class), in its response to Interrogatory No. 4 and  
15 Exhibit B thereto. In its verified response to Interrogatory No. 8 and Exhibit D thereto, TransUnion  
16 also identified, by name and address, the subset of 1,853 class members who had OFAC data about  
17 them sold to a third party. Interrogatory No. 7 explained the methodology TransUnion followed to  
18 determine who was in the subset of class members about whom OFAC data was sold: “by  
19 determining how many individuals listed [in the larger group of 8,192] had an inquiry logged to a  
20 billing table, where OFAC data was requested and resulted in delivery of data.”

21            TransUnion also explained in its July 2013 Supplemental Interrogatory Responses that “these  
22 responses are as complete as TransUnion can provide based upon reasonably accessible data. The  
23 responses also focus on the 2010 and 2011 calendar years, which was critical to allow the responses

24 \_\_\_\_\_  
25 shown in FCRA cases. “[I]n many instances, a plaintiff will not be able to show a concrete injury  
26 simply by alleging that a consumer-reporting agency failed to comply with one of FCRA’s  
27 procedures. For example, a reporting agency’s failure to follow certain FCRA requirements may  
28 not result in the creation or dissemination of an inaccurate credit report. In such a case, the statute  
would have been violated, but that violation alone would not materially affect the consumer’s  
protected interests in accurate credit reporting.” Robins v. Spokeo, Inc., 867 F.3d 1108, 1115-16  
(9<sup>th</sup> Cir. 2017).

1 to be delivered in a reasonable amount of time.” (Gen. Obj. 11.) Notably, although the class period  
2 only covered the period January 1-July 26, 2011, the data pre-dates the start of the class period by  
3 one full year, and post-dates the end of the class period by more than five months. In other words,  
4 the class list is already over-inclusive by a period of 17 months. None of this was controversial, and  
5 for the subsequent eight years of litigation all parties treated it as definitive data for purposes of  
6 litigating the case. TransUnion made no effort to refine the data to exclude persons who fell outside  
7 the class definition written by Plaintiff’s counsel.

8 Plaintiff never challenged the July 2013 Supplemental Interrogatory Responses as  
9 insufficient, and took no discovery seeking to challenge the methodology employed or questioning  
10 the results. This is because, as noted above, those results were over-inclusive and gave Plaintiff a  
11 larger class than was pleaded. Plaintiff never requested Ms. Romanowski’s deposition. Later, on  
12 April 22, 2014, Ms. Romanowski submitted a declaration providing additional detail about the  
13 composition of the proposed class, in connection with TransUnion’s opposition to Plaintiff’s motion  
14 to certify the class. Again, Plaintiff did not challenge her analysis or seek to depose her.

15 On July 15, 2016, more than two years later, at any time during which Plaintiff could have  
16 pursued additional discovery on the issue, the Court entered its Amended Pretrial Order, which  
17 established an October 14, 2016, Fact Discovery Cut-Off. Plaintiff never sought relief from this  
18 Order to take further discovery pertaining to the composition of the class (having already had four  
19 years since the initial discovery on the issue), nor did Plaintiff seek to depose Ms. Romanowski prior  
20 to the cut-off. To the contrary, Ms. Romanowski’s work formed the basis of the June 13, 2017,  
21 Stipulation Regarding Class Data, which was read to the jury and never questioned at any time during  
22 the appellate proceedings.

23 Further, Plaintiff’s counsel had unfettered access to the class for nearly a decade. To the  
24 extent information was needed to question whether a class member did or did not belong on the  
25 Publication list, nothing stopped Plaintiff’s counsel from obtaining that information directly from  
26 class members. Plaintiff’s counsel do not describe any efforts made during the course of the  
27 litigation to test the accuracy of the class list or of the identification of which class members were  
28

1 Publication class members. They describe no outreach to the class members as to this issue. Their  
2 lack of diligence is alone sufficient to deny their request to re-open discovery.

3 **2. Plaintiff’s Claim That Four Class Members Were Erroneously Left Off the**  
4 **“Publication” List Lacks Factual Support.**

5 Plaintiff’s main argument to re-open discovery as to class composition is a brand-new  
6 argument that four class members should have appeared on the Publication list but do not: Luis A.  
7 Garcia, Jose Luis Jimenez, Jose Guadalupe Leal and Miguel E. Rodriguez. Of course, Plaintiff’s  
8 counsel waited until Monday, November 8, to even identify these individuals to TransUnion’s  
9 counsel despite TransUnion’s requests for this information for two months.<sup>5</sup>

10 The supporting exhibits were not provided until the afternoon of November 8, and even then  
11 they were so heavily redacted as to make it exceptionally challenging for TransUnion and its counsel

12 \_\_\_\_\_  
13 <sup>5</sup> Plaintiff’s counsel John Soumilas and Lauren Brennan first suggested that they would like  
14 additional discovery in a September 10, 2021, phone call with TransUnion’s counsel Stephen  
15 Newman and Damali Taylor. During this call, TransUnion’s counsel requested details as to what  
16 discovery would be requested and the reasons why, but no concrete details were provided. Nor  
17 were Plaintiff’s counsel prepared at that time to suggest any going-forward case management plan.  
18 The call was adjourned with TransUnion’s counsel requesting to receive Plaintiff’s proposal before  
19 speaking again. In a follow-up call on September 23, 2021, Plaintiff’s counsel stated that they  
20 wished discovery to test whether the Publication list was accurate, but provided no details as to  
21 why they believed that to be so. TransUnion requested specific documentation in support of their  
22 contentions (and the proposed case management plan, which had not been received). Plaintiff’s  
23 counsel promised their portion of the joint report and supporting materials – including materials  
24 supporting any request to re-open discovery – by October 8 or thereabouts. Again, nothing was  
25 provided on October 8. The explanation given was that Mr. Soumilas was on honeymoon, so  
26 TransUnion’s counsel did not immediately press the issue. In an October 12 email from Lauren  
27 Brennan, Plaintiff’s counsel stated, “We certainly want to give TransUnion time to prepare its  
28 section,” and for that reason the conference before this Court was continued. However, Plaintiff’s  
section of the joint report still was not forthcoming. In an email dated October 19, Ms. Brennan  
stated, “We expect to get you a draft of the report by the end of this week [October 22],” but again  
that date was missed. In a conversation between Mr. Soumilas and Mr. Newman on October 29,  
Mr. Newman again requested specific information in support of the claim that the Publication list  
was not accurate, as well as for Plaintiff’s portion of the joint report. Mr. Newman reminded Mr.  
Soumilas again in a phone call on November 3, and Mr. Soumilas said Plaintiff’s portion of the  
joint report would be provided within “a day or two” (i.e., by November 5 at the latest).  
Ultimately, nothing was received until November 8, nearly two months after the issues were first  
discussed, and only two days before the deadline for filing the present joint report. Plaintiff’s  
counsel refused TransUnion’s request to stipulate to move the conference date again in light of the  
late delivery of their portion of the joint report and the supporting material.

1 to properly evaluate Plaintiff's new arguments. In an apparent effort to prevent TransUnion from  
2 meaningful review until after the joint report was submitted, Plaintiff's counsel expressly refused to  
3 provide Social Security Numbers for these individuals.

4 Notwithstanding the limited information provided, and despite the obstacles Plaintiff's  
5 counsel attempted to interpose, TransUnion can confirm that the supposedly "new" information does  
6 not contradict the accuracy of the Publication list or otherwise prove that any No-Publication class  
7 member has a potentially valid claim.

8 TransUnion's Supplemental Responses to Interrogatory No. 8 and Exhibit D thereto, served  
9 on July 17, 2013, set forth the subset of 1,853 unique class members who had OFAC data sold about  
10 them to a third party during the 2010 and 2011 calendar years. Of the four class members identified,  
11 two accurately appear on Exhibit D, the list of Publication class members. Based on the documents  
12 submitted, Luis A. Garcia appears on line 332 of this list, and Jose Guadalupe Leal appears on line  
13 813 of this list. Their accurate appearance on the Publication list dooms Plaintiff's request for new  
14 discovery.

15 With respect to the other two, Miguel E. Rodriguez and Jose Luis Jimenez, who appear on  
16 the class list but not the Publication list, none provides any evidence of any publication of OFAC  
17 information about them during the 2010-2011 period which Plaintiff's counsel accepted long ago as  
18 the appropriate period to review. Mr. Rodriguez's documents show no hard inquiries (regular credit  
19 inquiries) in 2010-2011, and just one in 2009, before the class period alleged in the complaint.<sup>6</sup> Mr.  
20 Jimenez also provides no documents showing any publication of OFAC information during the  
21 accepted 2010-2011 period. There were no regular credit inquiries during this period and only three  
22 inquiries in 2012, after the class period. Moreover, even if information about the 2010-2011 period  
23 had been provided, that would not be definitive. As was explained at trial (and undisputed), OFAC  
24

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25 <sup>6</sup> Plaintiff concedes in his section, supra, that claims based on activity in 2009 would be time-  
26 barred, which is why the class was defined to exclude such activity. Information provided about  
27 activity in 2018, post-trial, is far outside the class period and completely irrelevant. Regardless,  
28 TransUnion's preliminary review of Mr. Rodriguez's file shows no possibility that any adverse  
OFAC data was published about him to any third party, and Mr. Rodriguez proffers no evidence of  
any publication.

1 is not always sold with every credit report because many large lenders conduct their own review of  
2 OFAC data, so proof of a credit inquiry does not establish delivery of OFAC data by TransUnion.  
3 Regardless, neither Mr. Rodriguez nor Mr. Jimenez claims to have been denied or delayed credit by  
4 reason of any delivery of any OFAC data or any OFAC review by anyone.

5 In short, there is no evidence that any of these four class members were improperly  
6 categorized at all, much less that fraud or poor recordkeeping caused any improper categorization.  
7 Hyperbole aside, Plaintiff's counsel give the Court no credible support for their unorthodox request.

8 Plaintiff also challenges – eight years after discovery responses were served – the  
9 methodology by which the class list and Publication list were developed. Their basis for doing so is  
10 information supposedly obtained about “input/output logs” in another case, Al-Shaikli  
11 v. TransUnion, in which erroneous OFAC information supposedly was transmitted in violation of 15  
12 U.S.C. § 1681e(b). But Plaintiff's counsel fail to disclose to the Court that they were counsel to Mr.  
13 Al-Shaikli in the other case, that they voluntarily dismissed his §1681e(b) count on September 24,  
14 2021, and that TransUnion paid no consideration for the dismissal. These are major omissions that  
15 further call into doubt the credibility of Plaintiff's proposal and the arguments made in support of it.

16 Regarding the input/output logs, when they were provided to Plaintiff's counsel in  
17 connection with the Al-Shaikli case, Plaintiff's counsel were informed that neither these logs or  
18 anything like them are available for activity prior to October 2016, long after the Ramirez class  
19 period closed. Their suggestion now to the Court that additional information is available to challenge  
20 the No-Publication list is disturbing, and particularly so in light of their decision to dismiss the  
21 §1681e(b) count in Al-Shaikli itself. Discovery of input-output logs is irrelevant to the Ramirez  
22 class and class period, as Plaintiff's counsel well know.

23 The Al-Shaikli material is the same material Plaintiff's counsel also uses to suggest – again  
24 falsely – that TransUnion's prior statement about filtering OFAC data against date-of-birth data was  
25 incorrect. Plaintiff's allegations are false and Plaintiff's counsel should know that. As an initial  
26 matter, Al-Shaikli involved only disclosures to consumers, not reports published to third parties.  
27 Michael O'Connell's May 27, 2015, Declaration (Dkt. 181) stated, “As of September 29, 2014,  
28 TransUnion ceased using name-only matching logic. Since September 29, 2014, TransUnion has

1 incorporated date of birth information, where such information is readily available, as a filter to  
2 exclude certain potential matches from OFAC product deliveries.” Nothing Plaintiff’s counsel  
3 submits now contradicts this statement in any respect.

4 In Mr. Al-Shaikli’s case, during an error that inadvertently occurred during a hardware  
5 upgrade, unfiltered OFAC data was for a short period of time accidentally observable by certain  
6 consumers on their own reports, but never by third parties. After Mr. Al-Shaikli sued, TransUnion  
7 provided his counsel (the same counsel here) evidence that no erroneous third-party publication  
8 occurred, that there was no risk of erroneous publication and that erroneous OFAC data could not  
9 have been transmitted to anyone but the consumer himself or herself. Plaintiff’s counsel accepted  
10 this evidence as credible and therefore dismissed his claim under §1681e(b). TransUnion hopes that  
11 Plaintiff’s counsel’s failure to disclose this critical information regarding the true circumstances of  
12 the Al-Shaikli case is somehow inadvertent and not a blatant attempt to mislead the Court.

13 Similarly, Mr. Rodriguez observed unfiltered OFAC information on his own credit report,  
14 but nothing in his documents suggests erroneous OFAC information about him was either published  
15 to any third party or that a risk of such erroneous publication existed. And the Supreme Court  
16 expressly found that communication of erroneous information to the consumer himself or herself is  
17 not actionable under §1681e(b). Hence Mr. Al-Shaikli’s dismissal of his §1681e(b) claim. Just as  
18 Mr. Al-Shaikli conceded, Mr. Rodriguez has no valid claim under §1681e(b) based on this post-  
19 class-period, post-trial event.

20 Nor do Mr. Leal’s documents contradict Mr. O’Connell’s testimony. As noted above, Mr.  
21 Leal accurately appears on the Publication list. With respect to documents purporting to show no  
22 date-of-birth filtering in 2014, Mr. Leal’s documents are from June 2014 and earlier. Mr. O’Connell  
23 testified that the filtering was implemented on September 29, 2014. Plaintiff’s contention that Mr.  
24 O’Connell lied is untrue and no evidence supports Plaintiff’s contention.

25 Plaintiff has filed no motion for relief from the discovery cut-off or his prior stipulation as to  
26 the class list and Publication list, and any such motion would lack a factual basis. Nothing they have  
27 placed before the Court shows any inaccuracy or any defect in methodology.

28 There is literally no evidence that TransUnion made any false statement to the Court.



1           **3. The Supposedly “New” Facts Provide No Grounds to Reopen Discovery.**

2           Plaintiff’s submission does not establish that the Publication list is inaccurate. To the  
3 contrary, the additional documents confirm its accuracy. Regardless, Plaintiff has waited far too  
4 long to raise the issue: nine years after the information was first provided in discovery, six years  
5 past the fact discovery cut-off, and four years past the stipulation as to how many class members had  
6 OFAC information about them published to third parties.

7           Federal Rule of Civil Procedure 16(b)(4) provides that “a schedule may be modified only for  
8 good cause and with the judge’s consent.” “Rule 16(b)’s ‘good cause’ standard primarily considers  
9 the diligence of the party seeking the amendment.” Johnson v. Mammoth Recreations, Inc., 975  
10 F.2d 604, 609 (9th Cir. 1992). “If that party was not diligent, the inquiry should end.” *Id.* Plaintiff’s  
11 lack of diligence with regards to class composition and the categorization of class members traces  
12 back almost a decade. The scope of the class was litigated from the beginning of the case, and that  
13 litigation resulted in the class list itself and the Publication list. “Where, as here, the party knows or  
14 is in possession of the information that forms the basis of the later [Rule 16(b) motion] at the outset  
15 of the litigation, the party is presumptively not diligent.” Price v. Trans Union, LLC, 737 F. Supp.  
16 2d 276, 280 (E.D. Pa. 2010) (emphasis added); see also Miller v. O’Brien Constr., Inc., No. 4:19-  
17 CV-01611, 2021 WL 510072, at \*3 (M.D. Pa. Feb. 11, 2021) (“This presumption ‘may be rebutted  
18 by a cogent explanation as to why the proposed amendment was not included in the original  
19 pleading.’ But in the absence of diligence, there is no ‘good cause.’”) (internal citations omitted).  
20 Plaintiff’s proposal lacks any discussion whatsoever of counsel’s own diligence in seeking  
21 information to challenge the list.

22           In essence, having lost in the Supreme Court, Plaintiff wishes to re-start class discovery from  
23 the very beginning, but this is completely improper. Rule 16(b)(4) “good cause” is not met when a  
24 party seeks relief from a “calculated decision” regarding litigation strategy. Kernal Recs. Oy v.  
25 Mosley, 794 F. Supp. 2d 1355, 1370 (S.D. Fla. 2011), aff’d, 694 F.3d 1294 (11<sup>th</sup> Cir. 2012). If  
26 Plaintiff’s failure to take discovery was inadvertent, “carelessness is not compatible with a finding  
27 of diligence and offers no reason for a grant of relief.” Johnson, 975 F.2d at 609; see also Petrone  
28 v. Werner Enters., Inc., 940 F.3d 425, 434 (8<sup>th</sup> Cir. 2019) (good cause to extend discovery deadline



1 to allow revised expert report not shown when expert could have recognized flaws in his report, but  
2 “simply failed to do so”).

3 Where, as here, a party had “ample opportunity to conduct discovery, . . . yet they simply  
4 failed to diligently pursue evidence,” such failure “dooms” their “belated request” to reopen  
5 discovery. Hamidi v. Serv. Emps. Int’l Union Loc. 1000, 386 F. Supp. 3d 1289, 1299 (E.D. Cal.  
6 2019); accord Panasonic USA v. AT&T Corp., 287 F.3d 840, 846 (9<sup>th</sup> Cir. 2002) (no abuse of  
7 discretion for refusal to reopen discovery where the movant had “ample opportunity to conduct  
8 discovery” prior to its request to reopen); see also Anderson Living Tr. v. WPX Energy Prod., LLC,  
9 308 F.R.D. 410, 414 (D.N.M. 2015) (“the Court will not reopen class certification discovery, because  
10 the Plaintiffs had a full and fair opportunity to develop evidence supporting their class certification  
11 evidence in the first round of discovery, and because reopening discovery at this stage would  
12 prejudice the Defendants and needlessly delay the case’s progress”) (citing Newberg on Class  
13 Actions).

14 The present situation, moreover, goes beyond a mere lack of diligence. Plaintiff stipulated  
15 at trial to the sizes of the Publication and No-Publication populations within the class. This  
16 stipulation is binding on Plaintiff and on all class members (since it was made after class certification  
17 and after appointment of class counsel). Plaintiff fails to proffer sufficient evidence – indeed, any  
18 evidence – suggesting that the stipulation was entered into without full awareness of the parameters  
19 of the case, or that TransUnion acted in bad faith in making the stipulation. As noted above, Ms.  
20 Romanowski’s analysis potentially overstated both class size and the subpopulations within the  
21 class. The rule is simple: Stipulations of fact are binding against the party that makes them. Geremia  
22 v. First Nat. Bank of Boston, 653 F.2d 1, 5 (1<sup>st</sup> Cir. 1981); see also Gaztambide Barbosa v. Torres  
23 Gaztambide, 776 F. Supp. 52, 57-58 (D.P.R. 1991) (refusing to relieve a party of an “admission”  
24 that was “embraced for at least five years”).

25 Even if this matter had not already proceeded through a full jury trial and two levels of  
26 appellate review, Plaintiff would not be justified in re-opening discovery. There is no “good cause,”  
27 within the meaning of Federal Rule of Civil Procedure 16(b)(4), to reopen discovery on this subject  
28 six years after expiration of the deadline set forth in the Amended Pretrial Order.

1 Further, that this case went up on appeal and was decided by the Supreme Court  
2 independently forbids Plaintiff's counsel's attempt to take new discovery in an effort to re-make the  
3 class. Plaintiffs cannot seek to undo their prior stipulation by seeking new evidence outside the class  
4 period, and they are bound by the Supreme Court's determination that all claims of all 6,332 No-  
5 Publication class members are barred. The Supreme Court ruled – expressly rejecting Plaintiff's  
6 arguments to the contrary – that only publications within the January-July 2011 class period matter  
7 at all, and that the class data stipulated to at trial was definitive and binding:

8 Finally, the plaintiffs advance one last argument for why the 6,332 class members are  
9 similarly situated to the other 1,853 class members and thus should have standing.  
10 The 6,332 plaintiffs note that they sought damages for the entire 46-month period  
11 permitted by the statute of limitations, whereas the stipulation regarding  
12 dissemination covered only 7 of those months. They argue that the credit reports of  
13 many of those 6,332 class members were likely also sent to third parties outside of  
14 the period covered by the stipulation because all of the class members requested  
15 copies of their reports, and consumers usually do not request copies unless they are  
16 contemplating a transaction that would trigger a credit check.

17 That is a serious argument, but in the end, we conclude that it fails to support standing  
18 for the 6,332 class members. The plaintiffs had the burden to prove at trial that their  
19 reports were actually sent to third-party businesses. The inferences on which the  
20 argument rests are too weak to demonstrate that the reports of any particular number  
21 of the 6,332 class members were sent to third-party businesses. The plaintiffs'  
22 attorneys could have attempted to show that some or all of the 6,332 class members  
23 were injured in that way. They presumably could have sought the names and addresses  
24 of those individuals, and they could have contacted them. In the face of the stipulation,  
25 which pointedly failed to demonstrate dissemination for those class members, the  
26 inferences on which the plaintiffs rely are insufficient to support standing.

27 TransUnion, 141 S. Ct. at 2212.

28 To allow Plaintiff to attempt to redefine the class period, to change the composition of the  
class or to redefine No-Publication class members as Publication class members would directly  
contradict the Supreme Court's mandate and thus be immediately correctable by mandamus. "A  
district court, upon receiving the mandate of an appellate court cannot vary it or examine it for any  
other purpose than execution." United States v. Cote, 51 F.3d 178, 181 (9<sup>th</sup> Cir. 1995) (internal  
quotation marks omitted). The request to re-open discovery should be denied.

