



1. I, Laura Lynn Hammett, Plaintiff in Pro Se, Affiant hereto, am over the age of 18 and competent to testify. I state the following under penalty of perjury and it is true to the best of my knowledge and belief.

2. I filed a complaint about PRA's abusive defense tactics during this FDCPA litigation on July 2, 2023. PRA responded to the complaint on July 17, 2023. PRA contradicted its statements to this Court. "In response to [Hammett's] dispute, we closed the PRA account ending in 6049 and ceased all communications regarding collection of the PRA account unless otherwise permitted or required by applicable law." A true and correct copy of the entire CFPB complaint process is included as Exhibit A.

3. I filed my lawsuit in good faith. There was no bad faith on my part. I have filed about 12 lawsuits and arbitrations in my entire life. I owned several businesses including a real estate brokerage and bought, renovated and sold at least 10 houses. I have found evidence that PRA files as many lawsuits during each business hour as I as a sole proprietor and an individual filed in a lifetime. I am not litigious. My anxiety is triggered by litigation, so I avoid it except as a last resort. PRA was calling me from at least August 2020 to February 18, 2021 despite my blocking its number (it had an unlimited supply), letting calls go to voicemail, telling it to stop calling me, speaking to it on a recorded line, telling it that it "verified" I was Laura Lynn, telling it that I did not remember living at 5757

Erlanger, and telling it I had no debt. On February 18, 2021 I told PRA I was filing a lawsuit and it stopped calling after that. It did continue to try to collect information about me by sending a letter that asked for my social security number, previous addresses and other information and showed an account balance of \$2,297.63. The lawsuit was necessary to make PRA stop telling me I owed money, which they did, or tell me what charges were made on the account so I could deduce who had used the account fraudulently, which PRA never did.

4. I am self-taught all the law I know. I am ill and live on about \$630 per month total income. My disease includes Hashimotos disease, indicated by off the chart thyroglobulin antibodies, recent onset of Hypothyroidism, a vitamin D Deficiency and low testosterone. (A true and correct copy of my latest blood work is included as Exhibit B) These ailments are intricately involved with my stress levels. They leave me fatigued and with brain fog. They cause lack of ambition. It is a monumental effort for me to do anything but sit on my yoga mat doing yin postures and writing free flow, or cuddling with my husband watching T.V.

5. PRA has two premiere law firms working on the case. PRA and its parent company have about a billion dollars in assets and can borrow up to \$2.6 Billion.

6. I could not have known that Defendant would alter its business records, lie about when it started calling my cell phone, withhold documents that were requested and produce the single account statement eight months after the OOJs

were made. There was also no indication to me that PRA would assert that it “waived” the alleged debt. And there was certainly no indication that the Court would ignore the defendant’s blatant misconduct, misquote me in favor of the defendant, misinterpret the true sentence and fail to assess the evidence accurately.

7. I asked ChatGBT OpenAI to analyze the meaning of the misquoted sentence and the actual sentence, using the FDCPA meaning of “debt” to be “alleged debt”.

Q: I wrote, “I am a consumer in respect to any debt incurred by me on a credit card issued by Capital One Bank in or about 2001, as I used any credit card to purchase household items, food and other consumer items.” Does this mean I agree that I owed a particular debt. Or does it mean that if I owed the debt, it was used to purchase consumer goods?

A: Based on the statement you provided, it seems that you are acknowledging that you used a credit card issued by Capital One Bank to make purchases for household items, food, and other consumer goods. However, it does not necessarily mean that you are admitting to owing a particular debt.

It is possible that you are acknowledging the use of the credit card but disputing the amount of the debt or any fees or charges that may have been added to the original debt. Alternatively, you may be acknowledging that you owed the debt, but you are simply explaining the nature of the purchases that were made using the credit card.

Overall, the statement you provided suggests that you used a Capital One credit card for consumer purchases, but it does not necessarily indicate whether you acknowledge or dispute any particular debt related to those purchases.

Q: How does the meaning change if I change the sentence to, "I am a consumer in respect to any alleged debt incurred by me on a credit card issued by Capital One Bank in or about 2001, as I used any credit card to purchase household items, food and other consumer items."

A: By changing the word "debt" to "alleged debt" in the sentence, you are indicating that you do not necessarily acknowledge that you owe the debt. The term "alleged" suggests that you are disputing the existence or validity of the debt and that you are not admitting to owing the debt.

