

Exhibit A

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

Jenae Knox, <i>on behalf of herself and others</i>)	Case No:
<i>similarly situated,</i>)
)
Plaintiff,)
)
v.)
)
Maximus Education, LLC, dba Aidvantage,)
)
Defendant.)
_____)

Nature of this Action

1. Jenae Knox (“Plaintiff”) brings this class action against Maximus Education, LLC, dba Aidvantage (“Defendant”) under the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”).
2. Upon information and good faith belief, Defendant routinely violates 47 U.S.C. § 227(b)(1)(A)(iii) by using or causing to be used an artificial or prerecorded voice in connection with non-emergency calls it places or causes to be placed to telephone numbers assigned to a cellular telephone service, without prior express consent.

Jurisdiction and Venue

3. This Court has subject matter jurisdiction under 47 U.S.C. § 227(c)(5) and 28 U.S.C. § 1331.
4. Venue is proper before this Court under 28 U.S.C. § 1391(b) as a substantial portion of the events giving rise to this action occurred in this district.
5. In particular, the subject artificial or prerecorded voice messages were directed to Plaintiff’s cellular telephone in this district, and Plaintiff received the subject artificial or

prerecorded voice messages in this district.

Parties

6. Plaintiff is a natural person who at all relevant times resided in Montgomery, Alabama.
7. Defendant is a company located in Greenville, Texas.
8. Defendant is a loan servicer.

Factual Allegations

9. Plaintiff is, and has been since sometime in 2019, the subscriber to, and regular and sole user of, her cellular telephone number—(334) 294-XXXX.

10. On November 29, 2024, at or around 10:30 am, Defendant placed or caused to be placed a call to telephone number (334) 294-XXXX.

11. In connection with this November 29, 2024 call, Defendant delivered or caused to be delivered an artificial or prerecorded voice message that states:

We have important information regarding your Department of Education loan serviced by Aidvantage. Please call us toll-free at your earliest convenience at 1-800-722-1300, Monday 8:00 am to 9:00 pm, Tuesday and Wednesday 8:00 am to 8:00 pm, or Thursday and Friday 8:00 am to 6:00 pm Eastern. You can also obtain information and manage your account online at aidvantage.studentaid.gov. Thank you from Aidvantage Department of Education loan services.

12. On November 29, 2024, at or around 11:34 am, Defendant placed or caused to be placed a call to telephone number (334) 294-XXXX.

13. In connection with this November 29, 2024 call, Defendant delivered or caused to be delivered an artificial or prerecorded voice message that states:

We have important information regarding your Department of Education loan serviced by Aidvantage. Please call us toll-free at your earliest convenience at 1-800-722-1300, Monday 8:00 am to 9:00 pm, Tuesday and Wednesday 8:00 am to 8:00 pm, or Thursday and Friday 8:00 am to 6:00 pm Eastern. You can also obtain

information and manage your account online at aidvantage.studentaid.gov. Thank you from Aidvantage Department of Education loan services.

14. On November 30, 2024, at or around 11:11 am, Defendant placed or caused to be placed a call to telephone number (334) 294-XXXX.

15. In connection with this November 30, 2024 call, Defendant delivered or caused to be delivered an artificial or prerecorded voice message that states:

We have important information regarding your Department of Education loan serviced by Aidvantage. Please call us toll-free at your earliest convenience at 1-800-722-1300, Monday 8:00 am to 9:00 pm, Tuesday and Wednesday 8:00 am to 8:00 pm, or Thursday and Friday 8:00 am to 6:00 pm Eastern. You can also obtain information and manage your account online at aidvantage.studentaid.gov. Thank you from Aidvantage Department of Education loan services.

16. Plaintiff received and listened to the artificial or prerecorded voice messages Defendant delivered or caused to be delivered to telephone number (334) 294-XXXX.

17. The speech pattern of the artificial or prerecorded voice messages Defendant delivered or caused to be delivered to telephone number (334) 294-XXXX on November 29, 2024 and November 30, 2024 is consistent with the use of an artificial or prerecorded voice, and not consistent with live speech.

18. The artificial or prerecorded voice messages Defendant delivered or caused to be delivered to telephone number (334) 294-XXXX on November 29, 2024 and November 30, 2024 are identical in content and sound.