1           **C. There Is No Dispute that the Disclosure Counts Should Be Dismissed or that**  
2 **No-Publication Class Members Should Be Dismissed.**

3           Although Plaintiff's Proposal improperly suggests that some No-Publication class members  
4 might be Publication class members, Plaintiff does not appear to question that the Supreme Court's  
5 ruling bars the disclosure claims (Counts III and V) as to all class members and bars all claims as to  
6 No-Publication class members. As shown above, there is no justification to revisit the composition  
7 of the Publication list, and to implement the Supreme Court's mandate an order of dismissal should  
8 be entered as to these items, leaving only Count I and only (potentially) as to Publication class  
9 members.

10           The No-Publication class members should be informed of the dismissal. These individuals  
11 previously received notice of pendency of the class action after their claims were certified, and they  
12 should be informed now that their claims have been resolved against them, because dismissal is an  
13 important "step in the action." See Fed. R. Civ. P. 23(d)(1)(B)(i). Because TransUnion prevailed  
14 as to these class members, Plaintiff (or class counsel) should bear any associated notice costs.

15           **D. Mr. Ramirez's Claim Has Been Fully Adjudicated, and TransUnion Should Pay**  
16 **Mr. Ramirez the Amount Awarded by the Jury (as Reduced by the Ninth Circuit).**

17           With respect to Mr. Ramirez's personal claim, TransUnion should pay the total jury award  
18 (as modified by the Ninth Circuit) of \$4,921.10. As the Ninth Circuit found, "This litigation has  
19 already spanned a number of years, and we do not think a new trial would bring to light any new  
20 evidence that might permit a [punitive damages] ratio higher than 4 to 1." Ramirez v. TransUnion  
21 LLC, 951 F.3d 1008, 1037 (9<sup>th</sup> Cir. 2020). Mr. Ramirez did not contest this finding in the Supreme  
22 Court and nothing in Plaintiff's Proposal suggests any further proceedings on Mr. Ramirez's  
23 personal claim. Upon payment, he should be dismissed from the case. Proceedings pertaining to  
24 any attorneys' fees or cost awards can be addressed later, and do not depend on his continued  
25 participation in the litigation.

1           **E. The Supreme Court Expressly Directed Further Proceedings as to the Propriety of**  
 2 **Class Certification, and Accordingly TransUnion Has the Right to Move for Decertification.**

3           With the elimination of the disclosure counts as well as all No-Publication class members,  
 4 the case for maintaining certification is extremely weak. Accordingly, TransUnion would move to  
 5 decertify what remains of the class.

6           This Court initially noted, in the original class certification order, that certification of Count  
 7 I was a much closer call than certification of the disclosure counts. The evidence at trial confirmed  
 8 the weakness of the certification theory for Count I. Mr. Ramirez’s personal claim under Count I  
 9 was significantly different than that of a generic class member, in terms of the nature of the impact  
 10 on him and even as to the specific words used to communicate OFAC information. The undisputed  
 11 evidence at trial showed that almost no class members had credit reports with the pre-Cortez “match”  
 12 language rather than the post-Cortez “potential match” language.<sup>7</sup>

13           Regardless of whether that distinction matters for purposes of liability, it certainly matters  
 14 for damages. TransUnion would be prejudiced based if a damages award is based on evidence that  
 15 simply did not apply to over 97% of the portion of the class that remains. See Marcus v. BMW of  
 16 N. Am., LLC, 687 F.3d 583, 598 (3d Cir. 2012) (purpose of the typicality requirement is “to screen  
 17 out class actions in which the legal or factual position of the representatives is markedly different  
 18 from that of other members of the class”) (internal quotation marks and citation omitted); Soutter v.  
 19 Equifax Info. Servs., LLC, 498 F. App’x 260, 265 (4<sup>th</sup> Cir. 2012) (reversing certification order in  
 20 FCRA case because the representative’s claims were “typical” only on an “unacceptably general  
 21 level”).

22           Accordingly, it would be reversible error to allow Mr. Ramirez to remain as the class  
 23 representative, in light of the present record. There can be no reasonable dispute that the disclosure  
 24 claim – based on all class members receiving the same form of letter from TransUnion – was the  
 25

26 \_\_\_\_\_  
 27 <sup>7</sup> The evidence was undisputed that the reseller ODE delivered TransUnion data on a non-standard  
 28 form that omitted the post-Cortez “potential match” language, and that only 40 class members had  
 OFAC data sold via ODE. There was no evidence that any other transmission occurred without the  
 post-Cortez language.

1 glue that held the whole class together. With that claim out of the case, the differential experiences  
2 of all class members become much more salient, and the atypicality of Mr. Ramirez’s own claim  
3 becomes glaringly obvious. To date, there has been no evidence that any class member other than  
4 Mr. Ramirez was denied credit or had a transaction delayed by reason of publication of erroneous  
5 OFAC information. Not even the new declarations from the four class members presented now  
6 make such a claim. None alleges any denial or delay of credit whatsoever. None alleges any  
7 personal embarrassment or emotional distress at all, much less of the degree of seriousness to which  
8 Mr. Ramirez testified. At a minimum, this lack of evidence suggests lack of typicality and  
9 commonality with respect to the assessment of damages.<sup>8</sup>

10 Nevertheless, TransUnion acknowledges that an alternative class representative potentially  
11 may be willing to pursue the litigation on behalf of the remaining portion of the class. Any such  
12 representative should be identified promptly, and TransUnion should be allowed a full and fair  
13 opportunity to contest such person’s qualifications, including through targeted discovery focused on  
14 such qualifications, and to bring a motion for decertification.

15 If TransUnion’s motion for decertification is granted, there will remain no substantive  
16 matters to litigate, and the case should be dismissed in its entirety. Subsequently (and most likely,  
17 after Plaintiff files a petition for leave to appeal under Rule 23(f)), the parties can file motions  
18 pertaining to fees and costs.

19 If instead TransUnion’s motion for decertification is denied, TransUnion anticipates seeking  
20 leave to appeal under Rule 23(f), and if the class remains certified, a new trial can be scheduled.

#### 21 **F. If the Class Remains Certified, TransUnion Is Entitled to a New Trial**

22 Most of the trial evidence focused on the disclosure counts, which the Supreme Court held  
23 were defective as a matter of law. They never should have been presented to the jury, and

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24  
25 <sup>8</sup> Mr. Ramirez also faces a potential adequacy challenge. See In re Gen. Motors Corp. Engine  
26 Interchange Litig., 594 F.2d 1106, 1124 (7<sup>th</sup> Cir. 1979) (court has a “continuing duty to undertake a  
27 stringent examination of the adequacy of representation by the named class representatives and  
28 their counsel at all stages of the litigation”). Failure to seize opportunities to settle the matter on  
behalf of all class members resulted in TransUnion pursuing its remedies in the Supreme Court,  
leading to an outcome where approximately 80% of the class will recover nothing. Even today  
Plaintiff’s counsel refuses any meaningful engagement on the subject of settlement.

1 TransUnion objected repeatedly to them and to the evidence proffered in support of those legally  
2 invalid claims.

3 The submission of the disclosure evidence necessarily had a prejudicial impact on  
4 TransUnion in both the liability and damages phases of the trial. Among other things, Plaintiff's  
5 counsel improperly displayed to the jury a portion of the Cortez opinion, pertaining to the disclosure  
6 claim, that had been excluded pursuant to a prior motion in limine. Plaintiff also introduced  
7 correspondence between a TransUnion in-house attorney and OFAC and focused intensely on the  
8 disclosure-related issues presented by that correspondence, arguing that TransUnion had lied to  
9 OFAC about what it was disclosing to consumers: "And then I'd like you to consider what  
10 TransUnion, at the very highest level, its general counsel's office is telling the U.S. government  
11 about this and what they actually tell consumers in this letter." In his closing argument, Plaintiff's  
12 counsel also mocked TransUnion's "Stone Age" disclosure technology and again emphasized, that  
13 TransUnion was "not honest" with consumers about what was in their file or how to fix it: "And no  
14 good could come from that." Much of Plaintiff's argument on punitive damages also focused on  
15 matters pertaining to the disclosure claims, and this Court's refusal to remit punitive damages was  
16 based principally on the evidence submitted in support of the disclosure claims. Plaintiff's counsel  
17 also argued for a large punitive damages award based on the unsupported claim that persons outside  
18 the class were harmed – an argument that under the Supreme Court's ruling was plainly improper.  
19 With the disclosure claims completely out of the case per the Supreme Court's decision, none of this  
20 evidence and argument should have been before the jury at all, and its inflammatory and prejudicial  
21 impact cannot be unwound.

22 Fairness dictates that TransUnion be allowed a new trial if class proceedings are permitted  
23 to continue. See Maryland v. Baldwin, 112 U.S. 490, 493 (1884) (retrial ordered after reversal on  
24 one count based on risk that jury was influenced by evidence on reversed count); Freitag v. Ayers,  
25 468 F.3d 528, 547 (9th Cir. 2006) (general compensatory damages verdict entered on claims under  
26 two different statutes; new trial on damages strongly suggested when liability was upheld as to only  
27 one claim); Coastal Abstract Serv., Inc. v. First Am. Title Ins. Co., 173 F.3d 725, 732-33 (9<sup>th</sup> Cir.  
28 1999) (claims for defamation and false advertising based on multiple statements resulted in general

1 damages verdict; when appellate court found that two statements were not actionable, retrial on  
2 damages was ordered because “we cannot discern how much may have been attributable to the two  
3 statements that were not actionable”); Maynard v. City of San Jose, 37 F.3d 1396, 1406 (9<sup>th</sup> Cir.  
4 1994) (“The special verdict form did not apportion the damages between the verdicts we have  
5 reversed and the ones we have affirmed. We vacate the damages award and remand.”); Counts v.  
6 Burlington N. Ry., 952 F.2d 1136, 1140 (9<sup>th</sup> Cir. 1991) (retrial ordered despite no request for verdict  
7 form allocating damages to particular counts).

8 **G. Attorneys’ Fees and Costs Cannot Be Determined until All Other Issues Are**  
9 **Resolved.**

10 Plaintiffs’ proposal does not address how claims for attorneys’ fees and costs might be  
11 resolved. Presumably they do not object to deferring all such matters until all prior issues are finally  
12 determined.

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1 Respectfully submitted,

2 /s/ John Soumilas

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*Attorneys for Defendant*

*Trans Union, LLC*

1 I, Stephen J. Newman, attest that all other signatories listed, on whose behalf the filing is  
2 submitted, concur in the filing's content and have authorized the filing.

3  
4 /s/ Stephen J. Newman  
5 Stephen J. Newman  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 10, 2021, a copy of the foregoing **JOINT REPORT RE: POST-APPEAL PROCEEDINGS** was filed electronically and served by U.S. Mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

*/s/ Stephen J. Newman*  
\_\_\_\_\_  
Stephen J. Newman

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# **Exhibit 1**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

AHMED AL-SHAIKLI, )  
)  
Plaintiff, )  
v. ) No. 5:20-cv-4155  
)  
TRANS UNION, LLC, )  
)  
Defendant. )

**DEFENDANT TRANS UNION LLC’S SUPPLEMENTAL RESPONSE AND  
OBJECTION TO PLAINTIFF’S INTERROGATORY NO. 3**

Defendant Trans Union LLC (“Trans Union”), by and through its undersigned counsel, hereby submits its Supplemental Response and Objection to Plaintiff’s Interrogatory No. 3.

**PRELIMINARY STATEMENTS AND GENERAL OBJECTIONS**

1. Trans Union incorporates as if fully restated its Preliminary Statements and General Objections from its Responses and Objections to Plaintiff’s First Set of Interrogatories, dated December 24, 2020.

**SUPPLEMENTAL RESPONSE AND OBJECTION  
TO INTERROGATORY NO. 3**

3. Identify each third party to which you provided a report about Plaintiff from August 24, 2015 to the present.

RESPONSE: Trans Union objects to this Interrogatory as vague and ambiguous and not readily susceptible to response due to the undefined term and phrase “report” and will construe that term as meaning a “consumer report,” as defined in 15GenFS Card U.S.C. § 1681a(d).

Trans Union objects to this Interrogatory as premature because a response would require Trans Union to search for ESI, including ESI that may not be readily accessible, before the parties have conferred about such searches.

Subject to and without waiving its objections, pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Trans Union refers Plaintiff to the cop(ies) of Plaintiff's file disclosure(s) that Trans Union has produced, or will produce, in this action. Trans Union did not provide to third parties any OFAC data associated with Plaintiff.

**SUPPLEMENTAL RESPONSE: In the ordinary course of its business operations, Trans Union would not include OFAC data on a “consumer report” provided to a customer if that customer was not previously set up in Trans Union’s systems to order and receive such OFAC data. Customers who are not set up in this manner cannot order or receive OFAC data from Trans Union.**

**According to Trans Union’s records, the only Trans Union customers associated with inquiries on Plaintiff’s April 8, 2020 Disclosure, as well as the customers reflected in inquiries appearing on TU-AL-SHAIKLI00000086-93, TU-AL-SHAIKLI00000094-101, and TU-AL-SHAIKLI00001091-1102, who were set up to receive OFAC data were:**

- **Barclay’s Bank Delaware (10-07-2019 inquiry);**
- **Credit Climb (05-06-2020 inquiry);**
- **GenFS Card (09-26-2017 inquiry);**
- **Prosper/WebBank (04-03-2019 inquiry); and,**

- **SKILLSFNB (05-06-2020 inquiry).**

**According to Trans Union's records, the information that Trans Union provided to those customers in reports associated with Plaintiff did not include any OFAC data. Pursuant to Rule 33(d), Trans Union refers Plaintiff to documents contemporaneously produced as TU-AL-SHAIKLI00001103-1151, which reflect the data included in the Input/Output Logs associated with the information provided to the above-referenced customers, as well as similar data associated with other inquiries on the April 8, 2020 Disclosure.**

Dated: August 25, 2021

/s/ Albert E. Hartmann

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*Counsel for Defendant Trans Union LLC*



### VERIFICATION

Richard Orłowski, under 28 U.S.C. § 1746, states as follows:

1. I am authorized to verify Defendant Trans Union LLC's Supplemental Response and Objection to Plaintiff's Interrogatory No. 3 ("Supplemental Response") on behalf of Trans Union LLC.

2. The information set forth in the Supplemental Response was gathered and collected by persons in the employ of, or retained by, Trans Union LLC from records and files kept by Trans Union LLC in the ordinary course of its business.

3. I am informed and believe that the answers truly and accurately reflect said records, files and information, and accordingly am informed and believe that said answers are true and accurate.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 24, 2021



---

Richard Orłowski

### CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on August 25, 2021, a true and accurate copy of the foregoing was served via electronic mail upon all counsel of record as follows:

James A. Francis  
John Soumilas  
Lauren KW Brennan  
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*Counsel for Plaintiff*

/s/ Albert E. Hartmann  
Counsel for Defendant  
TRANS UNION LLC

# **Exhibit 2**

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4 James A. Francis (*pro hac vice*)  
John Soumilas (*pro hac vice*)  
5 Francis Mailman Soumilas, P.C.  
1600 Market Street, Suite 2510  
6 Philadelphia, PA 19110

7 *Attorneys for Plaintiff, Sergio L. Ramirez*  
*And the Certified Class*

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 SERGIO L. RAMIREZ, on behalf of himself  
and all others similarly situated,

12 *Plaintiff,*

13 v.

14 TRANS UNION, LLC,

15 *Defendant.*

Case No. 12 cv-00632-JSC

Class Action

**DECLARATION OF**  
**MIGUEL E. RODRIGUEZ**

16 I, Miguel E. Rodriguez, hereby declare as follows:

17 1. My name is Miguel E. Rodriguez.

18 2. I live in Miami, Florida.

19 3. I understand that I was on the class list in *Ramirez v. Trans Union, LLC*.

20 4. I submit this declaration to authenticate five documents and to tell my story.

21 5. I am concerned about submitting this declaration because I am afraid that Trans  
22 Union might retaliate against me and do something improper to my credit file.

23 6. I had an OFAC match in my Trans Union file for some period of time, but do not  
24 know exactly how long it was there or if it is still there.

25 7. In 2011, I received a copy of my Trans Union personal credit report.

26 8. Attached hereto as Exhibit A is a true and correct copy of the personal credit  
27 report Trans Union sent me on or about February 14, 2011.

1 9. This credit report did not include an Additional Information section or any  
2 information regarding an OFAC match.

3 10. A few days later, on or about February 15, 2011, Trans Union sent me a notice  
4 regarding the OFAC database and my credit file.

5 11. Attached hereto as Exhibit B is a true and correct copy of the notice I received  
6 from Trans Union.

7 12. The notice stated:

8 Our records show that you recently requested a disclosure of your  
9 TransUnion credit report. That report has been mailed to you  
10 separately. As a courtesy to you, we also want to make you aware  
11 that the name that appears on your TransUnion credit file "MIGUEL  
12 E RODRIGUEZ" is considered a potential match to information  
listed on the United States Department of Treasury's Office of  
Foreign Asset Control ("OFAC") Database.

13 13. The notice stated that the following OFAC record was considered a "potential  
14 match" to the name on my credit file:

15 UST 03 RODRIGUEZ OLIVERA, MIGUEL ALIASES: MORFIN  
16 RODRIGUEZ, MIGUEL ALTD OB: 9/2/1977 PUERTO  
17 VALLARTA, JALISCO, MEXICO AFF: SDNTK DOB:  
18 08/11/1976 OriginalSource: OFAC Aliases: MORFIN  
19 RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO  
OriginalID: 12487 POB: JALISCO, MEXICO NATIONAL NO:  
ROOM760811HJCDLGOO (C.U.R.P., MEXICO)  
NATIONALITY: MEXICO P\_:ID: 422391

20 UST 03 RODRIGUEZ OLIVERA, MIGUEL C SIMON BLVD.  
21 NO. 47 COL AVIACIO TIJUANA, BAJA CALIFORNIA,  
22 MEXICO AFF: SDNTK DOB: 08/11/1976 OriginalSource: OFAC  
23 Aliases: MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977  
Citizenship: MEXICO OriginalID: 12487 POB: JALISCO,  
MEXICO NATIONAL NO: ROOM760811HJCDLGOO  
(C.U.R.P., MEXICO) NATIONALITY: MEXICO

24 UST 03 RODRIGUEZ OLIVERA, MIGUEL  
25 FRACCIONAMIENTO SANTA ISABEL PASEO SAN ELISEO  
26 1695ZAPOPAN, JALISCO, MEXICO AFF: SDNTK DOB:  
27 08/11/1976 OriginalSource: OFAC Aliases: MORFIN  
28 RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO  
OriginalID: 12487 POS: JALISCO, MEXICO NATIONAL NO:  
ROOM760811HJCDLGOO (C.U.R.P., MEXICO)  
NATIONALITY: MEXICO P 10: 422391

1  
2 UST 03 RODRIGUEZ OLIVERA, MIGUEL PUERTO DE  
3 HIERRO ALIASES: MORFIN RODRIGUEZ, MIGUEL AL  
4 TDOS: 9/2/1977 ZAPOPAN, JALISCO, MEXICO AFF: SDNTK  
5 DOB: 08/11/1976 OriginalSource: OFAC Aliases: MORFIN  
6 RODRIGUEZ, MIGUEL AltDOS: 9/2/1977 Citizenship: MEXICO  
7 OriginalID: 12487 POB: JALISCO, MEXICO NATIONAL NO:  
8 ROOM760811HJCDLGOO (C.U.R.P., MEXICO)  
9 NATIONALITY: MEXICO P 10: 422391

7 UST 03 RODRIGUEZ OLIVERA, MIGUEL SENDERO LAS  
8 ACACIAS 92 ALIASES: MORFIN RODRIGUEZ, MIGUEL  
9 ALTDOS: 9/2/1977 GUADALAJARA, JALISCO, MEXICO AFF:  
10 SDNTK DOB: 09/11/1976 OriginalSource: OFAC Aliases:  
11 MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship:  
12 MEXICO OriginalID: 12487 POB: JALISCO, MEXICO  
13 NATIONAL NO: ROOM760811HJCDLGOO (C.U.R.P.,  
14 MEXICO) NATIONALITY: MEXICO P ID: 422391

12 UST 03 RODRIGUEZ OLIVERA, MIGUEL VEREDA DEL  
13 CANARIO 1 ALIASES: MORFIN RODRIGUEZ, MIGUEL  
14 ALTDOS: 9/2/1977 GUADALAJARA, JALISCO, MEXICO AFF:  
15 SDNTK DOB: 08/11/1976 OriginalSource: OFAC Aliases:  
16 MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship:  
17 MEXICO OriginalID: 12487 POB: JALISCO, MEXICO  
18 NATIONAL NO: ROOM760811HJCDLGOO (C.U.R.P.,  
19 MEXICO) NATIONALITY: MEXICO P ID: 422391

17 UST 03 RODRIGUEZ OREJUELA, MIGUEL ANGEL CASA NO  
18 19, AVENIDA LAGO, CIUDAD JARDIN ALTDOS: 08/15/1943  
19 CALL, COLOMBIA Passport no. 6095803(COLOMBIA) AFF:  
20 SDNT DOB: 11/23/1943 OriginalSource: OFAC AltDOB:  
21 08/15/1943 OriginalID: 4108

21 14. This OFAC match lists a host of names, none of which are the same as mine,  
22 Miguel E. Rodriguez.

23 15. This OFAC match is associated with multiple dates of birth, none of which are the  
24 same as mine, [REDACTED]

25 16. In 2018, I saw an OFAC match on my Trans Union personal credit report.

26 17. Attached hereto as Exhibit C is a true and correct copy of the page from my Trans  
27 Union personal credit report that included the OFAC match.

