

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Shaul Levy,

Plaintiff,

Law Offices of J. Henry Nierman;

J. Henry Nierman;

Recovery of Judgment LLC

Defendants.

COMPLAINT

JURY TRIAL DEMANDED

INTRODUCTION

1. This is an action for money damages and declaratory judgment, brought by an individual consumer for Defendants' violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA") and New York General Business Law § 349.
2. This action relates to Defendants' illegal, deceptive, and abusive attempts to collect allegedly unpaid judgment via a flagrantly unlawful and improper subpoena.
3. Moreover, the underlying judgment that Defendants were purportedly attempting to enforce appears not to exist.

JURISDICTION AND VENUE

4. Jurisdiction is conferred by 15 U.S.C. §1692k(d) and 28 U.S.C. §1331.
5. Declaratory relief is available pursuant to 28 U.S.C. §§2201 and 2202.
6. Venue in this district is proper because the Defendants reside in this District and the acts and the transactions that give rise to this action occurred, in substantial part, in this district. 28 U.S.C. §§1391b(1) and (2).

PARTIES

7. Plaintiff Shaul Levy is a natural person who resides in Miami Beach, Florida.
8. Plaintiff is a "consumer" as defined by the FDCPA, 15 U.S.C. §1692a(3).

9. Defendant Law Offices of J. Henry Nierman (“LOHN”) is a third-party debt collector whose principal business purpose is the collection of debts.

10. LOHN regularly attempts to collect debts alleged to be due to another and is a “debt collector” as defined in the FDCPA, 15 U.S.C. §1692a(6).

11. LOHN is engaged in the business of collecting debts in New York and maintains its principal place of business at 39 West 29th Street, Suite 612, New York NY 10001.

12. Defendant J. Henry Nierman (“Nierman”) is a third-party debt collector whose principal business activity is the collection of debts.

13. Nierman regularly attempts to collect debts alleged to be due to another and is a “debt collector” as defined in the FDCPA, 15 U.S.C. §1692a(6).

14. Nierman, is engaged in the business of collecting debts in New York and maintains his principal place of business at 39 West 29th Street, Suite 612, New York NY 10001.

15. Defendant Recovery of Judgment LLC (“Recovery of Judgment”) is a foreign limited liability company and, according to its own website, is a third party debt collector focused on judgment recovery. Exhibit D.

16. Recovery of Judgment regularly attempts to collect debts alleged to be due to another and is a “debt collector” as defined in the FDCPA, 15 U.S.C. §1692a(6).

17. Recovery of Judgment is engaged in the business of collecting debts in New York and maintains its principal place of business at 39 West 29th Street, Suite 612, New York NY 10001.

18. As stated above, all three Defendants share the same business address.

19. As set forth herein and in the attached exhibits, Nierman and LOHN send to consumers dunning letters that list the same address, phone number and fax number as the address, phone and fax number for Recovery of Judgment, as listed on its website.

20. As set forth herein and in the attached exhibits, Nierman and LOHN send out dunning letters that list LOHN’s website as www.RecoveryofJudgment.com and list Nierman and LOHN’s email as Support@RecoveryofJudgment.com.

21. Upon information and belief, the Defendants are united in interest, and in essence, operating one unified debt collection operation, controlled by Nierman.

FACTS

22. Plaintiff repeats and re-alleges and incorporates by reference the foregoing paragraphs.

23. By letter dated December 10, 2016, post-marked December 13, 2016, and sent by regular mail, Defendant sent to Mr. Levy the letter and purported post-judgment Subpoena Dues Tecum attached hereto as Exhibit A.

24. The subpoena purports to be issued in relation to a judgment in “Matt Morrison v. Shaul Levy”, taken in New York Civil Court, County of New York, with a purported index number of “056136/2010”. Id.

25. The subpoena is addressed to Mr. Levy in Florida and “command[s]” Mr. Levy “to appear and attend before Recovery of Judgment at 39 West 29th Street, Suite 612, New York, New York 10001 on December 26, 2016 at 10:00 AM”, *i.e.* the day after Christmas, which was a federal holiday.