The rest of the sentence remains the same, indicating that you used a Capital One credit card to make purchases for household items, food, and other consumer items. However, the addition of "alleged" before "debt" makes it clear that you are not admitting to owing the debt and that you may be disputing its validity or accuracy.

8. I knew going into the lawsuit that I did not owe a debt to PRA, that the phone calls they made to me would have the tendency to annoy anyone and that because of my illness, I was stressed acutely by the calls. The people I told about

the situation, Naomi Pike, my sons, my hair stylist, my therapist and random people at a poker table, all had difficulty deciding what punitive damages would be, but all said at least a million dollars would be reasonable.

9. This litigation combined with the malicious prosecution against me by Micheal Pietrczak, one of the main suspects of using the -6049 account fraudulently, caused unbearable stress on me. I got frozen shoulder syndrome during the time PRA was calling my -6000 number and had manual manipulation under anesthesia. I got frozen shoulder syndrome again right after learning that PRA agreed to pay \$25 Million for doing the same things I complained about to hundreds of thousands of other people. It shocked my conscience that PRA would fight me and lie in court and continue to do so after settling just a portion of the claims that I made against them.

10. I do not tape record many phone calls. When I have reason to believe a person has nefarious motives or has lied to me in the past, I try to turn on my computers recorder and put the call on speaker phone. I decided that was the only way I could talk to PRA on November 18, 2020.

11. I received no debt collector calls since February 18, 2021, except one to a person named Laura Lynn whose birthday is August 19, 1962 and one to a person named Liz Lynn, the same name as my former daughter-in-law who received a

debt collection notice from Capital One Bank at my mailing address on Garnett in San Diego.

12. Dr. Sanjay Adhia lied about what was said in a defense medical exam and made a diagnosis that contradicted the diagnosis my procession of competent healthcare providers over the course of a decade made. Dr. Adhia was falling asleep during the exam and I woke him. After I gave a dramatization of one of Micheal Pietrczak's drunken soliloquies, with my heart pounding and what anyone would notice as disassociation, Dr. Adhia abruptly switched to giving me a cognitive exam. I protested and left the room to find Mr. Mitchell. After a few minutes I calmed down and agreed to continue with the cognitive exam.

13. I have never played poker online for money, therefore I had no online poker losses. I published my book subtitled "What it Takes to Play Poker Without Losing Your Assets". It is text only, because I have not had time to add the graphics, pictures of the hands I am describing.

14. I felt the entire litigation that PRA would disclose my therapy records to the public and to Micheal Pietrczak's attorney in particular. Mr. Pietrczak's attorney moved that court for a competency exam for me, which was denied. (That was one of the rare good calls on that case.) PRA did disclose my credit report. Though they redacted it after I caught the violation, that is a bell that can't be unrung.

15. Conventional filing increased my costs by approximately \$8,000. Had I saved that \$8,000, I could have afforded to hold a pre-trial deposition of Meryl Dreano (though PRA did not disclose the names of potential witnesses until it would be too late to compel a deposition); and I could have hired more clerical help. (Though paralegals are not allowed to work without attorney supervision, so the clerical help would not be up to par.) As per the Court's order allowing me an extra week to file this response, the Court did not seem familiar with the automatic extension of time for conventional filers to file. Because I am such a nervous person and had trouble with the Pietrczak Court entering orders without giving me an opportunity to respond to motions, and this Court granted a few motions to PRA without waiting for a response from me, I always used the electronic filing timeline, so I lost days. Even with the extra days, I am ill, I hate driving, there is often inclement weather, and when I do drive to Little Rock I try to schedule in chores and visiting my son and granddaughter, so often I need to lose half a day. Like today, I am finishing this affidavit, then need to get it notarized, then drive to Little Rock, so I am shooting for finishing at noon, rather than 4:30. Then hope to have enough energy to pick up groceries.

16. Defendant made several claims that I have significant assets. This is not true. Defendant misuses the fact that I did not apply for in forma pauperis status to contend that I have significant assets. The in forma pauperis application requires



me to disclose personal financial information of my husband and include his assets in consideration of eligibility. He is a private person and will not authorize such an invasion into his privacy. My spouse and I file taxes separately and have no common ownership of assets. Forcing my husband to disclose his personal finances will cause discord in the marriage. A search of public records shows that my husband had a non-judicial foreclosure, writ of assistance and a repossession during his divorce from his former spouse. He made no appearances and did not contest the divorce. James Hammett joined me on a suit that was settled by Home Depot, because Mr. Hammett paid for the faulty HVAC from which the case arose. The non-settling defendants altered business records using Adobe Acrobat or similar, and that Court still dismissed the case against those defendants. Mr. Hammett has also my health deteriorate dramatically since getting involved with the courts. My husband has observed me using all my limited energy typing, surrounded by court documents and unable to sleep, even breaking out in tears. Therefore, it is reasonable to assume James Hammett distrusts the courts.