1 18. The credit report said that I was a "possible match" for the following OFAC  
2 record:

3 MATCHING NAME: RODRIGUEZ OLIVERA, Miguel  
4 SOURCE: SDN UID: 12487 NAME: RODRIGUEZ OLIVERA,  
5 Miguel PROGRAMLIST: SDNTK IDLIST: IDTYPE: C.U.R.P.  
6 IDNUMBER: ROOM760811HJCDLG00 IDCOUNTRY: Mexico  
7 AKALIST: TYPE: a.k.a. CATEGORY: strong AKA: MORFIN  
8 RODRIGUEZ, Miguel ADDRESSLIST: ADDRESS: C Simon  
9 Blvd. No. 47, Col Aviaclo, Tijuana, Baja California, MeXico;  
10 ADDRESS: Vereda del Canario 1, Guadalajara, Jalisco, Mexico;  
11 ADDRESS: Sendero Las Acacias 92, Guadalajara, Jalisco, Mexico;  
12 ADDRESS: Puerto de Hierro, Zapopan, Jalisco, Mexico;  
13 ADDRESS: Puerto Vallarta, Jalisco, Mexico; ADDRESS:  
14 Fraccionamiento Santa Isabel, Paseo San Eliseo 1695, Zapopan,  
15 Jalisco, Mexico NATIONALITYLIST: COUNTRY: Mexico  
16 (main) CITIZENSHIPLIST: COUNTRY: Mexico (main)  
17 DATEOFBIRTHLIST: DOB: 11 Aug 1976 (main); DOB: 02 Sep  
18 1977 PLACEOFBIRTHLIST: POB: Jalisco, Mexico (main)

19 19. This OFAC match clearly does not relate to me, because I am an American  
20 citizen, born in Cuba in 1943, not in Mexico in 1976 or 1977.

21 20. Because the OFAC match concerned someone else, I sent Trans Union a letter to  
22 request that it be removed from my file on or about July 10, 2018.

23 21. Attached hereto as Exhibit D is a true and correct copy of the letter that I sent to  
24 Trans Union.

25 22. In my letter, I told Trans Union as follows:

26 With regards to Possible OFAC Match. please notice that the  
27 Matching Name: RODRIGUEZ OLIVERA, Miguel is a Mexican  
28 citizen residing in Mexico. His date of birth is September 02, 1977.  
I was born on [REDACTED] I was born in Cuba and have been  
an American Citizen since 1976. I have always lived in the US since  
my arrival.

I would appreciate your correcting/removing the inaccurate  
information from the above referenced report.

29 23. About 10 days later, on or about July 18, 2018, Trans Union sent me a copy of my  
30 personal credit report in response to my dispute.

31 24. Attached hereto as Exhibit E is a true and accurate copy of the personal credit  
32 report Trans Union sent me.



1 25. On the first page of the credit report, Trans Union stated as follows:

2 Dear MIGUEL E. RODRIGUEZ,

3 We understand that recently something on your credit report did  
4 not seem right to you. We take this matter seriously, and we want  
5 to make sure your TransUnion credit report is accurate. It's our  
6 commitment to you. In the pages that follow you will see a full  
7 copy of your credit report.

8 26. The OFAC record still appeared on page 8 of the credit report even though I had  
9 disputed it.

10 27. I do not know if the OFAC alert is still on my Trans Union credit file or when it  
11 was first added.

12 28. I do not know the complete list of third parties to whom Trans Union sent this  
13 inaccurate OFAC alert, but the credit report that Trans Union sent me on July 18, 2018 listed  
14 regular inquiries and account review inquiries.

15 29. Page 2 of the personal credit report Trans Union sent me on July 18, 2018  
16 explained regular inquiries and account review inquiries as follows:

17 Regular Inquiries. inquiries are posted when someone accesses your  
18 credit information from TransUnion. The presence of an inquiry  
19 means that the company listed received your credit information on  
20 the dates specified. These inquiries will remain on your credit file  
21 for up to 2 years.

22 Account Review Inquiries. The listing of a company's inquiry in this  
23 section means that they obtained information from your credit file  
24 in connection with an account review or other business transaction  
25 with you. These inquiries are not seen by anyone but you and will  
26 not be used in scoring your credit file (except insurance companies  
27 may have access to other insurance company inquiries, certain  
28 collection companies may have access to other collection company  
inquiries, and users of a report for employment purposes may have  
access to other employment inquiries, where permitted by law).

30. Page 7 of the July 18, 2018 credit report listed one regular inquiry:

**BRAMAN HONDA via ODEBRAMAN HONDA MIAMI (7000  
CORAL WAY, MIAMI, FL 33155, Phone number not available)**

**Permissible Purpose: CREDIT TRANSACTION**

**Requested On: 08/27/2017**

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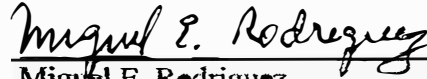
31. Page 7 of the July 18, 2018 credit report also listed two third-party account review inquiries:

**SYNCB/JC PENNEY** (PO BOX 965007, ORLANDO, FL 32896-5007, (866) 227-5213)  
**Requested On:** 06/21/2018

**BANK OF AMERICA** (PO BOX 982238, EL PASO, TX 79998, (800) 421-2110)  
**Requested On:** 06/20/2018

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2021

  
Miguel E. Rodriguez

# **Exhibit A**

PO Box 2000  
Chester, PA 19022



02/14/2011



Find an inaccuracy on your report?  
Submit your dispute online at:  
<http://transunion.com/disputeonline>

[REDACTED]  
MIGUEL E. RODRIGUEZ

[REDACTED]  
MIAMI, FL 33174

Enclosed is the TransUnion Personal Credit Report that you requested. As a trusted leader in the consumer credit information industry, TransUnion takes the accuracy of your credit information very seriously. We are committed to providing the complete and reliable credit information that you need to participate in everyday transactions and purchases.

If you believe an item of information to be incomplete or inaccurate, please alert us immediately. We will investigate the data and notify you of the results of our investigation.

To make it easier to request an investigation, you can now submit your request online, **24 hours a day, 7 days a week**. You must have an active email address to use the online service. Please note that your email address will only be used for communicating with you regarding your request and the results of our investigation. Your email address will not be shared with any non-TransUnion entities.

**To submit an online request for investigation:**

- Step 1.** Go to the TransUnion online investigation service at <http://transunion.com/disputeonline>
- Step 2.** Follow the instructions provided by the web site.

Once submitted, you will receive online confirmation of your request. You will also be notified by email when we complete our investigation and your results will be available online. You can check the status of your investigation online by logging into your account.

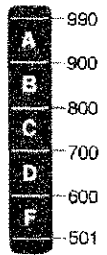

Thank you for helping ensure the accuracy of your credit information.

TransUnion Consumer Relations

For frequently asked questions about your credit report, please visit  
<http://transunion.com/consumerfaqs>.

# TransUnion Personal Credit Score

MIGUEL E. RODRIGUEZ

YOUR CREDIT SCORE		
Your Score & Grade	Score & Grade Range	Where You Rank
<p>Score <b>Not Purchased</b> (See Below)</p> <p>Grade -</p> <p>Created on 02/14/2011</p>	<p>Unavailable (See Below)</p> 	<p>Unavailable (See Below)</p> 
<p>Based on your TransUnion credit report, this is a depiction of your creditworthiness.</p>	<p>The numerical score ranges from 990 to 501 equaling grade ranges from A to F.</p>	<p>Your credit ranks higher than --% of the nation's population.</p>

## About your TransUnion Personal Credit Score

Your TransUnion Personal Credit Score is displayed above, and was calculated with the VantageScore credit scoring formula. Your credit score is a snapshot of the contents of your credit report at the time the score was calculated. Using objective, impartial formulas to translate the contents of your credit report into a 3-digit score enables lenders to evaluate your application for credit in a fast, fair and more objective manner. Remember, we constantly update the information contained in your credit report, so your TransUnion Personal Credit Score only represents the score a lender would receive if they requested it today.

### Summary

You did not order a TransUnion credit score. You can purchase your credit score for \$7.95 by calling 1-866-SCORE-TU or 1-866-726-7388.

### Answers About Credit Scores

**• How are credit scores used?**

A credit score is just one of several factors a company usually uses when deciding to extend credit, give insurance coverage or provide financial services to you. A variety of other factors will be considered, such as length of employment, income or previous experience with you. Depending on what you are applying for, different companies weigh each of these factors differently. By using a credit score, they can evaluate your application quickly, fairly and consistently.

**• How can I improve my credit score?**

A credit score is a snapshot of the contents of your credit report at the time it was calculated. Long-term, responsible credit behavior is the most effective way to improve future scores. Pay bills on time, lower balances and use credit wisely to improve your score over time. You should also review your credit report to ensure it is accurate.

**• How do inquiries affect my credit score?**

When your credit is checked by a business for the purpose of an application a 'hard inquiry' appears on your credit report. These inquiries can affect your credit score; and typically they have only a small impact. Delinquencies, balances owed, and the length of time you have used credit are all more important. Inquiries have a greater impact if you have a limited credit history.

### Additional Information

The TransUnion Personal Credit Score is provided to help you better understand how lenders view your credit report. It is not an endorsement or a determination of your qualification for a loan. The VantageScore credit scoring model was used for this Score Analysis and is not necessarily the same scoring model that may be used by a lender. The resulting credit score may not be identical in every respect to any consumer credit score produced by any other company. Any credit information that has not yet been reported to TransUnion will not be reflected in your consumer disclosure or score. Also, some items disputed directly with creditors are not incorporated in the assessment of your credit score.

## Protect Yourself From Identity Theft

Each year, **9 million people** become victims of identity theft. Protect yourself. It's easy. We'll email you within **24 hours** of any critical changes to your credit report.

You'll swiftly find out about:

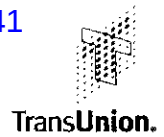
- **fraudulent activity**
- **new inquiries**
- **new accounts**
- **late payments**
- **and more**

Sign up now at:  
[www.truecredit.com/protect](http://www.truecredit.com/protect)

\* Source: The FTC's national education campaign — *Avoid Theft: Deter, Detect, Defend.*

4000000





File Number: [REDACTED]  
Page: 1 of 6  
Date issued: 02/14/2011

### Personal Information

Name: MIGUEL E. RODRIGUEZ

SSN: [REDACTED]  
Date of Birth: [REDACTED]  
Telephone: [REDACTED]  
Your SSN is partially masked for your protection.

You have been on our files since 02/1984

### CURRENT ADDRESS

Address: [REDACTED]  
MIAMI, FL [REDACTED]  
Date Reported: 10/1992

### PREVIOUS ADDRESS

Address: [REDACTED]  
MIAMI, FL [REDACTED]  
Date Reported: 02/1984  
Address: [REDACTED]  
MIAMI, FL [REDACTED]

### EMPLOYMENT DATA REPORTED

Employer Name: [REDACTED]  
Date Reported: 09/1989

Position:  
Hired:

Special Notes: Your Social Security number has been masked for your protection. You may request disclosure of the full number by writing to us at the address found at the end of this report. Also, if any item on your credit report begins with 'MED1', it includes medical information and the data following 'MED1' is not displayed to anyone but you except where permitted by law.

### Account Information

The key to the right helps explain the payment history information contained in some of the accounts below. Not all accounts will contain payment history information, but some creditors report how you make payments each month in relation to your agreement with them.

N/A	X	OK	30	60	90	120
Not Applicable	Unknown	Current	30 days late	60 days late	90 days late	120 days late

### Satisfactory Accounts

The following accounts are reported with no adverse information. (Note: The account # may be scrambled by the creditor for your protection).

[REDACTED]

[REDACTED]

Consumer Credit Report for MIGUEL E. RODRIGUEZ

File Number: [REDACTED]  
Page: 2 of 6  
Date Issued: 02/14/2011

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED]  
Credit Limit: [REDACTED]

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]  
Date Closed: [REDACTED]  
Date Paid: [REDACTED]

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED]  
Credit Limit: [REDACTED]

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]  
Date Closed: [REDACTED]

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED]  
High Balance: [REDACTED]  
Collateral: [REDACTED]  
Terms: [REDACTED]

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]  
Date Closed: [REDACTED]

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED]  
Terms: [REDACTED]

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]



[REDACTED] 36  
[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED]

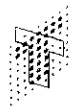
Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]  
Date Paid: [REDACTED]

Loan Type: CHARGE ACCOUNT

[REDACTED]

To dispute online go to: <http://transunion.com/disputeonline>





Consumer Credit Report for MIGUEL E. RODRIGUEZ

File Number: [REDACTED]  
Page: 3 of 6  
Date Issued: 02/14/2011

TransUnion.

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED] 1

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]

[REDACTED]

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED] 1  
High Balance: [REDACTED] 7  
Terms: [REDACTED]

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]  
Date Closed: [REDACTED]

[REDACTED]

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED] 1  
High Balance: [REDACTED] 5  
Credit Limit: [REDACTED] 0

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]

[REDACTED]

[REDACTED]

Balance: [REDACTED]  
Date Updated: [REDACTED] 1  
High Balance: [REDACTED] 5  
Credit Limit: [REDACTED] 0

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]

[REDACTED]

CEMP HCB # [REDACTED] 2  
[REDACTED] 7  
[REDACTED] 0

Balance: [REDACTED]  
Date Updated: [REDACTED] 1  
High Balance: [REDACTED] 5  
Credit Limit: [REDACTED] 0

Pay Status: [REDACTED]  
Account Type: [REDACTED]  
Responsibility: [REDACTED]  
Date Opened: [REDACTED]

[REDACTED]

Consumer Credit Report for MIGUEL E. RODRIGUEZ

File Number: [REDACTED]  
Page: 4 of 6  
Date Issued: 02/14/2011

[REDACTED]	Balance:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	Date Updated:	[REDACTED]	Account Type:	[REDACTED]
[REDACTED]	High Balance:	[REDACTED]	Responsibility:	[REDACTED]
[REDACTED]	Credit Limit:	[REDACTED]	Date Opened:	[REDACTED]

[REDACTED]	Balance:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	Date Updated:	[REDACTED]	Account Type:	[REDACTED]
[REDACTED]	High Balance:	[REDACTED]	Responsibility:	[REDACTED]
[REDACTED]	Credit Limit:	[REDACTED]	Date Opened:	[REDACTED]

[REDACTED]	Balance:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	Date Updated:	[REDACTED]	Account Type:	[REDACTED]
[REDACTED]	High Balance:	[REDACTED]	Responsibility:	[REDACTED]
[REDACTED]	Credit Limit:	[REDACTED]	Date Opened:	[REDACTED]
[REDACTED]			Date Closed:	[REDACTED]

[REDACTED]	Balance:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	Date Updated:	[REDACTED]	Account Type:	[REDACTED]
[REDACTED]	High Balance:	[REDACTED]	Responsibility:	[REDACTED]
[REDACTED]	Terms:	[REDACTED]	Date Opened:	[REDACTED]
[REDACTED]			Date Closed:	[REDACTED]

[REDACTED]	Balance:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	Date Updated:	[REDACTED]	Account Type:	[REDACTED]
[REDACTED]	High Balance:	[REDACTED]	Responsibility:	[REDACTED]
[REDACTED]	Terms:	[REDACTED]	Date Opened:	[REDACTED]
[REDACTED]			Date Closed:	[REDACTED]



To dispute online go to: <http://transunion.com/disputeonline>



Consumer Credit Report for MIGUEL E. RODRIGUEZ

File Number: [REDACTED]  
 Page: 5 of 6  
 Date Issued: 02/14/2011

TransUnion.

[REDACTED] 0763

Balance: [REDACTED]  
 Date Updated: [REDACTED]  
 High Balance: [REDACTED]  
 Credit Limit: [REDACTED]

Pay Status: [REDACTED]  
 Account Type: [REDACTED]  
 Responsibility: [REDACTED]  
 Date Opened: [REDACTED]

## Regular Inquiries

The following companies have received your credit report. Their inquiries remain on your credit report for two years.

### WELLS FARGO CARD/WB CARD

PO BOX 545  
 PORTLAND, OR 97228  
 (877) 778-5697

Requested On: 02/16/2009 Inquiry Type: INDIVIDUAL

## Promotional Inquiries

The companies listed below received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.

### AMERICAN EXPRESS Requested On: 10/2010

PO BOX 981537  
 EL PASO, TX 79998  
 (800) 874-2717

### WELLS FARGO/21ST CENTURY Requested On: 10/2010

505 CARR RD  
 WILMINGTON, DE 19809-2800  
 Phone number not available

### AMERICAN EXPRESS Requested On: 07/2010

PO BOX 981537  
 EL PASO, TX 79998  
 (800) 874-2717

## Account Review Inquiries

The companies listed below obtained information from your consumer report for the purpose of an account review or other business transaction with you. These inquiries are not displayed to anyone but you and will not affect any creditor's decision or any credit score (except insurance companies may have access to other insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

### AFFINION - PRIVACYGU VIA CREDCO

100 CONNETICUT AVE  
 NORWALK, CT 06850  
 (866) 990-7328

Requested On: 01/2011

Permissible Purpose: CONSUMER INITIATED TRANSACTION

### BANK OF AMERICA

4161 PIEDMONT PKWY  
 1825 E BUCKEYE RD  
 GREENSBORO, NC 27410  
 (800) 451-6362

Requested On: 01/2011

### GEMB/JCP

PO BOX 965007  
 ORLANDO, FL 32896-5007  
 (800) 542-0800

Requested On: 01/2011

### FIA CSNA

P O BOX 15026  
 WILMINGTON, DE 19850  
 (800) 421-2110

Requested On: 12/2010

To dispute online go to: <http://transunion.com/disputeonline>



## Summary of Rights

**Para informacion en espanol, visite [www.ftc.gov/credit](http://www.ftc.gov/credit) o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.ftc.gov/credit](http://www.ftc.gov/credit) or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, the consumer reporting agency is not required to remove accurate derogatory information from your file unless it is outdated (as described below) or cannot be verified. A consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.ftc.gov/credit](http://www.ftc.gov/credit).
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.ftc.gov/credit](http://www.ftc.gov/credit).



### **Florida Residents**

As of July 1, 2006 you have a right to place a “security freeze” on your consumer report, which will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization. A security freeze must be requested in writing by certified mail to a consumer reporting agency. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. **You should be aware that using a security freeze to control access to the personal and financial information in your consumer report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, insurance, government services or payments, rental housing, employment, investment, license, cellular telephone, utilities, digital signature, Internet credit card transaction or other services, including an extension of credit at point of sale.** When you place a security freeze on your consumer report, you will be provided a personal identification number or password to use if you choose to remove the freeze on your consumer report or authorize the release of your consumer report for a designated period of time after the security freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

1. The personal identification number or password.
2. Proper identification to verify your identity.
3. Information specifying the period of time for which the report shall be made available.
4. Payment of a fee authorized by this section of the Florida Statutes.

A consumer reporting agency must authorize the release of your consumer report no later than 3 business days after receiving the above information.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account, that requests information in your consumer report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have the right to bring a civil action against anyone, including a consumer reporting agency, who fails to comply with the provisions of Sec. 501.005, Florida Statutes, which governs the placing of a consumer report security freeze on your consumer report.

# **Exhibit B**



233478447-001  
P.O. Box 800  
Woodlyn, PA 19094

File Number: [REDACTED]  
Page: 1 of 2  
Date Issued: 02/15/2011



P1EJQN00200039-032662847



MIGUEL E RODRIGUEZ

[REDACTED]  
MIAMI, FL [REDACTED]

Regarding: OFAC (Office of Foreign Assets Control) Database

Thank you for contacting TransUnion. Our goal is to maintain complete and accurate information on consumer credit reports.

Our records show that you recently requested a disclosure of your TransUnion credit report. That report has been mailed to you separately. As a courtesy to you, we also want to make you aware that the name that appears on your TransUnion credit file **"MIGUEL E RODRIGUEZ" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Asset Control ("OFAC") Database.**

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport, or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

**The OFAC record that is considered a potential match to the name on your credit file is:**

**UST 03 RODRIGUEZ OLIVERA, MIGUEL ALIASES: MORFIN RODRIGUEZ, MIGUEL ALTD OB: 9/2/1977  
PUERTO VALLARTA, JALISCO, MEXICO AFF: SDNTK DOB: 08/11/1976 OriginalSource: OFAC Aliases:  
MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO OriginalID: 12487 POB: JALISCO,  
MEXICO NATIONAL NO: ROOM760811HJCDLG00 (C.U.R.P., MEXICO) NATIONALITY: MEXICO P\_ID: 422391**

**UST 03 RODRIGUEZ OLIVERA, MIGUEL C SIMON BLVD. NO. 47 COL AVIACIO TIJUANA, BAJA  
CALIFORNIA, MEXICO AFF: SDNTK DOB: 08/11/1976 OriginalSource: OFAC Aliases: MORFIN RODRIGUEZ,  
MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO OriginalID: 12487 POB: JALISCO, MEXICO NATIONAL NO:  
ROOM760811HJCDLG00 (C.U.R.P., MEXICO) NATIONALITY: MEXICO**

**UST 03 RODRIGUEZ OLIVERA, MIGUEL FRACCIONAMIENTO SANTA ISABEL PASEO SAN ELISEO 1695  
ZAPOPAN, JALISCO, MEXICO AFF: SDNTK DOB: 08/11/1976 OriginalSource: OFAC Aliases: MORFIN  
RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO OriginalID: 12487 POB: JALISCO, MEXICO  
NATIONAL NO: ROOM760811HJCDLG00 (C.U.R.P., MEXICO) NATIONALITY: MEXICO P\_ID: 422391**

**UST 03 RODRIGUEZ OLIVERA, MIGUEL PUERTO DE HIERRO ALIASES: MORFIN RODRIGUEZ, MIGUEL  
ALTD OB: 9/2/1977 ZAPOPAN, JALISCO, MEXICO AFF: SDNTK DOB: 08/11/1976 OriginalSource: OFAC  
Aliases: MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO OriginalID: 12487 POB:  
JALISCO, MEXICO NATIONAL NO: ROOM760811HJCDLG00 (C.U.R.P., MEXICO) NATIONALITY: MEXICO  
P\_ID: 422391**

**UST 03 RODRIGUEZ OLIVERA, MIGUEL SENDERO LAS ACACIAS 92 ALIASES: MORFIN RODRIGUEZ,  
MIGUEL ALTD OB: 9/2/1977 GUADALAJARA, JALISCO, MEXICO AFF: SDNTK DOB: 08/11/1976**



**OriginalSource: OFAC Aliases: MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO OriginalID: 12487 POB: JALISCO, MEXICO NATIONAL NO: ROOM760811HJCDLG00 (C.U.R.P., MEXICO) NATIONALITY: MEXICO P\_ID: 422391**

**UST 03 RODRIGUEZ OLIVERA, MIGUEL VEREDA DEL CANARIO 1 ALIASES: MORFIN RODRIGUEZ, MIGUEL ALTDOB: 9/2/1977 GUADALAJARA, JALISCO, MEXICO AFF: SDNTK DOB: 08/11/1976 OriginalSource: OFAC Aliases: MORFIN RODRIGUEZ, MIGUEL AltDOB: 9/2/1977 Citizenship: MEXICO OriginalID: 12487 POB: JALISCO, MEXICO NATIONAL NO: ROOM760811HJCDLG00 (C.U.R.P., MEXICO) NATIONALITY: MEXICO P\_ID: 422391**

**UST 03 RODRIGUEZ OREJUELA, MIGUEL ANGEL CASA NO 19, AVENIDA LAGO, CIUDAD JARDIN ALTDOB: 08/15/1943 CALI, COLOMBIA Passport no. 6095803(COLOMBIA) AFF: SDNT DOB: 11/23/1943 OriginalSource: OFAC AltDOB: 08/15/1943 OriginalID: 4108**

For more details regarding the OFAC Database, please visit:  
<http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 233478447.

# **Exhibit C**



## Credit Report Messages

Your credit report contains the following messages.

### SECURITY ALERT:

Initial Fraud Alert: Action may be required under FCRA before opening or modifying an account. Contact consumer at (305) 588-4223 or (305) 227-1827.  
(Note: This alert is set to expire in 10/2018.)

**PROMOTIONAL OPT-OUT:** This file has been opted out of promotional lists supplied by TransUnion.

(Note: This opt-out is set to expire in 03/2021.)

The opt out on your file will remain in effect until the expiration date specified above, unless you request it to be made permanent. To permanently opt out of promotional lists provided by TransUnion, you must send us a signed "Notice of Election" form, which can be obtained by writing us or calling us at 800-916-8800 and speaking with a representative.

## Additional Information

The following disclosure of information might pertain to you. This additional information may include Special Messages, Office of Foreign Assets Control ("OFAC") Potential Name Matches, Inquiry Analysis, Military Lending Act ("MLA") Covered Borrower Information, and/or Third Party Supplemental Information. Authorized parties may also receive the additional information below from TransUnion.

## Possible OFAC Match

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

We also want to make you aware that the name that appears on your TransUnion credit file "**MIGUEL E. RODRIGUEZ**" is considered a *potential* match to information listed on the United States Department of Treasury's Office of Foreign Assets Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

**MATCHING NAME:** RODRIGUEZ OLIVERA, Miguel **SOURCE:** SDN UID: 12487 **NAME:** RODRIGUEZ OLIVERA, Miguel **PROGRAMLIST:** SDNTK **IDLIST:** IDTYPE: C.U.R.P. **IDNUMBER:** ROOM760811HJCDLG00 **IDCOUNTRY:** Mexico **AKALIST:** TYPE: a.k.a. **CATEGORY:** strong **AKA:** MORFIN RODRIGUEZ, Miguel **ADDRESSLIST:** ADDRESS: C Simon Blvd. No. 47, Col Aviacion, Tijuana, Baja California, Mexico; ADDRESS: Vereda del Canario 1, Guadalajara, Jalisco, Mexico; ADDRESS: Sendero Las Acacias 92, Guadalajara, Jalisco, Mexico; ADDRESS: Puerto de Hierro, Zapopan, Jalisco, Mexico; ADDRESS: Puerto Vallarta, Jalisco, Mexico; ADDRESS: Fraccionamiento Santa Isabel, Paseo San Eliseo 1695, Zapopan, Jalisco, Mexico **NATIONALITYLIST:** COUNTRY: Mexico (main) **CITIZENSHIPLIST:** COUNTRY: Mexico (main) **DATEOFBIRTHLIST:** DOB: 11 Aug 1976 (main); DOB: 02 Sep 1977 **PLACEOFBIRTHLIST:** POB: Jalisco, Mexico (main)

For more details regarding the OFAC Database, please visit: <http://www.ofac.treasury.gov>

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 383624133.

## Should you wish to contact TransUnion, you may do so,

### Online:

To report an inaccuracy, please visit: [transunion.com/accuracy](http://transunion.com/accuracy)

For answers to general questions, please visit: [transunion.com/faq](http://transunion.com/faq)

### By Mail:

TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19016-2000

### By Phone:

(800) 916-8800

You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday

# **Exhibit D**

July 10, 2018

Transunion Consumer Relations  
P.O. Box 2000  
Chester, PA 19016-2000

File Number: [REDACTED]

In reviewing the information on the above referenced report created on this date, I have found the following inaccuracies:

Addresses Reported:

[REDACTED] 5

Date Reported :

02/07/2010

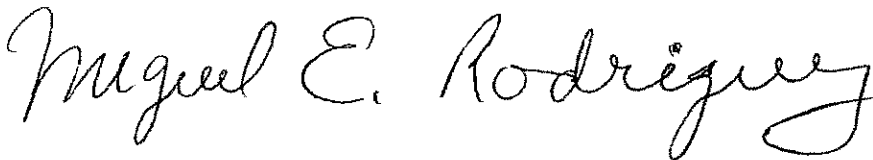
I have never lived at this address. I have lived at [REDACTED] since [REDACTED] to the present date.

Under Telephone numbers reported the following were never mine:

[REDACTED]

With regards to Possible OFAC Match, please notice that the Matching Name: RODRIGUEZ OLIVERA, Miguel is a Mexican citizen residing in Mexico. His date of birth is September 02, 1977. I was born on [REDACTED]. I was born in Cuba and have been an American Citizen since 1976. I have always lived in the US since my arrival.

I would appreciate your correcting/removing the inaccurate information from the above referenced report.



Miguel E. Rodriguez

[REDACTED]  
Miami, FL [REDACTED] 0

# **Exhibit E**

\*\*\* [REDACTED] \*\*\*

TransUnion LLC  
PO Box 805  
Woodlyn, PA 19094-0805



07/18/2018



[REDACTED]



MIGUEL E. RODRIGUEZ

[REDACTED]  
MIAMI, FL [REDACTED]

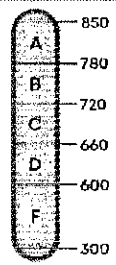
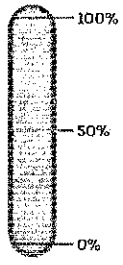
Dear MIGUEL E. RODRIGUEZ,

We understand that recently something on your credit report did not seem right to you. We take this matter seriously, and we want to make sure your TransUnion credit report is accurate. It's our commitment to you. In the pages that follow you will see a full copy of your credit report.



# TransUnion Credit Score

MIGUEL E. RODRIGUEZ

YOUR CREDIT SCORE		
Your Score & Grade	Score & Grade Range	Where You Rank
<p>Score <b>Not Purchased</b> (See Below)</p> <p>Grade -</p> <p>Created on 07/18/2018</p> <p>Based on your TransUnion credit report, this is a depiction of your creditworthiness.</p>	<p>Unavailable (See Below)</p>  <p>The numerical score ranges from 850 to 300 equaling grade ranges from A to F.</p>	<p>Unavailable (See Below)</p>  <p>Your credit ranks higher than --% of the nation's population.</p>

### Summary

You did not order a TransUnion credit score. You can purchase your credit score for \$9.95 by calling 1-866-SCORE-TU or 1-866-726-7388.

## Important Information Concerning Your TransUnion Credit Report:

- Your SSN has been masked for your protection. You may request disclosure of your full Social Security number by writing to us at the address found at the end of this report.
- For your protection, your account numbers have been partially masked, and in some cases scrambled.
- Please note: Accounts are reported as "Current; Paid or paying as agreed" if paid within 30 days of the due date. Accounts reported as Current may still incur late fees or interest charges if not paid on or before the due date.

### YOUR CREDIT FILE CONTAINS:

- One or more satisfactory accounts.
- Regular Inquiries. Inquiries are posted when someone accesses your credit information from TransUnion. The presence of an inquiry means that the company listed received your credit information on the dates specified. These inquiries will remain on your credit file for up to 2 years.
- Account Review Inquiries. The listing of a company's inquiry in this section means that they obtained information from your credit file in connection with an account review or other business transaction with you. These inquiries are not seen by anyone but you and will not be used in scoring your credit file (except insurance companies may have access to other insurance company inquiries, certain collection companies may have access to other collection company inquiries, and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).
- A Fraud or Active Duty Alert. This statement will notify anyone who accesses your credit report that you have added an alert to your credit file. The alert will remain on your file until the expiration date shown.
- A Promotional Opt-Out. A promotional opt-out excludes you from promotional marketing lists that are provided by TransUnion.

17000007





















## Additional Information

The following disclosure of information might pertain to you. This additional information may include Special Messages, Office of Foreign Assets Control ("OFAC") Potential Name Matches, Inquiry Analysis, Military Lending Act ("MLA") Covered Borrower Information, and/or Third Party Supplemental Information. Authorized parties may also receive the additional information below from TransUnion.

## Possible OFAC Match

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport, or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

We want to make you aware that the name that appears on your TransUnion credit file "**MIGUEL E. RODRIGUEZ**" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Asset Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

**MATCHING NAME:** RODRIGUEZ OLIVERA, Miguel **SOURCE:** SDN UID: 12487 **NAME:** RODRIGUEZ OLIVERA, Miguel **PROGRAMLIST:** SDNTK **IDLIST:** IDTYPE: C.U.R.P. **IDNUMBER:** ROOM760811HJCDLG00 **IDCOUNTRY:** Mexico **AKALIST:** TYPE: a.k.a. **CATEGORY:** strong **AKA:** MORFIN RODRIGUEZ, Miguel **ADDRESSLIST:** ADDRESS: C Simon Blvd. No. 47, Col Aviación, Tijuana, Baja California, Mexico; ADDRESS: Vereda del Canario 1, Guadalajara, Jalisco, Mexico; ADDRESS: Sendero Las Acacias 92, Guadalajara, Jalisco, Mexico; ADDRESS: Puerto de Hierro, Zapopan, Jalisco, Mexico; ADDRESS: Puerto Vallarta, Jalisco, Mexico; ADDRESS: Fraccionamiento Santa Isabel, Paseo San Eliseo 1695, Zapopan, Jalisco, Mexico **NATIONALITYLIST:** COUNTRY: Mexico (main) **CITIZENSHIPLIST:** COUNTRY: Mexico (main) **DATEOFBIRTHLIST:** DOB: 11 Aug 1976 (main); DOB: 02 Sep 1977 **PLACEOFBIRTHLIST:** POB: Jalisco, Mexico (main)

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>.

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 383624133.

## Should you wish to contact TransUnion, you may do so,

### Online:

To dispute information contained in your credit report, please visit: [www.transunion.com/disputeonline](http://www.transunion.com/disputeonline)

For answers to general questions, please visit: [www.transunion.com](http://www.transunion.com)

### By Mail:

TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19016-2000

### By Phone:

(800) 916-8800

You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).

## Summary of Rights

### GENERAL SUMMARY OF CONSUMER RIGHTS UNDER THE FCRA

*Para informacion en espanol, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.*

#### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment -- or to take another adverse action against you -- must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security Number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for more additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688 (888-5OPTOUT).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:**

TYPE OF BUSINESS:	CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>Bureau of Consumer Financial Protection 1700 G Street NW Washington, DC 20552</p> <p>Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and Insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>Federal Reserve Consumer Help (FRCH) PO Box 1200 Minneapolis, MN 55480 1-888-851-1920</p> <p>FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590 1-202-366-1306</p>
<p>4. Creditors Subject to Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423</p>
<p>5. Creditors subject to Packers and Stockyards Act, 1921</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street NE Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center-FCRA Washington, DC 20580 1-877-382-4357</p>

## FLORIDA BILL OF RIGHTS

As of July 1, 2006 you have a right to place a "security freeze" on your consumer report, which will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization. A security freeze must be requested in writing by certified mail to a consumer reporting agency. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. **You should be aware that using a security freeze to control access to the personal and financial information in your consumer report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, insurance, government services or payments, rental housing, employment, investment, license, cellular telephone, utilities, digital signature, Internet credit card transaction or other services, including an extension of credit at point of sale.** When you place a security freeze on your consumer report, you will be provided a personal identification number or password to use if you choose to remove the freeze on your consumer report or authorize the release of your consumer report for a designated period of time after the security freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

1. The personal identification number or password.
2. Proper identification to verify your identity.
3. Information specifying the period of time for which the report shall be made available.

A consumer reporting agency must authorize the release of your consumer report no later than 3 business days after receiving the above information.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account, that requests information in your consumer report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have the right to bring a civil action against anyone, including a consumer reporting agency, who fails to comply with the provisions of Sec. 501.005, Florida Statutes, which governs the placing of a consumer report security freeze on your consumer report.

**FLORIDA BILL OF RIGHTS for PROTECTED CONSUMERS**

If you are the parent or legal guardian of a minor younger than 16 years of age or a guardian or advocate of an incapacitated, disabled, or protected person under chapter 39, chapter 393, chapter 744, or chapter 914, Florida Statutes, you have the right to place a security freeze on the consumer report of the person you are legally authorized to care for. If no consumer report exists, you have the right to request that a record be created and a security freeze be placed on the record. A record with a security freeze is intended to prevent the opening of credit accounts until the security freeze is removed.

**YOU SHOULD BE AWARE THAT USING A SECURITY FREEZE TO CONTROL ACCESS TO THE PERSONAL AND FINANCIAL INFORMATION IN A CONSUMER REPORT OR RECORD MAY DELAY, INTERFERE WITH, OR PROHIBIT THE TIMELY APPROVAL OF ANY SUBSEQUENT REQUEST OR APPLICATION REGARDING A NEW LOAN, CREDIT, MORTGAGE, INSURANCE, GOVERNMENT SERVICES OR PAYMENTS, RENTAL HOUSING, EMPLOYMENT, INVESTMENT, LICENSE, CELLULAR PHONE, UTILITIES, DIGITAL SIGNATURE, INTERNET CREDIT CARD TRANSACTION, OR OTHER SERVICES, INCLUDING AN EXTENSION OF CREDIT AT POINT OF SALE.**

To remove the security freeze on the protected consumer's record or report, you must contact the consumer reporting agency and provide all of the following:

1. Proof of identification as required by the consumer reporting agency.
2. Proof of authority over the protected consumer as required by the consumer reporting agency.
3. The unique personal identifier provided by the consumer reporting agency.

A consumer reporting agency must, within 30 days after receiving the above information, authorize the removal of the security freeze.

A security freeze does not apply to a person or entity, or its affiliates, or a collection agency acting on behalf of the person or entity, with which the protected consumer has an existing account, which requests information in the protected consumer's consumer report or record for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have the right to bring a civil action as authorized by section 501.0051, Florida Statutes, which governs the security of protected consumer information.

004000



# **Exhibit 3**



1 Andrew J. Ogilvie (SBN 57932)  
Carol M. Brewer (SBN 214035)  
2 Ogilvie & Brewer  
4200 California Street, Suite 100  
3 San Francisco, CA 94118

4 James A. Francis (*pro hac vice*)  
John Soumilas (*pro hac vice*)  
5 Francis Mailman Soumilas, P.C.  
1600 Market Street, Suite 2510  
6 Philadelphia, PA 19110

7 *Attorneys for Plaintiff, Sergio L. Ramirez*  
*And the Certified Class*

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

10 SERGIO L. RAMIREZ, on behalf of himself  
and all others similarly situated,

11 *Plaintiff,*

12 v.

13 TRANS UNION, LLC,

14 *Defendant.*

Case No. 12 cv-00632-JSC

Class Action

**DECLARATION OF**  
**JOSE GUADALUPE LEAL**

15  
16 I, Jose Guadalupe Leal, hereby declare as follows:

17 1. My name is Jose Guadalupe Leal.

18 2. I live in Lubbock, Texas.

19 3. I understand that I was on the class list in *Ramirez v. Trans Union, LLC*.

20 4. I submit this declaration to authenticate two documents and to tell my story.

21 5. I had an OFAC match in my Trans Union file for some period of time, but do not  
22 know exactly how long it was there or if it is still there.

23 6. In 2014, I saw an OFAC match on my Trans Union personal credit report.

24 7. Attached hereto as Exhibit A is a true and correct copy of the Trans Union  
25 personal credit report that I accessed on or about February 27, 2014.

26 8. The credit report said that I was a "possible match" for the following OFAC  
27 record:

1 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O  
2 DECAFARMA S.A. CEDULA NO: 89867 (COLOMBIA)  
3 BOGOTA, COLOMBIA AFF: SDNT DOB: 03/ 01/1932  
4 OriginalSource: OFAC OrlglnalID: 4607 CEDULA NO: 89867  
5 (COLOMBIA) P ID: 9370

6 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O  
7 LABORATORIOS KRESSFOR DE COLOMBIA S.A. CEDULA  
8 NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT  
9 DOB: 03/ 01/ 1932 OriginalSource: OFAC OriginalID: 4607  
10 CEDULA NO: 89867 (COLOMBIA) P ID: 9370 OriginalSource:  
11 OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA)

12 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O  
13 PENTACOOPT LTDA, CEDULA NO: 89867 (COLOMBIA)  
14 BOGOTA, COLOMBIA AFF: SDNT DOB: 03/ 01/ 1932

15 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O PENTA  
16 PHARMA DE COLOMBIA S.A. CEOULA NO: 89867  
17 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/ 01/  
18 1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO:  
19 89867 (COLOMBIA) P ID: 9370

20 9. This OFAC match clearly does not relate to me, because my name is Jose  
21 Guadalupe Leal and I was born [REDACTED] not March 1, 1932.

22 10. A few months later, I saw an OFAC match on my Trans Union personal credit  
23 report again.

24 11. Attached hereto as Exhibit B is a true and correct copy of the Trans Union  
25 personal credit report that I accessed on or about June 3, 2014.

26 12. The credit report said that I was a "possible match" for the following OFAC  
27 record:

28 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O  
DECAFARMA S.A. CEDULA NO: 89867 (COLOMBIA)  
BOGOTA, COLOMBIA AFF: SDNT DOB: 03/ 01/1932  
OriginalSource: OFAC OrlglnalID: 4607 CEDULA NO: 89867  
(COLOMBIA) P ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O  
LABORATORIOS KRESSFOR DE COLOMBIA S.A. CEDULA  
NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT  
DOB: 03/ 01/ 1932 OriginalSource: OFAC OriginalID: 4607  
CEDULA NO: 89867 (COLOMBIA) P ID: 9370 OriginalSource:



1 OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P ID:  
2 9370

3 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O PENTA  
4 PHARMA DE COLOMBIA S.A. CEOULA NO: 89867  
5 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/ 01/  
6 1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO:  
7 89867 (COLOMBIA) P ID: 9370

8 UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O  
9 PENTACOOPT LTDA, CEDULA NO: 89867 (COLOMBIA)  
10 BOGOTA, COLOMBIA AFF: SDNT DOB: 03/ 01/ 1932  
11 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867  
12 (COLOMBIA)

13 13. This OFAC match clearly does not relate to me, because my name is Jose  
14 Guadalupe Leal and I was born [REDACTED] not March 1, 1932.

15 14. I do not know if the OFAC alert is still on my Trans Union credit file or when it  
16 was first added.

17 15. I do not know the complete list of third parties to whom Trans Union sent this  
18 inaccurate OFAC alert, but the Trans Union credit report dated June 3, 2014 listed regular  
19 inquiries and account review inquiries.

20 16. Page 12 of the Trans Union credit report dated June 3, 2014 explained regular  
21 inquiries and account review inquiries as follows:

22 Regular Inquiries: Regular Inquiries are posted when someone  
23 accesses your credit information from TransUnion. The presence of  
24 an inquiry means that the company listed received your credit  
25 information on the dates specified. These inquiries will remain on  
26 your credit file for up to 2 years.

27 Account Review Inquiries: The listing of a company's inquiry in this  
28 section means that they obtained information from your credit file  
in connection with an account review or other business transaction  
with you. These inquiries are not seen by anyone but you and will  
not be used in scoring your credit file (except insurance companies  
may have access to other insurance company inquiries, certain  
collection companies may have access to other collection company  
inquiries, and users of a report for employment purposes may have  
access to other employment inquiries, where permitted by law).

1 17. Page 12 of the June 3, 2014 credit report listed one regular inquiry, dated August  
2 8, 2012.

3 18. Pages 12 and 13 of the June 3, 2014 credit report also listed twenty-one third-  
4 party account review inquiries from July 7, 2012 through May 15, 2014.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed on 10-6-21

7 Jose Guadalupe Leal  
Jose Guadalupe Leal

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# **Exhibit A**



## Updated Credit File

Resolution Summary

- Credit report
- Summary of Rights
- Fraud Prevention

Please review the details of the resolution to your request for investigation or change of information.

To view your revised credit report based on the resolution, click the **Credit Report** tab. If you purchased your TransUnion Personal Credit Score originally, the credit score may be updated depending on the resolution. To see the updated score, click the **Credit Score** tab (it will not be available if you did not purchase your TransUnion Personal Credit Score originally). To learn your consumer rights, click the **Summary of Rights** tab. To learn how to protect yourself against credit fraud, click the **Fraud Prevention** tab.

**NOTE: Your credit report has been revised based on your investigation request. If you are not satisfied with the resolution and/or the changes, please print and complete a Request for Investigation form and return it by mail together with any supporting documentation. You may also add a consumer statement of 100 words or less to your credit report. If you provide a consumer statement that contains medical information related to service providers or medical procedures, then you expressly consent to TransUnion including this information in every credit report we issue about you.**

### Credit File Details

[Printable Credit Report Details](#)

**CURRENT FILE**      FILE NUMBER: [REDACTED]      NAME: JOSE GUADALUPE LEAL  
 REPORT DATE: 02/27/2014      ADDRESS: [REDACTED] LUBBOCK, TX [REDACTED]

#### CREDIT FILE SECTIONS

- |                              |                         |                            |                  |
|------------------------------|-------------------------|----------------------------|------------------|
| 1 Personal Information       | 5 Adverse Accounts      | 9 Account Review Inquiries | 13 End of Report |
| 2 Telephone Numbers Reported | 6 Satisfactory Accounts | 10 Consumer Statement      |                  |
| 3 Addresses Reported         | 7 Regular Inquiries     | 11 Additional Information  |                  |
| 4 Employment Data Reported   | 8 Promotional Inquiries | 12 Possible OFAC Match     |                  |

You may see that TransUnion has enriched your credit report with additional personal and financial information not previously retained in our production database. This data can enable you and your creditors to see a more complete picture of how you have managed your credit over time.

#### Personal Information

**SSN:** [REDACTED]      You have been on our files since 11/01/1990  
 Your SSN has been masked for your protection.      **Date of Birth:** [REDACTED]  
**Names Reported:**  
 JOSE GUADALUPE LEAL

#### Addresses Reported

Address	Date Reported
[REDACTED]	01/01/2010
[REDACTED]	12/01/2009

#### Telephone Numbers Reported

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]					

#### Employment Data Reported

Employer Name	Position	Date Verified
[REDACTED]	[REDACTED]	07/29/2011
		05/01/2000
		03/01/1997

#### Account Information

Typically, creditors report any changes made to your account information monthly. This means that some accounts listed below may not reflect the most recent activity until the creditor's next reporting. This information may include things such as balances, payments, dates, remarks, ratings, etc. The key(s) below are provided to help you understand some of the account information that could be reported.

##### Rating Key:

Some creditors report the timeliness of your payments each month in relation to your agreement with them. The ratings in the key below describe the payments that may be reported by your creditors. Please note: Some but not all of these ratings may be present in your credit report.

N/R	X	OK	30	60	90	120	COL	VS	RPO	C/O	FC
Not Reported	Unknown	Current	30 days late	60 days late	90 days late	120+ days late	Collection	Voluntary Surrender	Repossession	Charge Off	Foreclosure

##### Remarks Key:

Additionally, some creditors may notate your account with comments each month. We refer to these creditor comments as 'Remarks'. The key below gives the descriptions of the abbreviated remarks contained in your credit file. Any remark containing brackets > < indicates that this remark is considered adverse.

AID ACCT INFO DISPUTED BY CONSUMR  
CLS CREDIT LINE SUSPENDED  
>SET< SETTLED-LESS THAN FULL BLNC

CBC ACCOUNT CLOSED BY CONSUMER  
PDI PRNCPL DEFRD/INTRST PYMT ONLY

CLO CLOSED  
>PRL< UNPAID BALANCE CHARGED OFF

Adverse Accounts

Adverse information typically remains on your credit file for up to 7 years from the date of the delinquency. To help you understand what is generally considered adverse, we have added >brackets< to those items in this report. For your protection, your account numbers have been partially masked, and in some cases scrambled.

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]





















GREENVILLE, SC 29616  
(877) 966-7544

Requested On: 02/01/2014, 01/19/2014

**MIDLAND CREDIT MGMT INC**

8875 AERO DR STE 200  
SAN DIEGO, CA 92123  
(800) 825-8131

Requested On: 01/12/2014, 11/12/2013, 09/12/2013, 07/23/2013, 05/15/2013, 03/16/2013

Permissible Purpose: COLLECTION

**MONARCH RECOVERY**

10965 DECATUR ROAD  
PHILADELPHIA, PA 19154  
Phone number not available

Requested On: 11/15/2013

**CONCORD SERVICING**

PO BOX 4600  
SCOTTSDALE, AZ 85253  
(480) 998-7585

Requested On: 09/30/2013

**NATL FINL SVC CREDIT CAR**

125 LAWRENCE BELL  
WILLIAMSVILLE, NY 14221  
Phone number not available

Requested On: 06/25/2013

**CCB CREDIT SERVICES**

5300 S SIXTH ST  
SPRINGFIELD, IL 62703  
Phone number not available

Requested On: 05/10/2013

**VISION FINANCIAL CORP**

11960 WESTLINE IND  
DR, SUITE 330  
MARYLAND HEIGH, MO 63146  
(877) 319-6115

Requested On: 12/17/2012

**METLIFE AUTO AND HOME**

PO BOX 48020  
DAYTON, OH 45475  
(800) 438-6388

Requested On: 08/03/2012

Permissible Purpose: INSURANCE UNDERWRITING

**ALLY BANK**

3710 KENNET PIKE  
WILMINGTON, DE 19807  
(877) 247-2559

Requested On: 05/02/2012

GREENVILLE, SC 29616  
(877) 966-7544

Requested On: 02/01/2014

**CAPITAL ONE BANK USA NA**

PO BOX 30281  
SALT LAKE CITY, UT 84130  
(800) 258-9319

Requested On: 01/01/2014, 12/01/2013, 11/01/2013, 10/01/2013, 09/01/2013, 08/01/2013, 07/01/2013, 06/01/2013, 05/01/2013, 04/01/2013, 03/01/2013

**UNITED RECOVERY SYSTEMS**

5800 NORTH COURSE  
HOUSTON, TX 77072  
(800) 568-0399

Requested On: 11/06/2013

**CAPITAL MANAGEMENT SVC**

652 south ogden st  
BUFFALO, NY 14206  
(716) 871-9050

Requested On: 09/30/2013, 06/24/2013

**VERIZON WIRELESS**

1 VERIZON PLACE  
ALPHARETTA, GA 30004  
(800) 922-0204

Requested On: 05/21/2013

Permissible Purpose: COLLECTION

**CAVALRY PORTFOLIO SVCS**

500 SUMMIT LAKE DR

STE 4A  
VALHALLA, NY 10595  
(800) 501-0909

Requested On: 03/29/2013

**ALLSTATE**

1819 ELECTRIC RD  
ROANOKE, VA 24018  
(800) 255-7828

Requested On: 08/08/2012

Permissible Purpose: INSURANCE UNDERWRITING

**TATE AND KIRLIN**

2810 SOUTHAMPTON R  
PHILADELPHIA, PA 19154  
(215) 464-4500

Requested On: 07/03/2012

**RJM ACQUISITIONS FUNDING**

575 UNDERHILL BLVD  
SUITE 224  
SYOSSET, NY 11791

Phone number not available  
Requested On: 04/18/2012, 03/28/2012

**Consumer Statement**

Your TransUnion credit report contains the following Consumer Statement.

DO NOT CONFUSE WITH CONSUMERS OF SIMILAR IDENTIFICATION, VERIFY ALL IDENTIFYING INFORMATION.  
(Note: This statement has no expiration date.)

**-Begin Additional Information-**

**Additional Information**

The following disclosure of information is provided as a courtesy to you. This information is not part of your TransUnion credit report, but may be provided when TransUnion receives an inquiry about you from an authorized party. This additional information can include Special Messages, Possible Office of Foreign Assets Control ("OFAC") Name Matches, Income Verification and Inquiry Analysis information. Any of the previously listed information that pertains to you will be listed below.

**Possible OFAC Match**

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customer's names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

As a courtesy to you, we also want to make you aware that the name that appears on your TransUnion credit file "**JOSE GUADALUPE LEAL**" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Assets Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:



UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O DECAFARMA S.A. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/01/1932  
OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P\_ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O LABORATORIOS KRESSFOR DE COLOMBIA S.A. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT  
DOB: 03/01/1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P\_ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O PENTA PHARMA DE COLOMBIA S.A. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB:  
03/01/1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P\_ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O PENTACOOPT LTDA. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/01/1932  
OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA)

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 314203451.



**-End of Additional Information-**

Should you wish to contact TransUnion, you may do so,

**By Mail:**  
TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19022-2000

**By Phone:**  
(800) 916-8800  
You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).

[Return to the Resolution Summary page](#)



# **Exhibit B**





**AID** ACCT INFO DISPUTED BY CONSUMR  
**CLS** CREDIT LINE SUSPENDED  
**>PRL<** UNPAID BALANCE CHARGED OFF

**CBC** ACCOUNT CLOSED BY CONSUMER  
**FOR** ACCOUNT IN FORBEARANCE

**CLO** CLOSED  
**PDI** PRNCL DEFIRD/INTRST PYMT ONLY

### Adverse Accounts

Adverse information typically remains on your credit file for up to 7 years from the date of the delinquency. To help you understand what is generally considered adverse, we have added >brackets< to those items in this report. For your protection, your account numbers have been partially masked, and in some cases scrambled. Please note: Accounts are reported as "Current; Paid or paying as agreed" if paid within 30 days of the due date. Accounts reported as Current may still incur late fees or interest charges if not paid on or before the due date.

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]















[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Pay Status: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Balance: [REDACTED]  
Payment Received: [REDACTED]  
[REDACTED]  
[REDACTED]

Pay Status: [REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]











	04/2014	03/2014	02/2014
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Regular Inquiries**

Regular Inquiries are posted when someone accesses your credit information from TransUnion. The presence of an inquiry means that the company listed received your credit information on the dates specified. These inquiries will remain on your credit file for up to 2 years.

**CONTINENTAL FINANCE CO**

121 CONTINENTAL DR  
 SUITE 108  
 NEWARK, DE 19713  
 (866) 449-4514  
 Inquiry Type: Individual  
 Requested On: 08/09/2012

**Promotional Inquiries**

The companies listed below received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.

**CAPITAL ONE AUTO FINANCE**

CB DISPUTES TEAM  
 P O BOX 259407  
 PLANO, TX 75025  
 (800) 946-0332  
 Requested On: 03/01/2014

**FARMERS INSURANCE**

4680 WILSHIRE BLVD  
 LOS ANGELES, CA 90010-3807  
 (888) 327-6335  
 Requested On: 01/15/2014, 01/15/2014, 11/15/2013,  
 09/12/2013, 08/13/2013, 07/11/2013, 06/11/2013

**Account Review Inquiries**

The listing of a company's inquiry in this section means that they obtained information from your credit file in connection with an account review or other business transaction with you. These inquiries are not seen by anyone but you and will not be used in scoring your credit file (except insurance companies may have access to other insurance company inquiries, certain collection companies may have access to other collection company inquiries, and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

**JOSE LEAL via TRANSUNION INTERACTIVE**

100 CROSS STREET #  
 SAN LUIS OBISP, CA 93401  
 (800) 493-2392  
 Requested On: 05/15/2014  
 Permissible Purpose: CONSUMER REQUEST

**CAPITAL ONE BANK USA NA**

PO BOX 30281  
 SALT LAKE CITY, UT 84130  
 (800) 955-7070  
 Requested On: 05/01/2014, 04/01/2014, 03/01/2014,  
 02/01/2014, 01/01/2014, 12/01/2013, 11/01/2013,  
 10/01/2013, 09/01/2013, 08/01/2013, 07/01/2013

**EQUIFAX CONSUMER SERVICE**

1550 PEACHTREE ST  
 ATLANTA, GA 30309  
 (866) 640-2273  
 Requested On: 04/19/2014, 03/21/2014, 03/14/2014,  
 02/21/2014, 02/14/2014, 02/08/2014, 01/18/2014,  
 01/09/2014, 12/19/2013, 11/15/2013, 10/17/2013,  
 10/10/2013, 09/12/2013, 08/28/2013, 08/22/2013,  
 08/15/2013, 08/08/2013, 07/24/2013, 07/18/2013,  
 07/11/2013, 05/22/2013, 05/15/2013, 05/10/2013,

**MIDLAND CREDIT MGMT INC**

8875 AERO DR STE 200  
 SAN DIEGO, CA 92123  
 (800) 825-8131  
 Requested On: 03/10/2014, 01/12/2014, 11/12/2013, 09/12/2013,  
 07/23/2013  
 Permissible Purpose: COLLECTION

04/24/2013

**RECEIVABLES PERFORM MGMT**

20816-44 AVE WEST  
LYNWOOD, WA 98036  
(866) 212-7408

Requested On: 03/09/2014

**FACTACT FREE DISCLOSURE**

P O BOX 1000  
CHESTER, PA 19022  
(800) 888-4213

Requested On: 02/18/2014

**DYNAMIC RECOVERY SOLUTIO**

PO BOX 25759  
GREENVILLE, SC 29616  
(877) 966-7544

Requested On: 02/01/2014, 01/19/2014

**MONARCH RECOVERY**

10965 DECATUR ROAD  
PHILADELPHIA, PA 19154  
Phone number not available

Requested On: 11/15/2013

**CONCORD SERVICING**

PO BOX 4600  
SCOTTSDALE, AZ 85253  
(480) 998-7585

Requested On: 09/30/2013

**NATL FINL SVC CREDIT CAR**

125 LAWRENCE BELL  
WILLIAMSVILLE, NY 14221  
(888) 398-8924

Requested On: 06/25/2013

**CCB CREDIT SERVICES**

5300 S SIXTH ST  
SPRINGFIELD, IL 62703  
(217) 786-4800

Requested On: 05/10/2013

**ALLSTATE**

1819 ELECTRIC RD  
ROANOKE, VA 24018  
(800) 255-7828

Requested On: 08/08/2012

Permissible Purpose: INSURANCE UNDERWRITING

**TATE AND KIRLIN**

2810 SOUTHAMPTON R  
PHILADELPHIA, PA 19154  
(215) 464-4500

Requested On: 07/03/2012

**TU INTERACTIVE**

100 CROSS ST  
#202  
SAN LUIS OBISP, CA 93401  
(888) 567-8688

Requested On: 02/18/2014

**DIR TO CONS VIA EQUIFAX**

1550 PEACHTREE ST

ATLANTA, GA 30309  
(866) 640-2273

Requested On: 02/13/2014, 09/07/2013

**DYNAMIC RECOVERY SOLUTIO**

PO BOX 25759  
GREENVILLE, SC 29616  
(877) 966-7544

Requested On: 02/01/2014

**UNITED RECOVERY SYSTEMS**

5800 NORTH COURSE

HOUSTON, TX 77072  
(713) 977-1234

Requested On: 11/06/2013

**CAPITAL MANAGEMENT SVC**

652 south ogden st  
BUFFALO, NY 14206  
(716) 566-2617

Requested On: 09/30/2013, 06/24/2013

**VERIZON WIRELESS**

1 VERIZON PLACE  
ALPHARETTA, GA 30004  
(800) 837-4966

Requested On: 05/21/2013

Permissible Purpose: COLLECTION

**VISION FINANCIAL CORP**

11960 WESTLINE IND  
DR, SUITE 330  
MARYLAND HEIGH, MO 63146  
(866) 950-6550

Requested On: 12/17/2012

**METLIFE AUTO AND HOME**

PO BOX 48020  
DAYTON, OH 45475  
(800) 438-6388

Requested On: 08/03/2012

Permissible Purpose: INSURANCE UNDERWRITING

**Consumer Statement**

Your TransUnion credit report contains the following Consumer Statement.

DO NOT CONFUSE WITH CONSUMERS OF SIMILAR IDENTIFICATION, VERIFY ALL IDENTIFYING INFORMATION.  
(Note: This statement has no expiration date.)



**-Begin Additional Information-**

**Additional Information**

The following disclosure of information is provided as a courtesy to you. This information is not part of your TransUnion credit report, but may be provided when TransUnion receives an inquiry about you from an authorized party. This additional information can include Special Messages, Possible Office of Foreign Assets Control ("OFAC") Name Matches, Income Verification and Inquiry Analysis information. Any of the previously listed information that pertains to you will be listed below.

**Possible OFAC Match**

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customer's names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

As a courtesy to you, we also want to make you aware that the name that appears on your TransUnion credit file "**JOSE GUADALUPE LEAL**" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Assets Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O DECAFARMA S.A. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/01/1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P\_ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O LABORATORIOS KRESSFOR DE COLOMBIA S.A. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/01/1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P\_ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O PENTA PHARMA DE COLOMBIA S.A. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/01/1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA) P\_ID: 9370

UST 03 LEAL RODRIGUEZ, JOSE GUILLERMO C/O PENTACOOP LTDA. CEDULA NO: 89867 (COLOMBIA) BOGOTA, COLOMBIA AFF: SDNT DOB: 03/01/1932 OriginalSource: OFAC OriginalID: 4607 CEDULA NO: 89867 (COLOMBIA)

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 314203451.

**-End of Additional Information-**

**Should you wish to contact TransUnion, you may do so,**

**By Mail:**

TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19022-2000

**By Phone:**

(800) 916-8800

You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).



# **Exhibit 4**

1 Andrew J. Ogilvie (SBN 57932)  
Carol M. Brewer (SBN 214035)  
2 Ogilvie & Brewer  
4200 California Street, Suite 100  
3 San Francisco, CA 94118

4 James A. Francis (*pro hac vice*)  
John Soumilas (*pro hac vice*)  
5 Francis Mailman Soumilas, P.C.  
1600 Market Street, Suite 2510  
6 Philadelphia, PA 19110

7 *Attorneys for Plaintiff, Sergio L. Ramirez*  
*And the Certified Class*

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

10 SERGIO L. RAMIREZ, on behalf of himself  
and all others similarly situated,

11 *Plaintiff,*

12 v.

13 TRANS UNION, LLC,

14 *Defendant.*

Case No. 12 cv-00632-JSC

Class Action

**DECLARATION OF**  
**AHMED AL-SHAIKLI**

15  
16 I, Ahmed Al-Shaikli, hereby declare as follows:

- 17 1. My name is Ahmed Al-Shaikli.
- 18 2. I live in Houston, Texas.
- 19 3. I submit this declaration to authenticate two documents.
- 20 4. In 2020, I saw an OFAC match on my Trans Union personal credit report.
- 21 5. Attached hereto as Exhibit A is a true and correct copy of the Trans Union

22 personal credit report that I accessed on or about April 8, 2020.

23 6. The credit report said that I was a “potential match” for the following OFAC  
24 record:

25 MATCHING NAME: AL-JUBOURI, Ahmed SOURCE: SDN  
26 UID: 27015 NAME: AL-JUBOURI, Ahmad Abdullah  
PROGRAMLIST: GLOMAG IDLIST: IDTYPE: National ID No.  
27 IDNUMBER: 00318953 IDCOUNTRY: Iraq; IDTYPE: Passport  
IDNUMBER: D1017310 IDCOUNTRY: Iraq  
28 EXPIRATIONDATE: 14 Apr 2025; IDTYPE: Gender  
IDNUMBER: Male AKALIST: TYPE: a.k.a. CATEGORY: strong

AKA: KHALAF, Ahmed Abdullah Abid; TYPE: a.k.a.  
CATEGORY: strong AKA: AL-JUBOURI, Ahmed; TYPE: a.k.a.  
CATEGORY: weak AKA: ABU MAZIN; TYPE: a.k.a.  
CATEGORY: weak AKA: ABU MAZEN; TYPE: a.k.a.  
CATEGORY: strong AKA: ABED, Ahmed Abdullah  
ADDRESSLIST: ADDRESS: Iraq NATIONALITYLIST:  
COUNTRY: Iraq (main) DATEOFBIRTHLIST: DOB: 01 Jul  
1967 (main) PLACEOFBIRTHLIST: POB: Baghdad, Iraq (main)

MATCHING NAME: AL KURD, Ahmed SOURCE: SDN UID:  
10409 NAME: AL-KURD, Ahmad Harb PROGRAMLIST: SDGT  
AKALIST: TYPE: a.k.a. CATEGORY: strong AKA:  
EL-KURD, Ahmed; TYPE: a.k.a. CATEGORY: strong AKA: AL  
KURD, Ahmed; TYPE: a.k.a. CATEGORY: strong AKA: AL-  
KURD, Ahmed Hard; TYPE: a.k.a. CATEGORY: strong AKA:  
AL-KIRD, Ahmad; TYPE: a.k.a. CATEGORY: strong AKA: AL-  
KARD, Ahmad; TYPE: a.k.a. CATEGORY: strong AKA:  
ALKURD, Ahmad ADDR RESS: Deir  
Al-Balah, Gaza, Palestinian DATEOFBIRTHLIST: DOB: circa  
1949 (main); DOB: circa 1951 PLACEOFBIRTHLIST: POB: Deir  
Al-Balah, Gaza (main)

7. The OFAC records listed on the report do not relate to me.

8. These "matching names" do not match my name at all, because the last names Al-Jubouri and Al-Kurd are completely different from my last name Al-Shaikli.

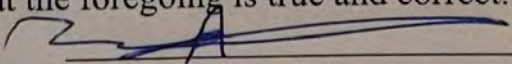
9. The dates of birth are completely different from my date of birth, because I was born [REDACTED] not in 1949, 1951, or 1967.

10. It is my understanding that the second allegedly matching OFAC record, relating to Ahmed Al Kurd born in 1949 or 1951 was also in my Trans Union person credit report in and around April 2018.

11. Attached hereto as Exhibit B is a true and correct copy of my Trans Union personal credit report dated April 11, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10-18-2021

  
Ahmed Al-Shaikli

# **Exhibit A**





### Personal Information

**SSN:** [REDACTED]  
Your SSN has been masked for your protection.

You have been on our files since 04/08/2015  
**Date of Birth:** [REDACTED]

**Names Reported:** AHMED B. AL SHAIKLI and AHMED BAHAA AL SHAIKLI

#### Addresses Reported:

**Address**  
[REDACTED] MOUNT JOY, PA [REDACTED]  
[REDACTED] LANCASTER, PA 1 [REDACTED]  
[REDACTED] LANCASTER, PA [REDACTED]

**Date Reported**  
11/06/2015  
04/07/2015  
07/28/2017

#### Telephone Numbers Reported:

[REDACTED] [REDACTED] [REDACTED]

#### Employment Data Reported:

Employer Name	Location	Position	Date Verified
[REDACTED]		[REDACTED]	01/03/2018

### Account Information

Typically, creditors report any changes made to your account information monthly. This means that some accounts listed below may not reflect the most recent activity until the creditor's next reporting. This information may include things such as balances, payments, dates, remarks, ratings, etc. The key(s) below are provided to help you understand some of the account information that could be reported.

**Rating Key**  
Some creditors report the timeliness of your payments each month in relation to your agreement with them. The ratings in the key below describe the payments that may be reported by your creditors. Please note: Some but not all of these ratings may be present in your credit report.

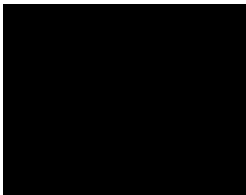
N/R	X	OK	10	60	90	120	COL	VS	RPO	C/O	FC
Not Reported	Unknown	Current	30 days late	60 days late	90 days late	120+ days late	Collection	Voluntary Surrender	Repossession	Charge Off	Foreclosure

### Adverse Accounts

Adverse information typically remains on your credit file for up to 7 years from the date of the delinquency. To help you understand what is generally considered adverse, we have added >brackets< to those items in this report. For your protection, your account numbers have been partially masked, and in some cases scrambled. Please note: Accounts are reported as "Current; Paid or paying as agreed" if paid within 30 days of the due date. Accounts reported as Current may still incur late fees or interest charges if not paid on or before the due date.



**Date Opened:**  
**Responsibility:**  
**Account Type:**  
**Loan Type:**



**Balance:**  
**Date Updated:**  
**Last Payment Made:**  
**High Balance:**  
**Credit Limit:**



**Pay Status:**



**Remarks:** [REDACTED]



Rating	
Rating	
Rating	

[Redacted]

Date Opened: [Redacted]  
Responsibility: [Redacted]  
Account Type: [Redacted]  
Loan Type: [Redacted]

Date Updated: [Redacted]  
Payment Received: [Redacted]  
Last Payment Made: [Redacted]

Pay Status: [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Balance	
Scheduled Payment	
Amount Paid	
Past Due	
High Balance	
Rating	
Balance	
Scheduled Payment	
Amount Paid	
Past Due	
High Balance	
Rating	

Balance	
Scheduled Payment	
Amount Paid	
Past Due	
High Balance	
Rating	

Rating

Date Opened:      Date Updated:      Pay Status:

Loan Type:      Credit Limit:

	03/2020	02/2020	01/2020	12/2019	11/2019	10/2019	09/2019	08/2019	07/2019	06/2019
Balance										
Scheduled Payment										
Amount Paid										
Past Due										
High Balance										
Rating										
Balance										
Scheduled Payment										
Amount Paid										
Past Due										
High Balance										
Rating										

	[REDACTED]
Balance	[REDACTED]
Scheduled Payment	[REDACTED]
Amount Paid	[REDACTED]
Past Due	[REDACTED]
High Balance	[REDACTED]
Rating	[REDACTED]

[REDACTED]

Placed for collection: Responsibility:	[REDACTED]	Balance:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Remarks: [REDACTED]

### Satisfactory Accounts

The following accounts are reported with no adverse information. For your protection, your account numbers have been partially masked, and in some cases scrambled. Please note: Accounts are reported as "Current; Paid or paying as agreed" if paid within 30 days of the due date. Accounts reported as Current may still incur late fees or interest charges if not paid on or before the due date.

[REDACTED]

Date Opened:	[REDACTED]	Date Updated:	[REDACTED]	Pay Status:	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

	[REDACTED]
Balance	[REDACTED]
Scheduled Payment	[REDACTED]
Past Due	[REDACTED]
Rating	[REDACTED]

[REDACTED]

Date Opened:

[REDACTED]  
[REDACTED]  
[REDACTED]

Date Updated:

[REDACTED]  
[REDACTED]

Pay Status:

[REDACTED]  
[REDACTED]

[REDACTED]

	[REDACTED]
Balance	[REDACTED]
Scheduled Payment	[REDACTED]
Past Due	[REDACTED]
Rating	[REDACTED]

[REDACTED]  
[REDACTED]

Date Opened:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Date Updated:

[REDACTED]  
[REDACTED]

Pay Status:

[REDACTED]  
[REDACTED]

[REDACTED]

	01/2020	12/2019	11/2019	10/2019	09/2019	08/2019	07/2019	06/2019	05/2019	04/2019
Balance	[REDACTED]									
Scheduled Payment	[REDACTED]									
Amount Paid	[REDACTED]									
Past Due	[REDACTED]									
Rating	[REDACTED]									

	03/2019	02/2019	01/2019	12/2018	11/2018	10/2018	09/2018	08/2018	07/2018	06/2018
Balance	[REDACTED]									
Scheduled Payment	[REDACTED]									
Amount Paid	[REDACTED]									
Past Due	[REDACTED]									
Rating	[REDACTED]									

	05/2018	04/2018	03/2018	02/2018	01/2018
Balance	[REDACTED]				
Scheduled Payment	[REDACTED]				
Amount Paid	[REDACTED]				
Past Due	[REDACTED]				
Rating	[REDACTED]				

[REDACTED]

Date Opened: [REDACTED] Balance: [REDACTED] Pay Status: [REDACTED]

Remarks: [REDACTED]

Rating	[REDACTED]
Rating	[REDACTED]

### Regular Inquiries

Regular Inquiries are posted when someone accesses your credit information from TransUnion. The presence of an inquiry means that the company listed received your credit information on the dates specified. These inquiries will remain on your credit file for up to 2 years.

#### GUARANTEED RATE AFFI via FACTUAL DATA

875 GREENTREE ROAD  
PITTSBURGH, PA 15220  
(877) 237-8317

Requested On: 03/22/2020  
Inquiry Type: Individual  
Permissible Purpose: CREDIT TRANSACTION

#### NFM INC MD551 via CREDIT PLUS

31550 WINTERPLACE PKWY  
SALISBURY, MD 21804  
(800) 258-3488

Requested On: 03/02/2020  
Inquiry Type: Individual  
Permissible Purpose: CREDIT TRANSACTION

#### BARCLAYS BANK DELAWARE

PO BOX 8803  
WILMINGTON, DE 19899  
(866) 370-5931

Requested On: 10/07/2019  
Inquiry Type: Individual

#### WELLS FARGO-PLL

PO BOX 94435  
ALBUQUERQUE, NM 87199  
(866) 762-4359

Requested On: 03/31/2019  
Inquiry Type: Individual

#### HOMESALE MORTGAGE LL via EQUIFAX MORTGAGE SERVICE

815 EAST GATE DR

#### GMH MORTGAGE SERVICE via CREDIT PLUS

31550 WINTERPLACE PKWY  
SALISBURY, MD 21804



STE 102  
MOUNT LAUREL, NJ 08054  
(856) 627-5800

**Requested On:** 02/26/2019  
**Inquiry Type:** Individual  
**Permissible Purpose:** CREDIT TRANSACTION

(800) 258-3488

**Requested On:** 02/25/2019, 01/18/2019, 11/20/2018, 11/18/2018  
**Inquiry Type:** Individual  
**Permissible Purpose:** CREDIT TRANSACTION

## Promotional Inquiries

The companies listed below received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.

### FIRST PREMIER

3820 N LOUISE AVE  
SIOUX FALLS, SD 57107-0145  
(800) 987-5521

**Requested On:** 03/08/2020, 02/02/2020, 10/06/2019, 05/08/2019

### CB INDIGO

PO BOX 4499  
BEAVERTON, OR 97076  
(866) 946-9545

**Requested On:** 01/24/2020, 12/24/2019, 11/25/2019

### TAB/MISSION LANE

4185 HARRISON BLVD  
OGDEN, UT 84403  
(415) 462-0280

**Requested On:** 01/23/2020, 12/21/2019, 11/25/2019

### AVANT LLC

222 N LASALLE ST, STE 1700  
CHICAGO, IL 60601  
(800) 712-2007

**Requested On:** 12/29/2019, 11/29/2019, 09/26/2019

### TBOM CONTINENTAL FINANCE

121 CONTINENTAL DRIVE  
NEWARK, DE 19713  
(866) 449-4514

**Requested On:** 10/29/2019

### MERRICK BANK

10705 S JORDAN GATEWAY  
SUITE 200  
SOUTH JORDAN, UT 84095  
(800) 253-2322

**Requested On:** 10/13/2019

### METLIFE AUTO & HOME INS

700 QUAKER LANE  
WARWICK, RI 02886  
(800) 422-4272

**Requested On:** 08/26/2019, 07/26/2019

## Account Review Inquiries

The listing of a company's inquiry in this section means that they obtained information from your credit file in connection with an account review or other business transaction with you. These inquiries are not seen by anyone but you and will not be used in scoring your credit file (except insurance companies may have access to other insurance company inquiries, certain collection companies may have access to other collection company inquiries, and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

### DISCOVER FINANCIAL SERVI

2500 LAKE COOK ROA  
RIVERWOODS, IL 60015  
(800) 347-2683

**Requested On:** 03/31/2020

### CITICARDS CBNA

CITI BRANDS CREDIT BUREAU DISP  
POB 6241  
SIOUX FALLS, SD 57117  
Phone number not available

**Requested On:** 02/29/2020

### ELAN VISA

### ELAN FINANCIAL

PO BOX 108  
 SAINT LOUIS, MO 63166  
 Phone number not available

**Requested On:** 02/26/2020

200 SOUTH SIXTH STREET  
 EP MNL 30A  
 MINNEAPOLIS, MN 55402  
 (800) 803-4212

**Requested On:** 12/08/2019

**LIBERTY MUTUAL**

PO BOX 52102  
 PHOENIX, AZ 85072  
 (617) 654-3741

**Requested On:** 04/04/2020

**AHMED AL SHAIKLI via KARMATRANSUNION INTERACT**

100 CROSS STREET  
 SAN LUIS OBISPO, CA 93401  
 (844) 580-6816

**Requested On:** 04/03/2020

**US DEPT OF HOUSING A via FACTUAL DATA**

875 GREENTREE ROAD  
 PITTSBURGH, PA 15220  
 (877) 237-8317

**Requested On:** 03/22/2020

**LIBERTY MUTUAL**

PO BOX 52102  
 PHOENIX, AZ 85072  
 (617) 654-3741

**Requested On:** 01/02/2020

**DISCOVER**

2500 LAKE COOK ROAD  
 RIVERWOODS, IL 60015  
 (224) 405-1334

**Requested On:** 10/23/2019

**JG ENVIRONMENTAL LLC via CR BUR OF LANC CO INC**

218 W ORANGE ST  
 P O BOX 1271  
 LANCASTER, PA 17608  
 Phone number not available

**Requested On:** 05/28/2019

**PROSPERWEBBANK**

PROSPER WEBBANK  
 221 MAIN STREET SUITE 300  
 SAN FRANCISCO, CA 94105  
 (866) 615-6319

**Requested On:** 04/03/2019

**EQUIFAX CONSUMERTID**

1550 PEACH TREE ST NW  
 ATLANTA, GA 30309  
 (770) 740-4728

**Requested On:** 02/26/2019, 01/19/2019, 11/21/2018, 11/19/2018

**GMH MORTGAGE SERVICE via CREDIT PLUS**

31550 WINTERPLACE PKWY  
 SALISBURY, MD 21804  
 (800) 258-3488

**Requested On:** 01/18/2019

**2ND FACTACT FREE DISC**

P O BOX 1000  
 CHESTER, PA 19016  
 Phone number not available

**Requested On:** 04/20/2018

**TU INTERACTIVE**

100 CROSS ST  
 202  
 SAN LUIS OBISPO, CA 93401  
 (844) 580-6816

**Requested On:** 04/20/2018

**Additional Information**

The following disclosure of information might pertain to you. This additional information may include Special Messages, Office of Foreign Assets Control ("OFAC") Potential Name Matches, Inquiry Analysis, Military Lending Act ("MLA") Covered Borrower Information, and/or Third Party Supplemental Information. Authorized parties may also receive the additional information below from TransUnion.

## Special Messages

The following Special Messages may be provided to an authorized party when it makes an inquiry into your TransUnion credit report. These messages provide important details concerning the information contained in your file and/or the authorized party's inquiry.

**INPUT SSN LIKELY NOT ISSUED PRIOR TO JUNE 2011**

## Possible OFAC Match

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

We also want to make you aware that the name that appears on your TransUnion credit file "**AHMED B. AL SHAIKLI**" is considered a *potential* match to information listed on the United States Department of Treasury's Office of Foreign Assets Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

**MATCHING NAME:** AL-JUBOURI, Ahmed **SOURCE:** SDN **UID:** 27015 **NAME:** AL-JUBOURI, Ahmad Abdullah **PROGRAMLIST:** GLOMAG **IDLIST:** IDTYPE: National ID No. **IDNUMBER:** 00318953 **IDCOUNTRY:** Iraq; **IDTYPE:** Passport **IDNUMBER:** D1017310 **IDCOUNTRY:** Iraq **EXPIRATIONDATE:** 14 Apr 2025; **IDTYPE:** Gender **IDNUMBER:** Male **AKALIST:** TYPE: a.k.a. **CATEGORY:** strong **AKA:** KHALAF, Ahmed Abdullah Abid; TYPE: a.k.a. **CATEGORY:** strong **AKA:** AL-JUBOURI, Ahmed; TYPE: a.k.a. **CATEGORY:** weak **AKA:** ABU MAZIN; TYPE: a.k.a. **CATEGORY:** weak **AKA:** ABU MAZEN; TYPE: a.k.a. **CATEGORY:** strong **AKA:** ABED, Ahmed Abdullah **ADDRESSLIST:** ADDRESS: Iraq **NATIONALITYLIST:** COUNTRY: Iraq (main) **DATEOFBIRTHLIST:** DOB: 01 Jul 1967 (main) **PLACEOFBIRTHLIST:** POB: Baghdad, Iraq (main)

**MATCHING NAME:** AL KURD, Ahmed **SOURCE:** SDN **UID:** 10409 **NAME:** AL-KURD, Ahmad Harb **PROGRAMLIST:** SDGT **AKALIST:** TYPE: a.k.a. **CATEGORY:** strong **AKA:** EL-KURD, Ahmed; TYPE: a.k.a. **CATEGORY:** strong **AKA:** AL KURD, Ahmed; TYPE: a.k.a. **CATEGORY:** strong **AKA:** AL-KURD, Ahmed Hard; TYPE: a.k.a. **CATEGORY:** strong **AKA:** AL-KIRD, Ahmad; TYPE: a.k.a. **CATEGORY:** strong **AKA:** AL-KARD, Ahmad; TYPE: a.k.a. **CATEGORY:** strong **AKA:** ALKURD, Ahmad **ADDRESSLIST:** ADDRESS: Deir Al-Balah, Gaza, Palestinian **DATEOFBIRTHLIST:** DOB: circa 1949 (main); DOB: circa 1951 **PLACEOFBIRTHLIST:** POB: Deir Al-Balah, Gaza (main)

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 409366517.

## Inquiry Analysis

The companies that request your credit report must first provide certain information about you. Within the past 90 days, companies that requested your report provided the following information.

**Requested On:** 03/22/2020

**Identifying information they provided:**

AHMED AL-SHAIKLI

[REDACTED]

**Requested On:** 03/02/2020

**Identifying information they provided:**

AHMED B. ALSHAIKLI

[REDACTED]

## Should you wish to contact TransUnion, you may do so,

### Online:

To report an inaccuracy, please visit: [dispute.transunion.com](http://dispute.transunion.com)

For answers to general questions, please visit: [www.transunion.com](http://www.transunion.com)

### By Mail:

TransUnion Consumer Relations

P.O. Box 2000  
Chester, PA 19016-2000

**By Phone:**

(800) 916-8800

You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

***For all correspondence, please have your TransUnion file number available (located at the top of this report).***

## Consumer Rights

*Para informacion en espanol, visite [www.consumerfinance.gov](http://www.consumerfinance.gov) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W. Washington, DC 20552.*

### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your 'file disclosure'). You will be required to provide proper identification, which may include your Social Security Number. In many cases, the disclosure will be free. You are entitled to a free disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert on your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for more additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need

usually to consider an application with a creditor, insurer, employer, landlord or other business. The FCRA specifies those with a valid need for access.

- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688 (888-5OPTOUT).
- **CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE.** You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.  
A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.
- **As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost.** An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court. You may also have the right to file suit under state law.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:**

TYPE OF BUSINESS:	CONTACT:
1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates	Bureau of Consumer Financial Protection 1700 G Street NW Washington, DC 20552
b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580      1-877-382-4357
2. To the extent not included in item 1 above:	Office of the Comptroller of the Currency
a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks	Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050
b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act	Federal Reserve Consumer Help (FRCH) PO Box 1200 Minneapolis, MN 55480      1-888-851-1920
c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and Insured state savings associations	FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106
d. Federal Credit Unions	National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach



	(DCCO) 1775 Duke Street Alexandria, VA 22314
3. Air carriers	Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590 1-202-366-1306
4. Creditors Subject to Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423
5. Creditors subject to Packers and Stockyards Act, 1921	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F Street NE Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center-FCRA Washington, DC 20580 1-877-382-4357

# **Exhibit B**

\*\*\* [REDACTED]  
TransUnion LLC  
PO Box 805  
Woodlyn, PA 19094-0805



04/11/2018



P-I000001-  
AHMED B. AL SHAIKLI  
[REDACTED]  
MOUNT JOY, PA [REDACTED]

Find an inaccuracy on your report?  
Submit your dispute online at:  
<http://transunion.com/disputeonline>

Enclosed is the TransUnion Personal Credit Report that you requested. As a trusted leader in the consumer credit information industry, TransUnion takes the accuracy of your credit information very seriously. We are committed to providing the complete and reliable credit information that you need to participate in everyday transactions and purchases.

If you believe an item of information to be incomplete or inaccurate, please alert us immediately. We will investigate the data and notify you of the results of our investigation.

To make it easier to request an investigation, you can now submit your request online, **24 hours a day, 7 days a week**. You must have an active email address to use the online service. Please note that your email address will only be used for communicating with you regarding your request and the results of our investigation. Your email address will not be shared with any non-TransUnion entities.

**To submit an online request for investigation:**

- Step 1.** Go to the TransUnion online investigation service at <http://transunion.com/disputeonline>
- Step 2.** Follow the instructions provided by the web site.

Once submitted, you will receive online confirmation of your request. You will also be notified by email when we complete our investigation and your results will be available online. You can check the status of your investigation online by logging into your account.

Thank you for helping ensure the accuracy of your credit information.

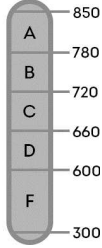
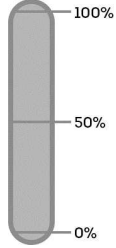
TransUnion Consumer Relations

For frequently asked questions about your credit report, please visit <http://transunion.com/consumerfaqs> .

# TransUnion Credit Score

AHMED B. AL SHAIKLI

## YOUR CREDIT SCORE

Your Score & Grade	Score & Grade Range	Where You Rank
<p>Score <b>Not Purchased</b> (See Below)</p> <p>Grade -</p> <p>Created on 04/11/2018</p> <p>Based on your TransUnion credit report, this is a depiction of your creditworthiness.</p>	 <p>Unavailable (See Below)</p> <p>The numerical score ranges from 850 to 300 equaling grade ranges from A to F.</p>	 <p>Unavailable (See Below)</p> <p>Your credit ranks higher than --% of the nation's population.</p>

### Summary

You did not order a TransUnion credit score. You can purchase your credit score for \$9.95 by calling 1-866-SCORE-TU or 1-866-726-7388.

## Important Information Concerning Your TransUnion Credit Report:

- Your SSN has been masked for your protection. You may request disclosure of your full Social Security number by writing to us at the address found at the end of this report.
- For your protection, your account numbers have been partially masked, and in some cases scrambled.
- Please note: Accounts are reported as "Current; Paid or paying as agreed" if paid within 30 days of the due date. Accounts reported as Current may still incur late fees or interest charges if not paid on or before the due date.