19. Plaintiff does not, nor did, have a student loan.

20. Plaintiff does not, nor did, have any business relationship with Defendant.

21. Plaintiff did not provide telephone number (334) 294-XXXX to Defendant.

22. Defendant did not obtain telephone number (334) 294-XXXX from Plaintiff.

23. Plaintiff did not give Defendant prior express consent to place calls, in connection with which an artificial or prerecorded voice was used, to telephone number (334) 294-XXXX.

24. Defendant did not obtain from Plaintiff prior express consent to place calls, in connection with which an artificial or prerecorded voice was used, to telephone number (334) 294-XXXX.

25. Each of the artificial or prerecorded voice messages Defendant delivered or caused to be delivered to telephone number (334) 294-XXXX were intended for someone other than Plaintiff—someone named Christina.

26. On at least one occasion Plaintiff spoke with Defendant, informed Defendant that it had placed calls to a wrong number—telephone number (334) 294-XXXX—and instructed Defendant to stop placing calls to telephone number (334) 294-XXXX.

27. Defendant, nonetheless, continued to place or cause to be placed calls to telephone number (334) 294-XXXX.

28. Defendant placed or caused to be placed the subject calls to telephone number (334) 294-XXXX for non-emergency purposes.

29. Defendant placed or caused to be placed the subject calls to telephone number (334) 294-XXXX voluntarily.

30. Defendant placed or caused to be placed the subject calls to telephone number (334) 294-XXXX under its own free will.

31. Defendant had knowledge it was using or causing to be used an artificial or prerecorded voice in connection with the subject calls it placed or caused to be placed to telephone number (334) 294-XXXX.

32. Plaintiff suffered actual harm as a result of the subject artificial or prerecorded voice messages in that she suffered an invasion of privacy, an intrusion into her life, and a private nuisance.

Class Action Allegations

33. Plaintiff brings this action under Federal Rule of Civil Procedure 23, and as a representative of the following class:

All persons throughout the United States (1) to whom Maximus Education, LLC, dba Aidvantage placed or caused to be placed a call, (2) directed to a telephone number assigned to a cellular telephone service, but not assigned to a current or former Maximus Education, LLC, dba Aidvantage customer or account holder, (3) in connection with which Maximus Education, LLC, dba Aidvantage used or caused to be used an artificial or prerecorded voice, (4) from four years preceding the date of this class action complaint through the date of class certification.

34. Excluded from the class are Defendant, its officers and directors, members of their immediate families and their legal representatives, heirs, successors, or assigns, and any entity in which Defendant has or had a controlling interest.

35. Upon information and belief, the members of the class are so numerous that joinder of all of them is impracticable.

36. The exact number of members of the class is unknown to Plaintiff at this time, and can be determined only through appropriate discovery.

37. The class is ascertainable because it is defined by reference to objective criteria.

38. In addition, the members of the class are identifiable in that, upon information and good faith belief, their telephone numbers, names, and addresses can be identified in business records maintained by Defendant, and by third parties.

39. Plaintiff's claims are typical of the claims of the members of the class.

40. As it did for all members of the class, Defendant placed or caused to be placed calls

to Plaintiff's cellular telephone number in connection with which it used an artificial or prerecorded voice.

41. Plaintiff's claims, and the claims of the members of the class, originate from the same conduct, practice, and procedure on the part of Defendant.

42. Plaintiff's claims are based on the same theories as are the claims of the members of the class.

43. Plaintiff suffered the same injuries as the members of the class.

44. Plaintiff will fairly and adequately protect the interests of the members of the class.

45. Plaintiff's interests in this matter are not directly or irrevocably antagonistic to the interests of the members of the class.

46. Plaintiff will vigorously pursue the claims of the members of the class.

47. Plaintiff has retained counsel experienced and competent in class action litigation.

48. Plaintiff's counsel will vigorously pursue this matter.

49. Plaintiff's counsel will assert, protect, and otherwise represent the members of the class.

50. The questions of law and fact common to the members of the class predominate over questions that may affect individual members of the class.

51. Issues of law and fact common to all members of the class are:

- a. Defendant's conduct, pattern, and practice as it pertains to placing or causing to be placed calls in connection with which it uses an artificial or prerecorded voice;
- b. Defendant's conduct, pattern, and practice as it pertains to placing or causing to be placed calls to wrong or reassigned cellular telephone numbers; and
- c. The availability of statutory penalties.

52. A class action is superior to all other available methods for the fair and efficient adjudication of this matter.

53. If brought and prosecuted individually, the claims of the members of the class would require proof of the same material and substantive facts.