26. The subpoena further “command[s]” Mr. Levy to bring with him comprehensive financial documentation, including “statements for bank accounts. . . . debtor has maintained in the past five (5) years”, “all federal and state tax returns for the past five years”, etc.

27. The subpoena also contains a restraining notice stating that Mr. Levy is “forbidden to make or suffer any sale, assignment, transfer, or interference with any property in which [he] ha[s] an interest, except upon direction of the sheriff or pursuant to an order of the court until the aforesaid judgment is satisfied or vacated.” Exhibit A.

28. The restraining notice further states that “Disobedience of this Restraining Notice is punishable as a contempt of court.”

29. The subpoena states “FINAL NOTICE” in large letters across each page.

30. The accompanying letter, from “Law Offices of J. Henry Nierman” and signed by Mr. Nierman, but listing the address, phone number, website and email shared with Defendant

Recovery of Judgment, warns that “failure to comply with a properly issued subpoena entitles the creditor to move the Court to impose sanctions on the debt and request **additional fines and/or imprisonment**. Exhibit B [emphasis in original].

31. The subpoena and accompanying letter are flagrantly unlawful and in gross violation of New York law and the FDCPA.

32. The subpoena and accompanying letter and were sent to Mr. Levy in Florida, whereas the purported default judgment in question is listed as having been taken in New York.

33. Such out-of-state post-judgment subpoenas are void under New York law which has no provision for service of a subpoena upon a judgment debtor without the state. See, e.g. *Siemens & Halske, GmbH v. Gres*, 324 N.Y.S.2d 639, 640 (1st Dep't 1971) (voiding a post-judgment subpoena and holding that “[w]hile . . . a summons may be served outside the State, there is no such provision for a subpoena.”); *Israel Discount Bank, Ltd. v P. S. Products Corp.*, 65 Misc 2d 1002, 1004, 319 N.Y.S.2d 554 (NY Sup. Ct. 1991) (“service of the subpoena upon judgment debtor without the State is void”); *Alfred E. Mann Living Trust v ETIRC Aviation S.a.r.L*, 35 Misc. 3d 1228(A), (N.Y. Sup. Ct. 2009).

34. Even were this not so, the subpoena is a nullity because it was required to be served “in the same manner as a summons” (CPLR §2303), whereas Defendants’ letter and “subpoena” were sent via regular mail. Exhibit C.

35. Regular mail would not be valid service with regard to a summons and is therefore not valid service with regard to the subpoena.

36. The subpoena is also improper because it is required to set forth a deposition date that falls during regular business hours, whereas the subpoena calls for the deposition to occur on December 26, 2016, which was a Court (and national) holiday and therefore does not qualify. CPLR §5224(c).

37. Moreover, the subpoena was not timely as it was mailed, at earliest on December 13, 2016 and did not arrive until less than 10 days before the supposed

deposition date CPLR §5224.

38. The subpoena also lacks the statutorily required language set forth in 22 NYCRR §208.39.

39. Because the subpoena was unlawful, the cover letter, which was also labelled “FINAL NOTICE” and suggested that Mr. Levy could face “fines and/or imprisonment” should he fail to reply, was also unlawful.

40. Moreover, the underlying action appears not to exist.

41. Specifically: Prior to the filing of this litigation, the undersigned sent a letter to Nierman stating, *inter alia*, that Mr. Levy did not recognize the underlying action.

42. Subsequently, in a conversation on December 27, 2016, Nierman indicated that he would send counsel for plaintiff the underlying court file.

43. Counsel for plaintiff followed up on this request on January 12, 2017 via email.

44. Nierman did not respond.

45. Since that time, after conducting initial research that failed to identify any underlying action with the caption listed in the letter or subpoena (“Matt Morrison v. Shaul Levy”) (New York Civil) or a case with a similar name listed by the index number provided in the letter and subpoena (#056136/2010), my office conferred with the New York Civil and Supreme Court Clerks’ offices.

46. The Clerks were likewise unable to identify any such action in their databases.

47. Based upon this inquiry, it appears and Plaintiff hereby alleges that the underlying judgment does not exist.

48. In the alternative, the underlying judgment has been materially misstated in the collection communications received from Defendants.