17. I would rather file for bankruptcy than to cause discord in my marriage. Therefore, I did not fill out the in forma pauperis application.

18. I qualify for legal aid. (A true and correct copy of two emails from Center for Arkansas Legal Services is attached as Exhibit C) I did not think I would

qualify in the beginning, because I had assets then. It turned out they do not consider assets, just income. I was too late in asking.

19. I qualified for Medicaid. (A true and correct copy of my approval is attached as exhibit D. It is redacted of information about my spouse.)

20. I am filing my Form 1040 for 2022, which shows an annual pension of \$7,556 and a business loss from writing of \$7,353. Writing is not a hobby for me. I intend to generate income. I brought in revenue of \$30,000 during the first three months of this year, when all my cases were on hold, but I had to pay off personal loans with that money. Notice that I file separately.

21. I am not filing my 1040 under seal because of the extra expense of printing another 4 copies of the entire motion package and the time it takes to write a motion. That is also why I tried to leave out anything that was under seal from all my documents or filed whole documents under seal without a redacted copy.

22. PRA is abhorrent to try to multiply the proceedings to bankrupt a sixty-year-old person with a litany of health issues, and then claim it is I who tried to increase the costs of litigation.

23. PRA lied with numbers, trying to support a claim that it knows cannot be supported with evidence, that I am financially capable of settling their costs. [242] the BIS, ¶ 20. PRA misquoted and misinterpreted the SAC “Dkt. No. 174 ¶¶ 92, 94”. From reading the Sherman case and my blog, PRA knows the \$575,000 I

invested in the stock market was not my only assets at the time. (I liquidated a good share of my remaining assets to support myself or had my other assets taken from me in the past two years.) The citation includes these sentences. “When her portfolio value fell to what she owed to the margin account plus \$75,000, Hammett sold everything. That was March 16, 2020. Half her net worth was wiped out.”

There is nothing that says, as PRA claimed, that I “has stated that she has approximately \$325,000 invested in the stock market”, then subtracted \$250,000 that PRA invented that I “stated” that I lost “due to poor investments”). This is as false or worse than the lies about me losing money in illegal poker online. The citation says “When her portfolio value fell to what she owed to the margin account plus \$75,000, Hammett sold everything. That was March 16, 2020. Half her net worth was wiped out.” Simple math. I said I had \$575,000 of my own money in the stock market and sold everything when the value of the account fell to \$75,000. That is a \$500,000 loss.  $500,000 \neq 250,000$ . ( $2,297.63 \neq 0.00$ , either.)

24. As I wrote, I invested in only companies whose products I used myself, such as American Airlines, Boeing, and Dollar Tree ...And I did not have a crystal ball telling me that the COVID-Crash would end the day I liquidated. I was on margin and had to sell; two more days of \$60,000 losses would have forced me to liquidate my real estate or settle my lawsuit against the other shareholders in my

LLC who are still refusing to release my equity to me or even let me see the books and records. The remaining balance on my capital account is about \$70,000.

25. As I wrote in my blog that PRA reads, I had my Witts Spring property rights seized even after being dismissed with prejudice in a lawsuit asking to transfer my property rights. That case is on appeal.

26. As I wrote in my blog that PRA reads, I was ordered to pay an attorney fee award of almost \$100,000 in the Sherman case which is on appeal. In Sherman, the attorney defendants filed an anti-SLAPP suit instead of treating a derivative legal malpractice claim filed by a non-attorney as void.

27. As the Court noted in his combined order on motions for summary judgment, I did not depose any opposing party. This was because I could not afford the cost. Contrary to the Court's implication, depositions are not mandatory. I had enough evidence to withstand a motion for summary judgment without taking any depositions, had the Court not ruled in error.

28. Should I win on my two appeals and somehow manage to collect from my adversaries who have made fraudulent transfers, I will have about \$270,000. I am plaintiff in two other cases, but they both are presided over by the same judge that seized my rights to real estate after dismissing me with prejudice. As of now, my only income is a \$630 per month pension, the work I succeeded at in the past takes

too much energy for me, especially while trying to fight injustice in court, and my assets can all be protected in a Chapter 7 bankruptcy using the federal exemptions.

29. My home is owned by my husband. I borrowed \$30,000 from a private party over the past two years and was able to generate enough revenue during the stay of proceedings in this case and a lull in my other cases to pay it off. Mr. Hammett wants to use his remaining liquid assets to improve his property and build his businesses.

30. I intend to generate revenue by writing books about my experiences in court, but do not have the time.

31. Costs for Pivot Copy Service that were presented by the defendant were higher than necessary. (Dkt. No. 242-3) Defendant refused to inspect the documents requested before copying, therefore I was compelled to provide much more evidence than the defendant used. In fact, the defendant did not look at the evidence or chose to ignore it. This is consistent with the defendants sending a subpoena duces tecum ordering Dr. Josie Owens to appear for a deposition, then not deposing the doctor when she took off a day of treating patients to appear.

32. PRA demanded the production of hundreds of thousands of documents for copying, without accepting my offer to let PRA inspect the documents in my home office to limit the documents first. [242 at 67]. I limited the overbroad production to under 4,500 pages. PRA referred to few pages until filing BIS, Exhibit F. It then

misused even that one document. PRA claimed that the document showed “Plaintiff is financially capable”. [242 at 7]. The quotations were historical. That money is spent.

33. PRA, in violation of our confidentiality agreement, a contract, stated that it “attempt[ed] to reach a reasonable settlement” at the mediation. Not only did PRA violate the confidentiality, but misstated what took place at the settlement charade. I grew tired of waiting for the mediator to return from her supposed private discussion with PRA counsel, so started carrying boxes of my documents out to my car. I peered into an open door to a conference room and saw the mediator chatting with an administrative assistant. It looked like a friendly and unhurried chat. There were no attorneys present and the audio-visual screen for remote meetings was off. It appeared to me that the two women were just friends or acquaintances killing time.

34. The numerous other settlement offers made by the plaintiff throughout were far less than the punitive portion of the previous two settlements with the CFPB regarding the same conduct I complained about and far less than the jury awarded in the similar case of Guadalupe Mejia. I hope the CFPB opens an investigation into the strong arm tactics used by Portfolio Recovery Associates, LLC to force settlements that make it cost effective to continue PRA’s bad conduct rather than acting as a deterrence.

35. The court misinterpreted my sentence that meant all my credit cards were used to purchase consumer goods exclusively, not that I incurred an unpaid debt to Capital One.

36. PRA refused to answer interrogatories and requests for production of documents. I believed I would prevail at trial by asking the same questions and others there. It was the late production of the alleged closing statement that caused me a need to depose (in writing) a Capital One representative and Meryl Dreano.

37. PRA claimed the purpose of the Fraud/Identity Theft letter was to “help” me. There was no explanation of how it might help me. PRA did not produce any documentation nor tell me where the charged money was spent before giving me the Fraud/Identity Theft letter. So, I could not possibly know who committed the fraud with enough accuracy to make accusations without witness immunity afforded by a court proceeding. Especially since one suspect, Timothy Lynn, who forced my then teenage son to steal her credit card account files, had filed several restraining orders against me based on my making complaints about him. (Hammett deposition, [164] Vol II, exhibit 5, under seal) (My Stanford/Hastings attorney who represented me in one restraining order hearing said he had never heard a judge speak so spitefully about a litigant and that I should never step foot inside a courtroom in California again. I think the courts in Arkansas are off limits to me as well.)

38. Contrary to defendant's repeated lies, I can probably qualify for bankruptcy protection now, but am waiting to file until after this and two other cases go through appeal.

39. I attempted to close the equity gap between the Defendant, who has access to \$2.6 Billion in credit and herself, a 60-year-old woman in ill health living on a \$639 per month pension that has no cost of living increase. Had the Court granted my motion for partial summary judgment expeditiously, legal aid would have represented me and there is a chance another attorney would take the case on contingency. Instead, legal aid rejected the case based on the Court granting summary judgment to the defendant.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct to the best of my personal knowledge.

July 19, 2023



Laura Lynn Hammett  
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Plaintiff Pro Se



CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2023, a true and exact copy of the foregoing was filed with the Clerk of the Court for entry on the electronic filing system which will cause service upon all counsel of record via email.

Laura Hammett

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Plaintiff Pro Se

State of Arkansas  
Faulkner County

The foregoing affidavit was sworn to and subscribed before me this 19th day of July, 2023, by Laura Lynn Hammett who produced her driver's license as identification.

*Jessica Helms*



My commission expires on Feb 23, 2026