54. The pursuit of separate actions by individual members of the class would, as a practical matter, be dispositive of the interests of other members of the class, and could substantially impair or impede their ability to protect their interests.

55. The pursuit of separate actions by individual members of the class could create a risk of inconsistent or varying adjudications, which might establish incompatible standards of conduct for Defendant.

56. These varying adjudications and incompatible standards of conduct, in connection with presentation of the same essential facts, proof, and legal theories, could also create and allow the existence of inconsistent and incompatible rights within the class.

57. The damages suffered by the individual members of the class may be relatively small, thus, the expense and burden to litigate each of their claims individually make it difficult for the members of the class to redress the wrongs done to them.

58. The pursuit of Plaintiff's claims, and the claims of the members of the class, in one forum will achieve efficiency and promote judicial economy.

59. There will be no extraordinary difficulty in the management of this action as a class action.

60. Defendant acted or refused to act on grounds generally applicable to the members of the class, making final declaratory or injunctive relief appropriate.

Count I
Violation of 47 U.S.C. § 227(b)(1)(A)(iii)

61. Defendant violated 47 U.S.C. § 227(b)(1)(A)(iii) by using or causing to be used an artificial or prerecorded voice in connection with calls it placed or caused to be placed to Plaintiff's cellular telephone number—telephone number (334) 294-XXXX—and the cellular telephone numbers of the members of the class, without consent.

62. As a result of Defendant's violations of 47 U.S.C. § 227(b)(1)(A)(iii), Plaintiff and the members of the class are entitled to damages in an amount to be proven at trial.

Prayer for Relief

WHEREFORE, Plaintiff prays for relief and judgment, as follows:

- a) Determining that this action is a proper class action;
- b) Designating Plaintiff as a representative of the class under Federal Rule of Civil Procedure 23;
- c) Designating Plaintiff's counsel as class counsel under Federal Rule of Civil Procedure 23;
- d) Adjudging and declaring that Defendant violated 47 U.S.C. § 227(b)(1)(A)(iii);
- e) Enjoining Defendant from continuing its violative behavior, including continuing to place or caused to be placed calls to Plaintiff's cellular telephone number, and to the cellular telephone numbers of members of the class, in connection with which it uses or caused to be used an artificial or prerecorded voice;
- f) Awarding Plaintiff and the members of the class damages under 47 U.S.C. § 227(b)(3)(B);
- g) Awarding Plaintiff and the class reasonable attorneys' fees, costs, and expenses under Rule 23 of the Federal Rules of Civil Procedure;

- h) Awarding Plaintiff and the members of the class any pre-judgment and post-judgment interest as may be allowed under the law; and
- i) Awarding such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff demands a trial by jury of any and all triable issues.

Date: February 12, 2025

/s/ Stan Herring
M. Stan Herring (ASB-1074-n72m)
John Watts (ASB-5819-t82j)
Watts & Herring, LLC
The Kress Building
301 19th Street North
Birmingham, Alabama 35203
(205) 879-2447
stan@wattsherring.com

Aaron D. Radbil (*pro hac vice application to be filed*)
Greenwald Davidson Radbil PLLC
5550 Glades Road, Suite 500
Boca Raton, Florida 33431
(561) 826-5477
aradbil@gdrllawfirm.com

Counsel for Plaintiff and the proposed class

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Jenae Knox, on behalf of herself and others similarly situated,

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Watts & Herring, LLC, 301 19th Street North, Birmingham, Alabama 35203, (205) 879-2447, stan@wattsherring.com

DEFENDANTS

Maximus Education, LLC, dba Aidvantage,

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, 1 1, 2 2, 3 3, 4 4, 5 5, 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

47 USC 227

Brief description of cause: Telephone Consumer Protection Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

February 10, 2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Stan Herring

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Alabama

Jenae Knox, on behalf of herself and others similarly situated,
Plaintiff(s)
v.
Maximus Education, LLC, dba Aidvantage,
Defendant(s)
Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Maximus Education, LLC, dba Aidvantage
c/o Corporation Service Company
211 E. 7th Street, Suite 620
Austin, TX 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Aaron D. Radbil
Greenwald Davidson Radbil PLLC
5550 Glades Road, Suite 500
Boca Raton, Florida 33431
(561) 826-5477
aradbil@gdrlawfirm.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

TREY GRANGER, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: