

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

NOV 15 2021

TAMMY H. DOWNS, CLERK  
By:  DEP CLERK

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS

LAURA LYNN HAMMETT, an individual,	)	Case No.: 4:21-CV-00189-LPR
	)	
	)	
Plaintiff,	)	<b>Plaintiff Laura Lynn Hammett's</b>
	)	<b>Motion to Amend the First Amended</b>
vs.	)	<b>and Supplemented Complaint</b>
	)	
PORTFOLIO RECOVERY ASSOCIATES, LLC, a Limited Liability Company; DOES 1-99	)	
	)	
Defendants	)	
	)	
	)	

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COMES NOW Plaintiff, Laura Lynn Hammett, to move the Court for leave to amend and supplement the First Amended and Supplemented Complaint in the case captioned above.

1. A copy of the proposed amended and supplemented complaint is attached as Exhibit 1.
2. The following changes were made from the First Amended and Supplemented Complaint:
  - a. Portfolio Recovery Associates, LLC's parent company, PRA Group, Inc. was substituted for Defendant Doe 1.
  - b. Direct and vicarious liability for the LLC's actions was established as imputed to the parent company.
  - c. Compumail Information Services, Inc. was substituted for Defendant Doe 2.
  - d. Compumail was established as an active participant in the mailings complained of instead of as a print and post service.
  - e. Changed use of "PRA" to mean Portfolio Recovery Associates, LLC and PRA Group, Inc. combined.
  - f. Changed use of "Defendants" to mean all defendants.
  - g. Changed the shortened version of Portfolio Recovery Associates, LLC to "the LLC" where the averment pertained only to the LLC.
  - h. Added a claim for Bodily Injury to Intentional Infliction of Emotional Distress, Outrage, to describe how being woken effected Plaintiff emotionally and how emotional distress caused physical harm.

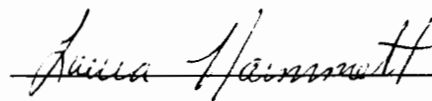
- i. Added a claim for negligence as an alternative to the IIED and bodily injury, if the jury finds the Defendants' actions were unintentional.
- j. Supplemented cause of action for invasion of privacy on seclusion.
- k. Added to the introduction because of the additional claims and defendants.
- l. Removed redundant material such as the repetition of the LLC's residency.
- m. Corrected that required disclosures were not "never sent". The required disclosures were not sent after the first successful communication nor after the first time Plaintiff gave the LLC a valid mailing address. The LLC's initial disclosures show the Defendants sent the required disclosures to an invalid address, therefore it was not a "communication"; it was an "attempted communication".
- n. Added FDCPA violations of section 807(2)(A).
- o. Added FDCPA violations of sections 1031(a) and 1036(a) of the CFPA, 12 U.S.C. §§ 5531(a) and 5536(a) and (c).
- p. Added estimate of LLC 2013 revenue of \$1.2 Billion in paragraph.
- q. Updated the results of a sleep apnea test as positive.
- r. Corrected an innocent error. "She made three more recordings before filing suit and one after" was changed to "two after". (Each recording was documented separately in the First Amended Complaint and included in initial disclosures. Plaintiff caught the error when reading through for the interrogatories.)
- s. Made it more clear that the alleged debt was never verified.

- t. Removed a typo cross out.
- u. Removed allegations of use of an auto-dialer.
- v. Removed phrase about having UPS Store notarize the sealed envelopes. That was Plaintiff's plan, but the UPS Store did not like the idea and the LLC attorneys started emailing copies of correspondence to Hammett, so the notarizations ceased.
- w. Added facts that occurred subsequent to filing the First Amended Complaint. One in particular is that the Defendants sent two more letters that corrected the "Laura Lyman" letter to say "Laura Lynn" and the same account number as the first letter sent by Defendants that was received by Plaintiff.
- x. Added facts of abusive litigation practices that violate the FDCPA. The LLC is trying to make Plaintiff prove she did not owe a debt. Plaintiff need only show that the Defendants did not have verification of the alleged debt and knew there
- y. Added facts that distinguish between "communications" and "attempted communications".

Respectfully Submitted,

Laura Lynn Hammett  
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Conway, Arkansas 72032  
(760) 966-6000  
TheNext55Years@Gmail.com  
Plaintiff in Pro Se

Dated November 15, 2021



Laura Lynn Hammett

Certificate of Service

Plaintiff Laura Lynn Hammett's Motion for Leave to Amend the First Amended and Supplemented Complaint and Exhibit (the amendment) was served on Counsel of Record by filing with the Clerk of the Court who inputs the document in the electronic filing system that automatically notifies and serves the document.

Dated November 15, 2021

A handwritten signature in cursive script that reads "Laura Hammett". The signature is written in black ink and is positioned above a horizontal line.

Laura Lynn Hammett