### YOUR CREDIT FILE CONTAINS:

- One or more Adverse Accounts. Adverse information typically remains on your credit file for up to 7 years from the date of the delinquency. To help you understand what is generally considered adverse, we have added brackets or shading to those items in this report.
- One or more satisfactory accounts.
- Regular Inquiries. Inquiries are posted when someone accesses your credit information from TransUnion. The presence of an inquiry means that the company listed received your credit information on the dates specified. These inquiries will remain on your credit file for up to 2 years.
- Promotional Inquiries. The companies listed received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.
- Account Review Inquiries. The listing of a company's inquiry in this section means that they obtained information from your credit file in connection with an account review or other business transaction with you. These inquiries are not seen by anyone but you and will not be used in scoring your credit file (except insurance companies may have access to other insurance company inquiries, certain collection companies may have access to other collection company inquiries, and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

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Consumer Credit Report for AHMED B. AL SHAIKLI

File Number: [REDACTED] Date Issued: 04/11/2018

	03/2016	02/2016	01/2016	12/2015	11/2015	10/2015	09/2015	08/2015	07/2015	06/2015
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

	03/2016	02/2016	01/2016	12/2015	11/2015	10/2015	09/2015	08/2015	07/2015	06/2015
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Satisfactory Accounts

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

	03/2016	02/2016	01/2016
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

\*400000\*



Consumer Credit Report for AHMED B. AL SHAIKLI

File Number: [REDACTED] Date Issued: 04/11/2018

	04/2018	03/2018	02/2018	01/2018	12/2017	11/2017
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

	04/2018	03/2018	02/2018	01/2018	12/2017	11/2017	10/2017	09/2017	08/2017	07/2017	06/2017	05/2017	04/2017	03/2017	02/2017	01/2017
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

### Regular Inquiries

- ELAN FINANCIAL** ( 4325 17TH AVE SW, FGND51A1, FARGO, ND 58125, (800) 558-3424 ) Inquiry Type: Individual  
Requested On: 01/03/2018
- GMH MORTGAGE SERVICE via CREDIT PLUS** ( 31550 WINTERPLACE PKWY, SALISBURY, MD 21804, (800) 258-3488 ) Inquiry Type: Individual  
Permissible Purpose: CREDIT TRANSACTION  
Requested On: 12/18/2017
- CORNWELL QUALITY TOOLS** ( 667 SEVILLE RD, WADSWORTH, OH 44281, Phone number not available ) Inquiry Type: Individual  
Requested On: 10/20/2017
- CAPITAL ONE BANK USA NA** ( PO BOX 30281, SALT LAKE CITY, UT 84130, (800) 955-7070 ) Inquiry Type: Individual  
Requested On: 06/23/2017

### Promotional Inquiries

- CB INDIGO** ( PO BOX 4499, BEAVERTON, OR 97076, (866) 946-9545 )  
Requested On: 02/05/2018
- CAPITAL ONE BANK USA NA** ( PO BOX 30281, SALT LAKE CITY, UT 84130, (800) 955-7070 )  
Requested On: 06/23/2017

### Account Review Inquiries

- AHMED AL SHAIKLI via KARMATRANSUNION INTERACT** ( 100 CROSS STREET, SAN LUIS OBISPO, CA 93401, (844) 580-6816 )  
Permissible Purpose: CONSUMER REQUEST  
Requested On: 04/08/2018
- ELAN VISA** ( PO BOX 108, SAINT LOUIS, MO 63166, Phone number not available )  
Requested On: 03/28/2018
- EQUIFAX CONSUMERTID** ( 1550 PEACH TREE ST NW, ATLANTA, GA 30309, (770) 740-4728 )  
Requested On: 02/06/2018, 01/04/2018, 12/19/2017, 11/10/2017, 11/08/2017, 10/21/2017
- GENESIS BANKCARD** ( PO BOX 4499, BEAVERTON, OR 97076, (866) 453-8636 )  
Requested On: 09/26/2017
- TU INTERACTIVE** ( 100 CROSS ST, 202, SAN LUIS OBISPO, CA 93401, (844) 580-6816 )  
Requested On: 07/19/2017
- FACTACT FREE DISCLOSURE** ( P O BOX 1000, CHESTER, PA 19016, (800) 916-8800 )  
Requested On: 07/19/2017

To dispute online go to: <http://transunion.com/disputeonline>

Consumer Credit Report for AHMED B. AL SHAIKLI

File Number: [REDACTED] Date Issued: 04/11/2018

**289340507 via TRANSUNION INTERACTIVE** ( 100 CROSS STREET 202, SAN LUIS OBISPO, CA 93401, (844) 580-6816 )**Permissible Purpose:** CREDIT MONITORING**Requested On:** 02/06/2017**FAIR COLLTNS OUTSOURING** ( 12304 BALTIMORE AVE, SUITE E, BELTSVILLE, MD 20705, Phone number not available )**Requested On:** 01/25/2017**CLIENT SERVICES, INC via CLIENT SERVICES INC** ( 3451 HARRY S TRUMAN BLVD, ST CHARLES, MO 63301, Phone number not available )**Permissible Purpose:** COLLECTION**Requested On:** 05/06/2016**NATIONWIDE NEW NESRO PL** ( ONE NATIONWIDE PLAZA, 01 17 201, COLUMBUS, OH 43215, (800) 882-2822 )**Permissible Purpose:** INSURANCE UNDERWRITING**Requested On:** 04/26/2016**VICTORIA INSURANCE GROUP** ( ONE NATIONWIDE PLAZA, 01 17 201, COLUMBUS, OH 43215, (800) 882-2822 )**Permissible Purpose:** INSURANCE UNDERWRITING**Requested On:** 04/26/2016

## Additional Information

The following disclosure of information might pertain to you. This additional information may include Special Messages, Office of Foreign Assets Control ("OFAC") Potential Name Matches, Inquiry Analysis, Military Lending Act ("MLA") Covered Borrower Information, and/or Third Party Supplemental Information. Authorized parties may also receive the additional information below from TransUnion.

## Possible OFAC Match

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport, or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

We want to make you aware that the name that appears on your TransUnion credit file "**AHMED B. AL SHAIKLI**" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Asset Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

**MATCHING NAME:** AL KURD, Ahmed **SOURCE:** SDN UID: 10409 **NAME:** AL-KURD, Ahmad Harb **PROGRAMLIST:** SDGT **AKALIST:** TYPE: a.k.a. **CATEGORY:** strong **AKA:** EL-KURD, Ahmed; **TYPE:** a.k.a. **CATEGORY:** strong **AKA:** AL KURD, Ahmed; **TYPE:** a.k.a. **CATEGORY:** strong **AKA:** AL-KURD, Ahmed Hard; **TYPE:** a.k.a. **CATEGORY:** strong **AKA:** AL-KIRD, Ahmad; **TYPE:** a.k.a. **CATEGORY:** strong **AKA:** AL-KARD, Ahmad; **TYPE:** a.k.a. **CATEGORY:** strong **AKA:** ALKURD, Ahmad **ADDRESSLIST:** ADDRESS: Deir Al-Balah, Gaza, Palestinian **DATEOFBIRTHLIST:** DOB: circa 1949 (main); DOB: circa 1951 **PLACEOFBIRTHLIST:** POB: Deir Al-Balah, Gaza (main)

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>.

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094 When contacting our office, please provide your current file number 377245852.

## Should you wish to contact TransUnion, you may do so,

### Online:

To dispute information contained in your credit report, please visit: [www.transunion.com/disputeonline](http://www.transunion.com/disputeonline)

For answers to general questions, please visit: [www.transunion.com](http://www.transunion.com)

### By Mail:

TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19016-2000

### By Phone:

(800) 916-8800

You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).

To dispute online go to: <http://transunion.com/disputeonline>



## Summary of Rights

## GENERAL SUMMARY OF CONSUMER RIGHTS UNDER THE FCRA

*Para informacion en espanol, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.*

## A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment -- or to take another adverse action against you-- must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security Number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for more additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688 (888-5OPTOUT).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:**

TYPE OF BUSINESS:	CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>Bureau of Consumer Financial Protection 1700 G Street NW Washington, DC 20552</p> <p>Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and Insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>Federal Reserve Consumer Help (FRCH) PO Box 1200 Minneapolis, MN 55480 1-888-851-1920</p> <p>FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590 1-202-366-1306</p>
<p>4. Creditors Subject to Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423</p>
<p>5. Creditors subject to Packers and Stockyards Act, 1921</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street NE Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center-FCRA Washington, DC 20580 1-877-382-4357</p>

\*005000\*



# **Exhibit 5**



1 Andrew J. Ogilvie (SBN 57932)  
Carol M. Brewer (SBN 214035)  
2 Ogilvie & Brewer  
4200 California Street, Suite 100  
San Francisco, CA 94118

3  
4 James A. Francis (*pro hac vice*)  
John Soumilas (*pro hac vice*)  
Francis Mailman Soumilas, P.C.  
5 1600 Market Street, Suite 2510  
Philadelphia, PA 19110

6 *Attorneys for Plaintiff, Sergio L. Ramirez*  
*And the Certified Class*

7  
8 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN FRANCISCO DIVISION**

9 SERGIO L. RAMIREZ, on behalf of himself  
and all others similarly situated,

10 *Plaintiff,*

11 v.

12 TRANS UNION, LLC,

13 *Defendant.*

Case No. 12 cv-00632-JSC

Class Action

**DECLARATION OF**  
**LUIS A. GARCIA**

14 I, Luis A. Garcia, hereby declare as follows:

- 15 1. My name is Luis A. Garcia.
- 16 2. I live in Lancaster, PA.
- 17 3. I understand that I was on the class list in *Ramirez v. Trans Union, LLC*.
- 18 4. I submit this declaration to authenticate one document and to tell my story.
- 19 5. I had an OFAC match in my Trans Union file for some period of time, but do not  
20 know exactly how long it was there or if it is still there.
- 21 6. In 2012, I saw an OFAC match on my Trans Union personal credit report.

1 7. Attached hereto as Exhibit A is a true and correct copy of my Trans Union  
2 personal credit report dated January 6, 2012 that included the OFAC match.

3 8. The credit report said that I was a "potential match" for the following OFAC  
4 record:

5 UST 03 GARCIA VARELA, LUIS FERNANDO C/O TAURA  
6 S.A. CEDULA NO: 16282923 (COLOMBIA) CALI, COLOMBIA  
AFF: SDNT OriginalSource: OFAC OriginalID: 6837 CEDULA  
NO: 16282923 (COLOMBIA)

7 9. This OFAC match clearly does not relate to me, because my full name is Luis  
8 Antonio Garcia Melendez, and I have never used the names Fernando or Varela.

9 10. I do not know if the OFAC alert is still on my Trans Union credit file or when it  
10 was first added.

11 11. I do not know the complete list of third parties to whom Trans Union sent this  
12 inaccurate OFAC alert, but the credit report that Trans Union sent me on January 6, 2012 listed  
regular inquiries and account review inquiries.

13 12. Pages 4 and 5 of the personal credit report Trans Union sent me on January 6,  
14 2012 explained regular inquiries and account review inquiries as follows:

15 Regular Inquiries: The following companies have received your  
credit report. Their inquiries remain on your credit report for two  
16 years.

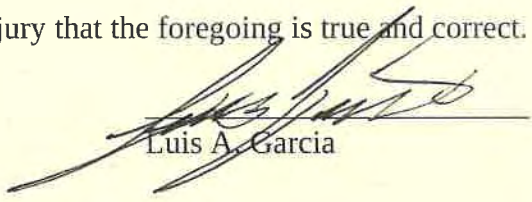
17 Account Review Inquiries: The companies listed below obtained  
information from your consumer report for the purpose of an  
18 account review or other business transaction with you. These  
inquiries are not displayed to anyone but you and will not affect  
19 any creditor's decision or any credit score (except insurance  
companies may have access to other insurance company inquiries  
20 and users of a report for employment purposes may have access to  
other employment inquiries, where permitted by law).

1           13.     On pages 4 and 5 of the January 6, 2012 credit report, there are nine third parties  
2 listed that requested copies of my credit report between January 7, 2010 and December 28, 2011.

3           14.     On pages 5 and 6 of the January 6, 2012 credit report, there are eighteen third  
4 parties listed that requested copies of my credit report between January 29, 2010 and December  
5 29, 2011.

6           I declare under penalty of perjury that the foregoing is true and correct.

7 Executed on 10/7/2021.

  
Luis A. Garcia

# **Exhibit A**

\*\*\* [REDACTED] \*\*\*

P.O. Box 2000  
Chester, PA 19022-2000



01/06/2012



Find an inaccuracy on your report?  
Submit your dispute online at:  
<http://transunion.com/disputeonline>

P1TSN400202563-I030745-098492446



LUIS A. GARCIA

[REDACTED]  
LANCASTER, PA [REDACTED]

Enclosed is the TransUnion Personal Credit Report that you requested. As a trusted leader in the consumer credit information industry, TransUnion takes the accuracy of your credit information very seriously. We are committed to providing the complete and reliable credit information that you need to participate in everyday transactions and purchases.

If you believe an item of information to be incomplete or inaccurate, please alert us immediately. We will investigate the data and notify you of the results of our investigation.

To make it easier to request an investigation, you can now submit your request online, **24 hours a day, 7 days a week**. You must have an active email address to use the online service. Please note that your email address will only be used for communicating with you regarding your request and the results of our investigation. Your email address will not be shared with any non-TransUnion entities.

**To submit an online request for investigation:**

- Step 1.** Go to the TransUnion online investigation service at <http://transunion.com/disputeonline>
- Step 2.** Follow the instructions provided by the web site.

Once submitted, you will receive online confirmation of your request. You will also be notified by email when we complete our investigation and your results will be available online. You can check the status of your investigation online by logging into your account.

Thank you for helping ensure the accuracy of your credit information.

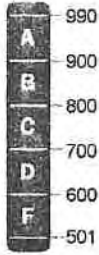
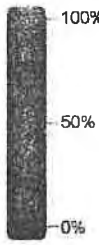
TransUnion Consumer Relations

For frequently asked questions about your credit report, please visit  
<http://transunion.com/consumerfaqs> .

# TransUnion Personal Credit Score

LUIS A. GARCIA

## YOUR CREDIT SCORE

Your Score & Grade	Score & Grade Range	Where You Rank
<p>Score <b>Not Purchased</b> (See Below)</p> <p>Grade -</p> <p>Created on 01/06/2012</p> <p>Based on your TransUnion credit report, this is a depiction of your creditworthiness.</p>	 <p>Unavailable (See Below)</p> <p>The numerical score ranges from 990 to 501 equaling grade ranges from A to F.</p>	 <p>Unavailable (See Below)</p> <p>Your credit ranks higher than --% of the nation's population.</p>

### About your TransUnion Personal Credit Score

Your TransUnion Personal Credit Score is displayed above, and was calculated with the VantageScore credit scoring formula. Your credit score is a snapshot of the contents of your credit report at the time the score was calculated. Using objective, impartial formulas to translate the contents of your credit report into a 3-digit score enables lenders to evaluate your application for credit in a fast, fair and more objective manner. Remember, we constantly update the information contained in your credit report, so your TransUnion Personal Credit Score only represents the score a lender would receive if they requested it today.

### Summary

You did not order a TransUnion credit score. You can purchase your credit score for \$7.95 by calling 1-866-SCORE-TU or 1-866-726-7388.

### Answers About Credit Scores

**• How are credit scores used?**

A credit score is just one of several factors a company usually uses when deciding to extend credit, give insurance coverage or provide financial services to you. A variety of other factors will be considered, such as length of employment, income or previous experience with you. Depending on what you are applying for, different companies weigh each of these factors differently. By using a credit score, they can evaluate your application quickly, fairly and consistently.

**• How can I improve my credit score?**

A credit score is a snapshot of the contents of your credit report at the time it was calculated. Long-term, responsible credit behavior is the most effective way to improve future scores. Pay bills on time, lower balances and use credit wisely to improve your score over time. You should also review your credit report to ensure it is accurate.

**• How do inquiries affect my credit score?**

When your credit is checked by a business for the purpose of an application a 'hard inquiry' appears on your credit report. These inquiries can affect your credit score; and typically they have only a small impact. Delinquencies, balances owed, and the length of time you have used credit are all more important. Inquiries have a greater impact if you have a limited credit history.

### Additional Information

The TransUnion Personal Credit Score is provided to help you better understand how lenders view your credit report. It is not an endorsement or a determination of your qualification for a loan. The VantageScore credit scoring model was used for this Score Analysis and is not necessarily the same scoring model that may be used by a lender. The resulting credit score may not be identical in every respect to any consumer credit score produced by any other company. Any credit information that has not yet been reported to TransUnion will not be reflected in your consumer disclosure or score. Also, some items disputed directly with creditors are not incorporated in the assessment of your credit score.

## Protect Yourself From Identity Theft

Each year, **9 million people** become victims of identity theft. Protect yourself. It's easy. We'll **email you within 24 hours** of any critical changes to your credit report.

You'll swiftly find out about:

- **fraudulent activity**
- **new inquiries**
- **new accounts**
- **late payments**
- **and more**

Sign up now at:  
[www.truecredit.com/protect](http://www.truecredit.com/protect)

\* Source: The FTC's national education campaign — *Avoid Theft: Deter, Detect, Defend.*







Consumer Credit Report for LUIS A. GARCIA

File Number: [REDACTED]  
Page: 2 of 7  
Date Issued: 01/06/2012

[REDACTED] [REDACTED] [REDACTED] Pay Status: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] Pay Status: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] Pay Status: [REDACTED]  
Original Amount: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] Pay Status: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] Pay Status: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] Pay Status: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]



Consumer Credit Report for LUIS A. GARCIA

File Number: [REDACTED]  
Page: 4 of 7  
Date Issued: 01/06/2012

[REDACTED]

Balance: [REDACTED]

Pay Status: [REDACTED]

[REDACTED]

### Satisfactory Accounts

The following accounts are reported with no adverse information.

[REDACTED]

Date Updated: [REDACTED]  
High Balance: [REDACTED]  
Credit Limit: [REDACTED]  
Last Payment: [REDACTED]

Pay Status: [REDACTED]

Loan Type: [REDACTED]

### Regular Inquiries

The following companies have received your credit report. Their inquiries remain on your credit report for two years.

#### METABANK/FINGERHUT

6509 FLYING CLOUD  
EDEN PRAIRIE, MN 55344  
(800) 356-2347  
Inquiry Type: Individual  
Requested On: 12/28/2011

#### CAPITAL ONE BANK USA NA

PO BOX 30281  
SALT LAKE CITY, UT 84130  
(800) 955-7070  
Inquiry Type: Individual  
Requested On: 12/26/2011, 09/19/2011, 12/15/2010, 08/27/2010

#### VISION FINANCIAL AUTO RE

6774 TROY DRIVE  
ROCKFORD, IL 61107  
(877) 319-6115  
Inquiry Type: Individual  
Requested On: 09/21/2011

#### NATL ASSET REC SVC

16253 SWINGLEY RID  
SUITE 300  
CHESTERFIELD, MO 63017  
Phone number not available  
Inquiry Type: Individual  
Requested On: 09/15/2011

#### ALLEGHENY RECOVERY SVCS

8 EAST STREET  
CARNEGIE, PA 15106  
Phone number not available  
Inquiry Type: Individual  
Permissible Purpose: COLLECTION  
Requested On: 02/01/2011

#### NCC/BOB RUTH FORD

700 N US HWY 15  
DILLSBURG, PA 17019  
(717) 432-9614  
Inquiry Type: Individual  
Permissible Purpose: CREDIT TRANSACTION  
Requested On: 04/19/2010

#### MASON SHOE

1112 7TH AVE  
MONROE, WI 53566  
Phone number not available  
Inquiry Type: Individual  
Requested On: 03/05/2010

#### SEVENTH AVE (II)

1112 7TH AVENUE  
P.O.BOX 2816  
MONROE, WI 53566  
Phone number not available  
Inquiry Type: Individual  
Requested On: 01/21/2010



Consumer Credit Report for LUIS A. GARCIA

File Number:

Page:

Date Issued:

5 of 7

01/06/2012

TransUnion.

**LANCASTER LINCOLN ME via NCC/LANCASTER LINCOLN ME**

1009 N PRINCE ST  
LANCASTER, PA 17603  
(717) 295-5000

**Inquiry Type:** Individual**Permissible Purpose:** CREDIT TRANSACTION**Requested On:** 01/07/2010**Promotional Inquiries**

The companies listed below received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.

**CAPITAL ONE BANK RTPM**

P.O. BOX 85049  
RICHMOND, VA 23286  
Phone number not available

**Requested On:** 01/29/2011**Account Review Inquiries**

The companies listed below obtained information from your consumer report for the purpose of an account review or other business transaction with you. These inquiries are not displayed to anyone but you and will not affect any creditor's decision or any credit score (except insurance companies may have access to other insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

**PORTFOLIO RECOVERY ASSOC**

140 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available

**Requested On:** 12/29/2011**NCO FINANCIAL SERVICES**

507 PRUDENTIAL RD  
HORSHAM, PA 19044  
(888) 207-3081

**Requested On:** 12/27/2011**CAPITAL ONE BANK USA NA**

PO BOX 30281  
SALT LAKE CITY, UT 84130  
(800) 258-9319

**Requested On:** 12/01/2011**PNC BANK**

500 WEST JEFFERSON  
LOUISVILLE, KY 40202  
Phone number not available

**Requested On:** 10/15/2011, 09/30/2011**RJM AQUISITIONS**

575 UNDERHILL BLVD  
SUITE 224  
SYOSSET, NY 11791  
(516) 714-1300

**Requested On:** 09/19/2011, 12/15/2010, 08/27/2010, 04/19/2010, 03/05/2010, 01/21/2010, 01/07/2010**MIDLAND CREDIT MGMT INC**

8875 AERO DR STE 200  
SAN DIEGO, CA 92123  
(800) 825-8131

**Requested On:** 09/01/2011**NCA**

P.O. BOX 550  
327 WEST FOURTH ST  
HUTCHINSON, KS 67504  
(866) 964-5259

**Requested On:** 06/17/2011**NATL CREDIT ADJUSTERS**

PO BOX 550  
HUTCHINSON, KS 67504  
(866) 964-5259

**Requested On:** 05/17/2011**COLLECT AMERICA**

370 17TH ST STE 5000  
DENVER, CO 80202-5622  
(303) 296-3345

**Requested On:** 04/25/2011**Permissible Purpose:** TO ACQUIRE/SERVICE/INSURE ACCOUNT**NATIONAL ENTERPRISE SYS**

29125 SOLON ROAD  
SOLON, OH 44139  
(440) 542-1360

**Requested On:** 02/08/2011**PORTFOLIO RECOVERY ASSOC**

120 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available

**Requested On:** 09/28/2010**PORTFOLIO RECOVERY ASSO**

140 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available

**Requested On:** 07/25/2010

Consumer Credit Report for LUIS A. GARCIA

File Number: [REDACTED]  
Page: 6 of 7  
Date Issued: 01/06/2012

**NCO FINANCIAL SYSTEMS**

507 PRUDENTIAL ROA  
HORSHAM, PA 19044  
Phone number not available  
Requested On: 06/19/2010, 01/29/2010

**NCO FINANCIAL SYSTEMS**

507 PRUDENTIAL ROA  
HORSHAM, PA 19044  
Phone number not available  
Requested On: 05/27/2010

**SENTRY CREDIT**

2809 GRAND AVE  
EVERETT, WA 98201  
(800) 608-2581  
Requested On: 05/21/2010, 03/22/2010

**PLAZA RECOVERY INC**

370 7TH AVENUE  
FKA PLAZA ASSOCIAT  
NEW YORK, NY 10001  
Phone number not available  
Requested On: 05/15/2010

**FIRST NATIONAL COLLECTIO**

610 WALTHAM WAY  
MCCARRAN, NV 89434  
(775) 322-0444  
Requested On: 03/04/2010

**PLAZA RECOVERY INC**

370 7TH AVENUE  
FKA PLAZA ASSOCIAT  
NEW YORK, NY 10001  
Phone number not available  
Requested On: 02/12/2010

**-End of Credit Report-**

**Should you wish to contact TransUnion, you may do so,**

**Online:**

To dispute information contained in your credit report, please visit: [www.transunion.com/disputeonline](http://www.transunion.com/disputeonline)  
For answers to general questions, please visit: [www.transunion.com](http://www.transunion.com)

**By Mail:**

TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19022-2000

**By Phone:**

(800) 916-8800  
You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).