FIRST CAUSE OF ACTION

Violations of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 *et seq.*

49. Plaintiff repeats and re-alleges and incorporates by reference the foregoing paragraphs.

50. By undertaking the above referenced collection activities, Defendants violated 15 U.S.C.

§ 1692 *et seq.*

51. Specifically, and without limitation, Defendants violated the FDCPA through a host of false, deceptive and unfair conduct, in violation of 1692e and 1692f including, *inter alia*:

- a. Falsely representing the character, amount and legal status of the purported debt; (§ 1692e(2)) (e.g. falsely representing that a judgment had been obtained against Mr. Levy in an action in New York Civil Court captioned “Matt Morrison v. Shaul Levy” with an index number of 056136/2010);
- b. Threatening to take actions against Mr. Levy that cannot be taken and that were never intended to be taken (e.g. the taking of his deposition in New York, moving the Court to impose sanctions on Mr. Levy and/or to request “additional fines and/or imprisonment” of Mr. Levy in the event he did not appear or otherwise comply with the unlawfully issued subpoena) (§ 1692e(5));
- c. Making false representations and deceptive means to collect or attempt to collect any debt or to obtain information concerning Mr. Levy (§ 1692e(10));
- d. Falsely representing that documents are legal process. (§ 1692e(13)); and
- e. Attempting to collect amounts not authorized by any agreement creating the debt or permitted by law (§ 1692f(1)).

52. As a result of Defendant’s FDCPA violations, Plaintiff has suffered actual damages, including:

- a. attorney’s fees and costs;
- b. aggravation, nervousness, emotional distress, fear, loss of concentration, indignation, and pain and suffering (*inter alia*, in connection with the false prospect of being held in contempt, fined, and/or imprisoned per Defendants’ letter and subpoena).

53. As a result of these violations, Plaintiff is entitled to statutory damages of up to \$1,000, actual damages, and attorney’s fees and costs.

SECOND CAUSE OF ACTION

Violations Of New York General Business Law § 349

54. Plaintiff repeats and re-alleges and incorporates by reference the foregoing paragraphs.

55. Each of the deceptive acts and practices set forth above, constitute violations of NYGBL § 349 independent of whether these acts and practices constitute violations of any other law.

56. These deceptive acts and practices were committed in conduct of business, trade, commerce or the furnishing of a service in this state.

57. Specifically, the deceptive acts and practices occurred in the course of Defendants' attempts to collect a purported consumer debt that Defendants alleged had been reduced to a New York state court judgment, and these collection actions (the drafting and sending of the various deceptive and misleading documents referenced above) took place largely in New York.

58. Defendants' deceptive acts and practices were consumer-orientated.

59. Defendants' conduct was not a unique, one-time occurrence without possibility of replication or recurrence and without implication for the broader consuming public, but rather involve misleading boilerplate documents sent by a high volume debt collector to a consumer.

60. Defendants' willfully and knowingly engaged in the deceptive tactics set forth herein in bad faith and, on information and belief, do so on a regular and recurring basis.

61. Defendants' statements and conduct, as set forth herein and in the attached Exhibits, were materially misleading.

62. As a result of these violations of NYGBL § 349, Plaintiff suffered, *inter alia*, actual damages, as set forth above at paragraph 52.

63. For these reasons, Plaintiff is entitled to actual damages, declaratory judgment, an injunction of the deceptive practices set forth herein (including *inter alia*, an injunction against Defendants sending out subpoenas of the type described herein to consumers living outside of New York; an injunction against Defendants sending out subpoenas to any consumer via regular mail; and an injunction against sending out subpoenas that fail to accurately and completely set forth the caption, the index number, and the identity of the judgment creditor, etc.), three times actual

damages up to \$1000, punitive damages, costs and reasonable attorneys' fees.

WHEREFORE, plaintiff respectfully requests that this Court award:

- (a) Declaratory Judgment that Defendant's conduct violated the FDCPA and NYGBL § 349 ;
- (b) Injunctive relief pursuant to NYGBL § 349;
- (c) Actual damages;
- (d) Statutory damages;
- (e) Costs and reasonable attorney's fees; and
- (f) Such other and further relief as law or equity may provide.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff hereby demands a trial by jury as to all issues so triable.

Dated: May 30, 2017

Respectfully Submitted,

/s/Daniel A. Schlanger

Daniel A. Schlanger, Esq.
Kakalec & Schlanger, LLP
85 Broad Street, 18th Floor
New York, NY 10004
T: (212) 500-6114
dschlanger@kakalec-schlanger.com

Exhibit A

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

-----X
Matt Morrison

Index No.: 056136/2010

Plaintiff,

SUBPOENA DUCES TECUM

v.

Shaul Levy
5757 COLLINS AVE APT 1706,
MIAMI BEACH, FL, 33140

Defendant.
-----X

THE PEOPLE OF THE CITY OF NEW YORK

TO: Shaul Levy
5757 COLLINS AVE APT 1706,
MIAMI BEACH, FL 33140

GREETINGS:

WHEREAS, in an action in the CIVIL COURT OF THE CITY OF NEW YORK, COUNTY OF NEW YORK, between Matt Morrison, as Plaintiff, and Shaul Levy, as Defendants, who are all the parties names and in said action, a judgment was entered on 3/11/2010, in favor of plaintiff/judgment creditor and against Shaul Levy, defendant/judgment debtor, residing at 5757 COLLINS AVE APT 1706, MIAMI BEACH, FL, 33140, in the total sum of \$8,700.00, of which the sum of **\$13,990.08** remains due and unpaid; and

NOW, THEREFORE, pursuant to CPLR Section 5223 and Section 5224, we command you to appear and attend before Recovery of Judgment at 39 West 29th Street, Suite 612, New York, New York 10001 on **December 26, 2016 at 10:00AM** and at any recessed or adjourned dated for the taking of deposition under oath upon oral or written questions on all matters relevant to the satisfaction of the judgment;

AND WE FURTHER COMMAND YOU, to produce for examination at the time and place indicated above certain books, papers, and records, to wit:

1. Statements for bank accounts (IRA, Checking, Savings, certificates of deposit) debtor has maintained in the past five (5) years.
2. Any financial statements for the past five years for Debtor.
3. All federal and state tax returns for the past five years for Debtor.
4. Any and all deed(s) for real property owned by Debtor.
5. Certificates of title and/or registration for motor vehicles owned and/or used by for Debtor.
6. Statements for stock and broker accounts owned by Debtor.
7. Statements for money market accounts owned by for Debtor.
8. Life insurance policies (carrier and policy number) in which Debtor is an insured or beneficiary.
9. Any securities, bonds, notes, mortgages owned by or for Debtor.
10. Any stocks, options and commodity contracts owned by or for Debtor.
11. Any broker martin accounts (broker and credit balances) maintained by or for Debtor.
12. Any loans by Debtor.

13. Any account receivables owned to Debtor.
14. Any business owned by Debtor.
15. Any cash surrender value of life insurance policies owned by Debtor.
16. Any vehicles (auto, boat, plane, truck, campers, etc.) owned by Debtor.
17. Any real estate (include all types of interests such as leaseholds, life estates, etc. at market value owned by Debtor.
18. Any vested interests in trusts (pension, profit sharing, legacies, deferred compensation and others, principal amount) owned by Debtor.
19. Any contingent interest (stock options, interests, subject to life estates, prospective inheritances, description and basis of valuation, date of vesting) owned by Debtor.
20. Any household furnishings (List of residence at market value) owned by Debtor.
21. Any jewelry, art, antiques, precious objects, gold and precious metals – (total market value) owned by Debtor.
22. Any other assets (tax shelters, investments, collections, hobbies, judgments, cause of actions, patents, trademarks, copyrights, and any other assets not hereinabove itemized at market value) owned by Debtor.
23. All credit card statements for credit cards in the name of Debtor.
24. All statements for utilities gas, electric, water, cable, heat) for Debtor.
25. Any documents related to any ongoing proceeding in court wherein judgment debtors stand to realize a potential financial gain.

26. Any and all other books, papers, or records in your possession or control which have or may contain information concerning the property, indebtedness, income, or other means of the judgment debtor for satisfying the judgment.

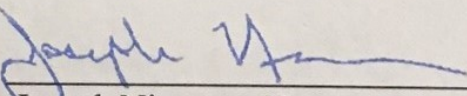
TAKE NOTICE that false swearing on such examination or failure to comply with this subpoena is punishable as a contempt of court.

RESTRAINING NOTICE: TAKE NOTICE that pursuant to Section 5222(b) of the *Civil Practice Law and Rules*, which set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment, transfer, or interference with any property in which you have interest, except upon direction of the sheriff or pursuant to an order of the court until the aforesaid judgment is satisfied or vacated. Disobedience of this Restraining Notice is punishable as a contempt of court.

Section 5222(b). Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest specified property in the

possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

Dated: New York, New York
December 10, 2016



Joseph Nierman, Esq.
Attorney for Judgment Creditor
RECOVERY OF JUDGMENT
39 West 29th Street, Suite 612
New York, New York 1001
(P) (646) 863-9783
(F) (646) 810-5781

Exhibit B

LAW OFFICES OF J. HENRY NIERMAN

39 West 29th Street, Suite 612

New York, NY 10001

Local: (646) 863-9783 * Fax: (646) 810-5781

<http://www.RecoveryOfJudgment.com> * Support@RecoveryOfJudgment.com

December 10, 2016

Shaul Levy
5757 COLLINS AVE APT 1706,
MIAMI BEACH, FL 33140

Re: Matt Morrison V. Shaul Levy
CIVIL COURT OF THE CITY OF NEW YORK, COUNTY OF NEW
YORK
Index/Case #056136/2010
Judgment Entered on 3/11/2010 in the Current Amount of \$13,990.08

Dear Mr./Mrs. Levy,

Enclosed herein please find a subpoena *duces tecum* directing you to appear for a post-judgment deposition on **December 26, 2016 at 10:00AM** and turn over your financial information. These financial documents include tax returns, bank statements and other documents as detailed therein.

Please take notice, that failure to comply with a properly issued subpoena entitles the creditor to move the Court to impose sanctions on the debtor and request additional fines and/or imprisonment.

If you wish to discuss this matter prior to your scheduled return date you may feel free to contact me at the above listed number.

Very truly yours,

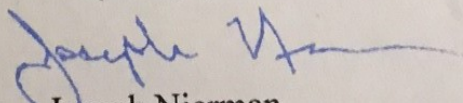

Joseph Nierman
Legal Counsel

Exhibit C

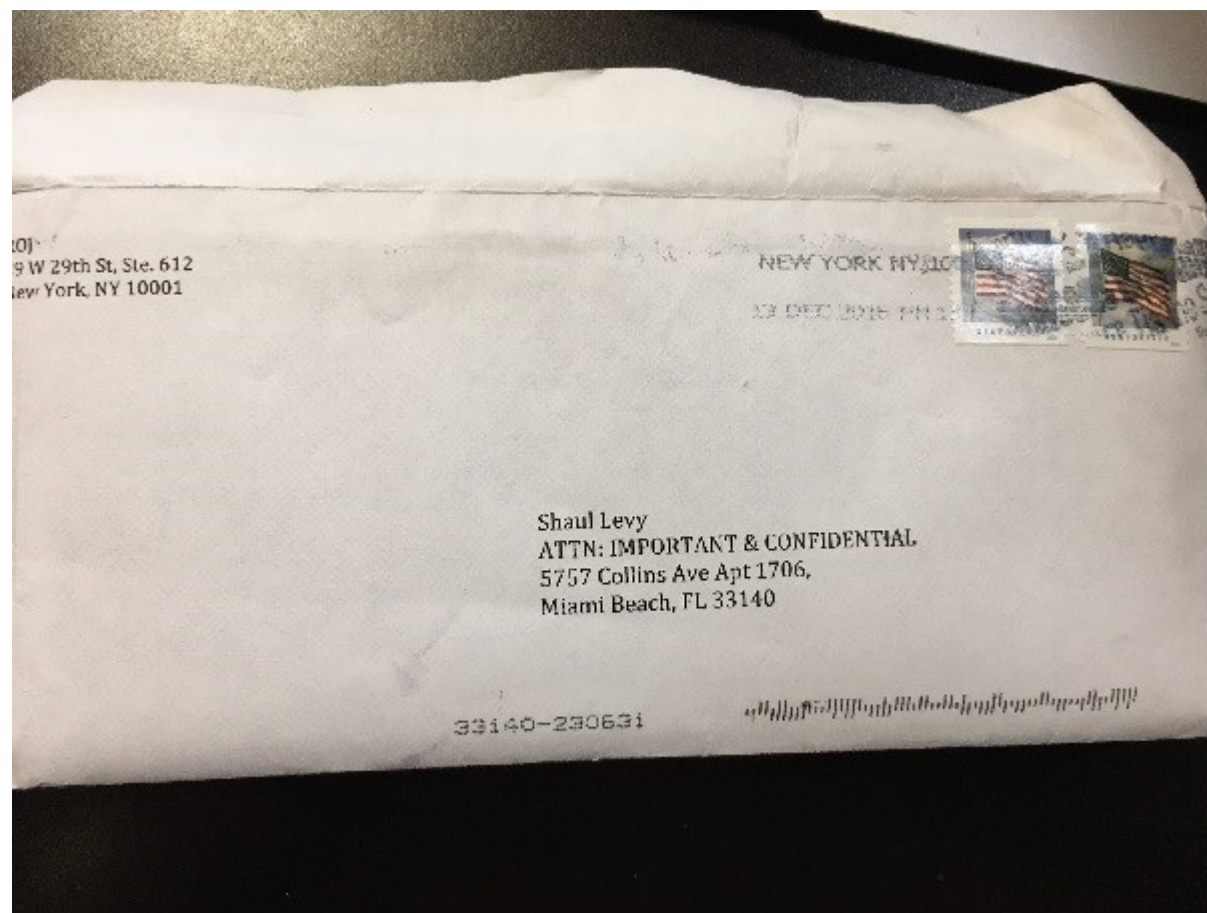


Exhibit D

Recovery of Judgment

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- Julie M.



Frequently Asked Questions

How do I know that you will pay me the right amount?

Can you guarantee that you will collect the money?

Are you providing clients with legal services?

How do you do debt collection?

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Email: support@recoveryofjudgment.com
Office: 646.863.9783
Fax: 646.810.5781



Office

39 West 29th Street #612
New York, NY 10001

Hours

Sunday - Friday: 8am - 5pm
Saturday: Closed

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Judgment Amount \$

Date Awarded mm/dd/yyyy

Jurisdiction ▼

Interest Override %

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Judgment Enforcement and Collection

Have you obtained a judgment and had difficulty collecting your money? We can help!

We advance all costs and expenses incurred in the service of papers, examinations, subpoenas, court reporters and legal fees.

Most judgment creditors are forced to handle post-judgment recovery themselves. Courts provide little help with the complicated process of collecting money judgments. Trained professionals are capable of overcoming the many hurdles involved in judgment enforcement: researching and investigating debtor assets; court filings; issuing executions; extensive legwork; and keeping track of the timetables of the court.

We will relieve you of the hassle and frustration of dealing with the debtor and the courts! Recovery of Judgment investigates each debtor individually and develops an enforcement strategy for the most efficient action to enforce each judgment. Best of all, we only get paid when the debtor has paid!

Recovery Of Judgment has access to databases that fewer than 1% of all collection companies are permitted to access. These specialized databases enable us to find your debtor and any monetary assets he/she may be hiding to avoid or hinder any collection on the judgment. We are proud of our ability to quickly locate debtor assets that few companies can match.

Additionally, Recovery of Judgment provides a team of highly trained professionals with experience in skip tracing, asset search, process service and an attorney with experience in the post-judgment proceedings, at no cost to you!

We levy bank accounts, seize vehicles for auction and garnish wages as permitted by law. All this will be done without you as plaintiff/creditor ever having to confront the debtor/defendant again.

Perhaps most importantly, our customer service is unparalleled. We recognize that this has likely been a frustrating process for you and that an important part of our

Since 2000, we have enforced money judgments for:

- Law firms and attorneys
- Real estate companies
- Businesses
- Individuals

We can enforce your judgment! Recovery of Judgment specializes in:

- Turning your paper (judgment) into cash!
- Domesticating judgments: moving the court judgment to the state, where the debtor currently lives or has a business.
- Fraudulent conveyance/transfer: discovering assets, which were transferred to another person or company to avoid paying a judgment.
- Finding debtors and their assets.

function is to provide peace of mind. Feel free to call for a free consultation or, if we are handling your case already, just to get a status update. Recovery Of Judgment.s staff is here to assist you and during normal business hours we are always just a quick toll free call away!

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Recovery of Judgment is your one stop shop when it comes to collecting an unpaid debt. Our collection agency specialists have been in the business long enough to know exactly which methods work, and which are a waste of time and resources. Every successful debt recovery is another proud notch in our belts, and we make sure to collect by any means possible. We make sure to stay up to date with any and every technique in the business to ensure that our customers have the absolute highest chance to have their debt paid. We apply only the most advanced strategies with the highest proven success rates.

Don't take your unpaid debt lightly. Hiring a professional team of collectors can be one of the smartest financial moves you can make. If you are owed money, you deserve to get it. Here, at Recovery of Judgment, we know exactly how it feels to not get the money we're owed, this is why we go above and beyond the standards when it comes to our debt collecting efforts.

We get to the very root of your debt collection problem. Our proven solutions are the reason we have customers coming back for more. From big corporations with millions of dollars of uncollected payments, to something as simple as small claims debt, Recovery of Judgment takes on any job, big or small.

How confident are we in our debt collecting skills? So confident that we're going to offer our services to you free of charge. That's right! We'll gladly do to work, and we won't take a penny until your money has been collected. Our knowledgeable representatives are standing by to answer any inquiries about our services, so be sure to give us a call or e-mail!

"We GUARANTEE to COLLECT your PAST DUE accounts or our service is FREE"

- Experienced, persistent, professional bill collectors handle your accounts.
- Free skip tracing - we find "them" when you can't.
- Reporting of delinquent, past due accounts to consumer and commercial credit bureaus.
- We can handle small and large volumes of past due accounts.
- Place past due accounts electronically.
- Our world wide network of debt recovery attorneys available to you.

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Frequently Asked Questions

How much will it cost me, really?

It will cost you nothing. Zero! We advance all costs. We work with attorneys at no cost to you. We spend the money and the time. If we don't collect, it still costs you nothing.

What is 'domestication'?

Judgment Domestication is the legal proceeding to move a judgment from the state where it originated to the state where the debtor lives or has a business. After this process the judgment can be enforced as a 'foreign judgment' or 'sister-state-judgment' entered in the local state.

I thought my judgment was a court order! Isn't the debtor breaking the law by not paying?

Unfortunately, it is not against the law to owe money. There is no debtor's prison anymore. As a practical matter, if your debtor were in jail, it would be difficult to collect your judgment. You want the debtor working and making money, so that he/she is developing assets that can be executed upon.

Are you a collection agency?

Yes. We are a licensed debt collection agency; however, we handle our judgment clients differently than our debt collection clients. Collection agencies process debt in bulk. They typically send out demand letters and call debtors to try to get them to pay.

The law permits us to act far more aggressively with our judgment clients. It starts with an assignment on your judgment to Recovery Of Judgment. That way, we have the authority to pull credit reports and conduct thorough asset investigation. Your case will be treated individually and expertly by processors who are highly trained and motivated to find your money, because if we do not find your money, we make nothing. We stand behind our work and will lay out all costs of investigation, travel expenses, legal fees and any additional court fees.

Can I use an attorney?

Yes you can. But consider this: We have databases at our fingertips that few attorneys are permitted to access. This enables us to locate assets for judgment satisfaction that most attorneys will have difficulty unearthing. Furthermore, most

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Are you a collection agency?

Can I use an attorney?

Are you providing clients with legal services?

How do I know that you will pay me the right amount?

Can you guarantee that you will collect the money?

How long is the judgment good for?

How do you do debt collection?

Is it hard to place an account into collections?

attorneys charge an hourly fee or, he/she may take an contingency plus .up-front. cost on your judgment. Most attorneys are very skilled in getting judgments, many of them, though, are unfamiliar with effective post-judgment remedies and strategies and have no access to asset investigators.

It is not uncommon for us to receive calls from attorneys for asset investigation and even to enforce their judgments.

Are you providing clients with legal services?

No. While Recovery Of Judgment hires attorneys to represent their interests in the judgment in court, these attorneys are working for Recovery Of Judgment and not for our clients. That being said, the success of our attorneys in court typically benefits our clients.

Recovery Of Judgments interests in the judgment debtor.s assets are perfected aligned with the interests of its clients. Meaning, Recovery Of Judgment only makes money when they successfully seize assets from the judgment debtor. Our attorneys assist us in seizing those assets. At the same time, through seizing those assets, Recovery Of Judgment.s clients benefit by seeing their judgments satisfied.

In short, Recovery Of Judgment is not providing you with any legal services. When you employ Recovery of Judgment you are not hiring a lawyer. However, Recovery Of Judgment hires lawyers to work for them and their success benefits everybody.

How do I know that you will pay me the right amount?

With every payment to you, we send you a copy of the check we received for your file copy.

Can you guarantee that you will collect the money?

No. There are no guarantees except that we make the strongest effort possible. We use every strategy to collect the principle and interest which continues to accrue until the judgment is fully satisfied.

How long is the judgment good for?

In New York, judgments are valid for 20 years. In addition, judgment creditors may extend the period beyond twenty years if they make the proper application in Court before the 20 years lapse. Other states may vary from 7 to 25 years. Judgments collect interest. In New York it's 9% per year. Other states vary, usually between 5% and 10%.

How do you do debt collection?

We use a proprietary blend of, letters, phone calls, faxes, and emails.

Is it hard to place an account into collections?

Not at all. All you have to do is [fill out the form](#) and send it to us. That's it.

Home

Judgment Enforcement
Debt Collection
FAQs
About Us
Contact Us

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Hours

Sunday - Friday: 8am - 5pm
Saturday: Closed

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[Home](#) [Judgment Enforcement](#) [Debt Collection](#) [FAQs](#) **[About Us](#)** [Contact Us](#)

[Client Portal](#)

Utilizing an **advanced** and **effective** strategy in judgment recovery!

About Recovery Of Judgment

We are committed to providing our clients with the best judgment enforcement service possible.

Recovery Of Judgment employs a team of professional skip-tracers, asset searchers, process servers and attorneys. Unparalleled access to financial databases and a wealth of experience in judgment execution are at our disposal.

We go the extra mile to recover your money. We successfully locate assets, seize them and convert those assets into payment of your judgment. In particular, Recovery Of Judgment takes pride in realizing well hidden assets through legal searches that only experienced specialists consider. We commit ourselves to enforcing your judgment until it is paid.

Based in New York City with offices on West 30th Street and 7th Avenue, Recovery Of Judgment handles cases throughout the United States.

Our Commitment

At Recovery of Judgment, we treat our clients with courtesy and integrity. Our years of experience and notable expertise ensure that your collection is in good hands.

Our consistent track record of uncompromising ethics instills confidence and trust. We use cutting edge technologies to ensure up to the minute information from the world. This allows us to respond quickly, and find the debtors.

Realistically, there are some judgment debtors who simply do not have the assets to pay judgments they have incurred. Accordingly, nobody can guarantee that they will find your assets. Our commitment, however, is that if we cannot find your money nobody can!

Home

[Judgment Enforcement](#)
[Debt Collection](#)
[FAQs](#)
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