**-Begin Additional Information-**

**Additional Information**

The following disclosure of information is provided as a courtesy to you. This information is not part of your TransUnion credit file, but may be provided when TransUnion receives an inquiry about you from an authorized party. This additional information can include Special Messages, Possible OFAC Name Matches, Income Verification, and Inquiry Analysis Information. Any of the previously listed information that pertains to you will be listed below.

**Special Messages**

The following Special Messages may be provided to an authorized party when It requests your TransUnion credit report. These messages provide important details concerning the information contained in your file and/or the authorized party's inquiry.

INPUT SSN REPORTED AS SUSPICIOUS





Consumer Credit Report for LUIS A. GARCIA

File Number: [REDACTED]

Page: 7 of 7

Date Issued: 01/06/2012

## Possible OFAC Match

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport, or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

As a courtesy to you, we also want to make you aware that the name that appears on your TransUnion credit file "**LUIS A GARCIA**" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Asset Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

**UST 03 GARCIA VARELA, LUIS FERNANDO C/O TAURA S.A. CEDULA NO: 16282923 (COLOMBIA) CALI, COLOMBIA AFF: SDNT OriginalSource: OFAC OriginalID: 6837 CEDULA NO: 16282923 (COLOMBIA)**

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>.

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 315223355.

## Inquiry Analysis

The companies that request your credit report must first provide certain information about you. Within the past 90 days, companies that requested your report provided the following information.

### METABANK/FINGERHUT

Identifying information they provided:

LUIS GARCIA  
[REDACTED]

Requested On: 12/28/2011

### CAPITAL ONE BANK USA NA

Identifying information they provided:

LUIS A. GARCIA  
[REDACTED]

Requested On: 12/26/2011

**-End of Additional Information-**

## Summary of Rights

**Para informacion en espanol, visite [www.ftc.gov/credit](http://www.ftc.gov/credit) o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.ftc.gov/credit](http://www.ftc.gov/credit) or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, the consumer reporting agency is not required to remove accurate derogatory information from your file unless it is outdated (as described below) or cannot be verified. A consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.ftc.gov/credit](http://www.ftc.gov/credit).
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.ftc.gov/credit](http://www.ftc.gov/credit).

**A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT, CONTINUED...**

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General.

**Federal enforcers are:**

<b>TYPE OF BUSINESS:</b>	<b>CONTACT:</b>
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help PO Box 1200 Minneapolis, MN 55480 202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation, Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 202-720-7051



# **Exhibit 6**

1 Andrew J. Ogilvie (SBN 57932)  
Carol M. Brewer (SBN 214035)  
Ogilvie & Brewer  
2 4200 California Street, Suite 100  
San Francisco, CA 94118

3 James A. Francis (*pro hac vice*)  
4 John Soumilas (*pro hac vice*)  
Francis Mailman Soumilas, P.C.  
5 1600 Market Street, Suite 2510  
Philadelphia, PA 19110

6 *Attorneys for Plaintiff, Sergio L. Ramirez*  
7 *And the Certified Class*

8 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN FRANCISCO DIVISION**

10 SERGIO L. RAMIREZ, on behalf of himself  
and all others similarly situated,

11 *Plaintiff,*

12 v.

13 TRANS UNION, LLC,

14 *Defendant.*

Case No. 12 cv-00632-JSC

Class Action

**DECLARATION OF**  
**JOSE LUIS JIMENEZ**

15  
16 I, Jose Luis Jimenez, hereby declare as follows:

17 1. My name is Jose Luis Jimenez.

18 2. I live in Helotes, Texas.

19 3. I understand that I was on the class list in *Ramirez v. Trans Union, LLC*.

20 4. I submit this declaration to authenticate one document and to tell my story.

21 5. I had an OFAC match in my Trans Union file for some period of time, but do not  
22 know exactly how long it was there or if it is still there.

23 6. In 2012, I saw an OFAC match on my Trans Union personal credit report.

24 7. Attached hereto as Exhibit A is a true and correct copy of the Trans Union  
25 personal credit report that I accessed on or about December 4, 2012.

26 8. The credit report said that I was a “potential match” for the following OFAC  
27 record:

28 UST 03 'JOSE LUIS' INTERNATIONAL FARC COMMISSION  
MEMBER FOR PANAMA ALIASES: SALINAS PEREZ,

1 OVIDIO CEDULA NO: 17125959 (COLOMBIA), COLOMBIA  
2 AFF: SDNTK DOB: 07/03/1945 OriginalSource: OFAC Aliases:  
3 SALINAS PEREZ, Ovidio Citizenship: COLOMBIA OriginalID:  
11251 ALIASQUALITY: WEAK CEDULA NO: 17125959  
(COLOMBIA) P\_ID: 247005

4 UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO AVENIDA  
5 INDEPENDENCIA, COLONIA ZONA URBANA RIO TIJUANA  
6 POB: ENSENADA, BAJA CALIFORNIA, MEXICO TIJUANA,  
7 BAJA CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961  
OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA,  
8 BAJA CALIFORNIA, MEXICO NATIONAL NO:  
9 JIPJ610619HBCMRL07 (C.U.R.P. #, Mexico) P\_ID: 123442

10 UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO C/O  
11 INMOBILIARIA ESTADO 29 S.A. DE C.V. POB: ENSENADA,  
12 BAJA CALIFORNIA, MEXICO TIJUANA, BAJA  
13 CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961  
OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA,  
14 BAJA CALIFORNIA, MEXICO NATIONAL NO:  
15 JIPJ610619HBCMRL07 (C.U.R.P. #, Mexico) P\_ID: 123442

16 UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO C/O  
17 INMOBILIARIA LA PROVINCIA S.A. DE C.V. POB:  
18 ENSENADA, BAJA CALIFORNIA, MEXICO TIJUANA, BAJA  
19 CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961  
OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA,  
20 BAJA CALIFORNIA, MEXICO NATIONAL NO:  
21 JIPJ610619HBCMRL07 (C.U.R.P. #, Mexico) P\_ID: 123442

22 UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO CALLE RIO  
23 BRAVO, COLONIA REVOLUCION POB: ENSENADA, BAJA  
24 CALIFORNIA, MEXICO TIJUANA, BAJA CALIFORNIA,  
25 MEXICO AFF: SDNTK DOB: 06/19/1961 OriginalSource: OFAC  
26 OriginalID: 9979 POB: ENSENADA, BAJA CALIFORNIA,  
27 MEXICO NATIONAL NO: JIPJ610619HBCMRL07 (C.U.R.P. #,  
28 Mexico)

9. This OFAC match clearly does not relate to me, because my name is Jose Luis Jimenez and I was born [REDACTED], not July 3, 1945, nor June 19, 1961.

10. I do not know if the OFAC alert is still on my Trans Union credit file or when it was first added.



1 11. I do not know the complete list of third parties to whom Trans Union sent this  
2 inaccurate OFAC alert, but the Trans Union credit report dated December 4, 2012 listed regular  
3 inquiries and account review inquiries.

4 12. Page 9 of the Trans Union credit report dated December 4, 2012 explained regular  
5 inquiries as follows:

6 Regular Inquiries: Regular Inquiries are posted when someone  
7 accesses your credit information from TransUnion. The presence  
8 of an inquiry means that the company listed received your credit  
information on the dates specified. These inquiries will remain on  
your credit file for up to 2 years.

9 13. Page 9 of the December 4, 2012 credit report listed three regular inquiries,  
10 requested between January 2, 2012 and September 19, 2012.

11 14. Page 11 of the Trans Union credit report dated December 4, 2012 explained  
12 account review inquiries as follows:

13 Account Review Inquiries: The listing of a company's inquiry in  
14 this section means that they obtained information from your credit  
15 file in connection with an account review or other business  
16 transaction with you. These inquiries are not seen by anyone but  
17 you and will not be used in scoring your credit file (except  
18 insurance companies may have access to other insurance company  
inquiries, certain collection companies may have access to other  
collection company inquiries, and users of a report for employment  
purposes may have access to other employment inquiries, where  
permitted by law).

19 15. Page 11 of the December 4, 2012 credit report listed four account review  
20 inquiries, requested between December 22, 2011 and November 1, 2012.

21 I declare under penalty of perjury that the foregoing is true and correct.  
22 Executed on \_\_\_\_\_

23 Jose Luis Jimenez

# **Exhibit A**







Rating	■	■	■	■	■	■	■	■	■	■	■
--------	---	---	---	---	---	---	---	---	---	---	---

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]













## Promotional Inquiries

The companies listed below received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.

### AMERICAN GENERAL FINANCE

601 NW 2ND ST  
EVANSVILLE, IN 47708  
(812) 468-5640  
Requested On: 09/27/2012, 07/27/2012

### BRAINSTORM USA LLC

8800 ROSWELL RD  
SUITE 200  
ATLANTA, GA 30350-1826  
Phone number not available  
Requested On: 09/15/2012

### DISCOVER FINCL SVC LLC

PO BOX 15316  
WILMINGTON, DE 19850-5316  
Phone number not available  
Requested On: 07/19/2012, 07/12/2012, 07/05/2012,  
06/28/2012, 06/21/2012, 06/21/2012, 06/14/2012

### FIRST PREMIER

3820 N LOUISE AVE  
SIOUX FALLS, SD 57107-0145  
(800) 584-7097  
Requested On: 03/01/2012

### LENDING CLUB

370 CONVENTION WAY  
REDWOOD CITY, CA 94063  
(800) 964-7937  
Requested On: 09/15/2012, 05/15/2012

### ONEMAIN FINANCIAL

300 SAINT PAUL PL  
BSP13A  
BALTIMORE, MD 21202  
(800) 352-6070  
Requested On: 08/01/2012, 05/26/2012, 04/19/2012,  
02/06/2012, 01/10/2012, 12/08/2011

### GE MONEY

4246 SOUTH RIVERBOAT RD  
SALT LAKE CITY, UT 84123  
Phone number not available  
Requested On: 06/27/2012, 04/25/2012

### ALLSTATE INSURANCE

2775 SANDERS RD  
NORTHBROOK, IL 60062-6110  
Phone number not available  
Requested On: 02/20/2012



## Account Review Inquiries

The listing of a company's inquiry in this section means that they obtained information from your credit file in connection with an account review or other business transaction with you. These inquiries are not seen by anyone but you and will not be used in scoring your credit file (except insurance companies may have access to other insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

### CAPITAL ONE BANK USA NA

PO BOX 30281  
SALT LAKE CITY, UT 84130  
(800) 258-9319

Requested On: 11/01/2012, 10/01/2012, 09/01/2012,  
08/01/2012, 06/01/2012, 06/01/2012, 05/01/2012,  
04/01/2012, 03/01/2012, 02/01/2012, 01/01/2012

### GECRB/ PAYPAL

PO BOX 965005  
ORLANDO, FL 32896-5005  
Phone number not available

Requested On: 09/27/2012, 09/20/2012, 08/29/2012,  
07/25/2012, 06/27/2012, 06/21/2012, 05/23/2012,  
04/25/2012, 03/28/2012, 03/22/2012, 02/22/2012,  
02/09/2012, 01/26/2012, 01/25/2012, 12/28/2011,  
12/22/2011

### T-MOBILE

12920 SE 38TH ST  
BELLEVIEW, WA 98006  
(800) 937-8997

Requested On: 10/08/2012, 04/02/2012, 01/28/2012

### PROGREXION via PROGEXION/ LEXINGTON LAW

330 N CUTLER DRIVE  
NORTH SALT LAK, UT 84054  
(801) 828-1818

Requested On: 09/25/2012  
Permissible Purpose: CREDIT TRANSACTION

-End of Credit Report-

Should you wish to contact TransUnion, you may do so,

Online:

[To learn about reporting an inaccuracy click here.](#)

For answers to general questions, please visit: [www.transunion.com](http://www.transunion.com)

By Mail:

TransUnion Consumer Relations  
P.O. Box 2000  
Chester, PA 19022-2000

By Phone:

(800) 916-8800

You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).

-Begin Additional Information-

## Additional Information

The following disclosure of information is provided as a courtesy to you. This information is not part of your TransUnion credit report, but may be provided when TransUnion receives an inquiry about you from an authorized party. This additional information can include Special Messages, Possible Office of Foreign Assets Control ("OFAC") Name Matches, Income Verification and Inquiry Analysis information. Any of the previously listed information that pertains to you will be listed below.

## Possible OFAC Match

The OFAC Database contains a list of individuals and entities that are prohibited by the U.S. Department of Treasury from doing business in or with the United States. Financial institutions are required to check customers' names against the OFAC Database, and if a potential name match is found, to verify whether their potential customer is the person on the OFAC Database. For this reason, some financial institutions may ask for your date of birth, or they may ask to see a copy of a government-issued form of identification, such as a Driver's License, Social Security card, passport or birth certificate. Some financial institutions will search names against this database themselves, or they may ask another company, such as TransUnion, to do so on their behalf. We want you to know that this information may be provided to such authorized parties.

As a courtesy to you, we also want to make you aware that the name that appears on your TransUnion credit file "JOSE LUIS JIMENEZ" is considered a potential match to information listed on the United States Department of Treasury's Office of Foreign Assets Control ("OFAC") Database.

The OFAC record that is considered a potential match to the name on your credit file is:

UST 03 'JOSE LUIS' INTERNATIONAL FARC COMMISSION MEMBER FOR PANAMA ALIASES: SALINAS PEREZ, OVIDIO CEDULA NO: 17125959 (COLOMBIA), COLOMBIA AFF: SDNTK DOB: 07/03/1945 OriginalSource: OFAC Aliases: SALINAS PEREZ, Ovidio Citizenship: COLOMBIA OriginalID: 11251 ALIASQUALITY: WEAK CEDULA NO: 17125959 (COLOMBIA) P\_ID: 247005

UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO AVENIDA INDEPENDENCIA, COLONIA ZONA URBANA RIO TIJUANA POB: ENSENADA, BAJA CALIFORNIA, MEXICO TIJUANA, BAJA CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961 OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA, BAJA CALIFORNIA, MEXICO NATIONAL NO: JIPJ610619HBCML07 (C.U.R.P. #, Mexico) P\_ID: 123442

UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO C/O INMOBILIARIA ESTADO 29 S.A. DE C.V. POB: ENSENADA, BAJA CALIFORNIA, MEXICO TIJUANA, BAJA CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961 OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA, BAJA CALIFORNIA, MEXICO NATIONAL NO: JIPJ610619HBCML07 (C.U.R.P. #, Mexico) P\_ID: 123442

UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO C/O INMOBILIARIA LA PROVINCIA S.A. DE C.V. POB: ENSENADA, BAJA CALIFORNIA, MEXICO TIJUANA, BAJA CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961 OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA, BAJA CALIFORNIA, MEXICO NATIONAL NO: JIPJ610619HBCML07 (C.U.R.P. #, Mexico) P\_ID: 123442

UST 03 JIMENEZ PEREZ, JOSE JULIAN BRUNO CALLE RIO BRAVO, COLONIA REVOLUCION POB: ENSENADA, BAJA CALIFORNIA, MEXICO TIJUANA, BAJA CALIFORNIA, MEXICO AFF: SDNTK DOB: 06/19/1961 OriginalSource: OFAC OriginalID: 9979 POB: ENSENADA, BAJA CALIFORNIA, MEXICO NATIONAL NO: JIPJ610619HBCML07 (C.U.R.P. #, Mexico)

For more details regarding the OFAC Database, please visit: <http://www.ustreas.gov/offices/enforcement/ofac/faq/index.shtml>

If you have additional questions or concerns, you can contact TransUnion at 1-855-525-5176 or via regular mail at: TransUnion LLC, P.O. Box 800, Woodlyn, PA 19094. When contacting our office, please provide your current file number 326177654.

### Inquiry Analysis

The companies that request your credit report must first provide certain information about you. Within the past 90 days, companies that requested your report provided the following information.

WELLS FARGO FINANCIAL NA  
Requested On: 09/19/2012

Identifying information they provided:  
JOSE JIMENEZ  
[REDACTED]  
SAN ANTONIO, TX [REDACTED]

-End of Additional Information-

### Consumer Rights

Para informacion en espanol, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20006.

#### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20006.

You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment -- or to take another adverse action against you -- must tell you, and must give you the name, address, and phone number of the agency that provided the information.

You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security Number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

- a person has taken adverse action against you because of information in your credit report;
- you are the victim of identity theft and place a fraud alert in your file;
- your file contains inaccurate information as a result of fraud;
- you are on public assistance;
- you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for more information.

You have the right to ask for a credit score. Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of

dispute procedures.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

Access to your file is limited.

A consumer reporting agency may provide information about you only to people with a valid need - usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

You must give your consent for reports to be provided to employers.

A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

You may limit "prescreened" offers of credit and insurance you get based on information in your credit report. Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688 (888-5OPTOUT).

You may seek damages from violators.

If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

Identity theft victims and active duty military personnel have additional rights.

For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
1. a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates.	Bureau of Consumer Financial Protection 1700 G Street NW Washington, DC 20006
b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the Bureau:	Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
2. To the extent not included in item 1 above:	
a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks	Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050 1-800-613-6743
b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act	Federal Reserve Consumer Help (FRCH) PO Box 1200 Minneapolis, MN 55480 1-888-851-1920 Website Address: <a href="http://www.federalreserveconsumerhelp.gov">www.federalreserveconsumerhelp.gov</a> Email Address: <a href="mailto:ConsumerHelp@FederalReserve.gov">ConsumerHelp@FederalReserve.gov</a>
c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and Insured state savings associations	FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106
d. Federal credit unions	National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314 1-703-519-4600
3. Air carriers	Asst. General Counsel for Aviation Enforcement & Proceedings Department of Transportation 400 Seventh Street SW Washington, DC 20590 1-202-366-1306
4. Creditors Subject to Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 1925 K Street NW Washington, DC 20423
5. Creditors subject to Packers and Stockyards Act	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 406 Third Street, SW, 8th Floor Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F St NE Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center-FCRA Washington, DC 20580 1-877-382-4357

Information Regarding State Laws  
Texas Residents

As of September 1, 2003 you have the right to place a security alert in your consumer file, which will warn anyone who receives information in your consumer file that your identity may have been used without your consent and that recipients of your consumer file information are advised to verify your identity prior to issuing credit. The security alert may prevent credit,

loans, and services from being approved in your name without your consent. The security alert may delay or interfere with the timely approval of any subsequent request or application you make that involves access to your credit information such as a new loan, credit, mortgage, insurance, rental housing, employment, investment, license, cellular phone, utilities, digital signature, Internet credit card transaction, and an extension of credit at point of sale. The security alert will remain on your consumer file for not less than 45 days after the date the security alert is placed on your file. You have the right to obtain a free copy of your consumer file every 45 days while the security alert is in effect. A security alert may be requested by calling

TransUnion  
Fraud Victim Assistance Department Phone: 800-680-7289

Equifax Credit Information Services  
Consumer Fraud Division Phone: 800-525-6285

Experian  
Experian's National Consumer Assistance Phone: 888-397-3742

Or, it may be requested in writing by sending a request to

TransUnion  
Fraud Victim Assistance Department  
P.O. Box 6790  
Fullerton, CA 92834 Fax: 714-447-6034

Equifax Credit Information Services  
Consumer Fraud Division  
P.O. Box 105069  
Atlanta, GA 30348

Experian  
Experian's National Consumer Assistance  
P.O. Box 1017  
Allen, TX 75013

As of September 1, 2003 you have the right to place a security freeze on your consumer file, which will prohibit a consumer credit reporting agency from releasing any information in your consumer file without your express authorization. However your consumer file can be released without your express authorization if the intended use is one of those specified by Texas law as being exempt from security freezes. A security freeze must be requested in writing. A security freeze may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make that involves access to your consumer file such as a new loan, credit, mortgage, insurance, rental housing, employment, investment, license, cellular phone, utilities, digital signature, Internet credit card transaction, and an extension of credit at point of sale. When you place a security freeze on your consumer file, you will be provided a personal identifier to use if you choose to remove the freeze or authorize the release of your consumer file. To provide that authorization you must contact the consumer credit reporting agency and provide all of the following

- 1) The personal identifier
- 2) Proper identification to verify your identity
- 3) The period of time for which your consumer file shall be available and/or the proper information regarding the third party who is to receive your consumer file.

As of September 1, 2007 a consumer reporting agency may charge a Texas consumer who is not a victim of identity theft a fee not to exceed \$10.00 for each request to place, remove, or temporarily lift a security freeze on his or her consumer file. A fee not to exceed \$12.00 may be charged for temporarily lifting a security freeze for an identified requester. On January 1 of each year the security freeze fee may be increased. The increase, if any, must be based proportionally on changes to the Consumer Price Index for All Urban Consumers as determined by the United States Department of Labor with fractional changes rounded to the nearest 50 cents.

You have the following rights to file action in court or arbitrate disputes:

- (1) An action to enforce an obligation of a consumer reporting agency to a consumer under the Texas Regulation of Consumer Credit Reporting Agencies (Texas Business and Commerce Code Chapter 20) may be brought in court as provided by the FCRA, as amended, or, if agreed to by both parties, may be submitted to binding arbitration after you have followed all dispute procedures in Section 20.06 and have received the notice specified in Section 20.06(f) in the manner provided by the rules of the American Arbitration Association.
- (2) A decision rendered by an arbitrator does not affect the validity of an obligation or debt owed by the consumer to any party.
- (3) A prevailing party in an action or arbitration proceeding shall be compensated for the party's attorney fees and costs of the proceeding as determined by the court or arbitration.
- (4) A consumer may not submit to arbitration more than one action against a particular consumer reporting agency during any 120-day period.
- (5) The results of an arbitration action brought against a consumer reporting agency doing business in Texas shall be communicated in a timely manner to other consumer reporting agencies doing business in Texas.