



Registered Agent Solutions, Inc.

Corporate Mailing Address

1701 Directors Blvd.

Suite 300

Austin, TX 78744

Phone: (888) 705-RASi (7274)

SERVICE OF PROCESS RECEIPT

2022-11-08

Meghan Jean

Sequium Asset Solutions, LLC

1130 Northchase Pkwy SE

Suite 150

Marietta, GA 30067 USA

NOTICE OF CONFIDENTIALITY

This notice and the information it contains are intended to be a confidential communication only to the individual and/or entity to whom it is addressed. If you have received this notice in error, immediately call our SOP Department at (888) 705-7274.

RE: Sequium Asset Solutions, LLC

This receipt is to inform you that Registered Agent Solutions, Inc. has received a Service of Process on behalf of the above-referenced entity as your registered agent and is hereby forwarding the attached document(s) for your immediate review. A summary of the service is shown below; however, it is important that you review the attached document(s) in their entirety for complete and detailed information.

For additional information and instruction, contact the document issuer: TAULER SMITH, LLP

SERVICE INFORMATION

Service Date: 2022-11-08
Service Time: 3:25 PM EST
Service Method: Process Server

RASi REFERENCE INFORMATION

Service No.: 0233909
RASi Office: Georgia
Rec. Int. Id.: AES

CASE INFORMATION

Case Number: DC-22-14514
File Date: 11/03/2022
Jurisdiction: DALLAS COUNTY DISTRICT COURT, TEXAS
Case Title: SAGE TELECOM, INC. VS. SEQUIUM ASSET SOLUTIONS, LLC.

ANSWER / APPEARANCE INFORMATION

30 days (Be sure to review the document(s) for any required response dates)

AGENCY / PLAINTIFF INFORMATION

Firm/Issuing Agent: TAULER SMITH, LLP
Attorney/Contact: ROBERT TAULER
Location: Texas
Telephone No.: 512-456-8760

DOCUMENT(S) RECEIVED & ATTACHED

Summons
Demand for Jury Trial
Petition: .
OtherDetail: CIVIL CASE INFO SHEET

ADDITIONAL NOTES

Questions or Comments... Should you have any questions or need additional assistance, please contact the SOP Department at (888) 705-7274.

You have been notified of this Service of Process by Insta-SOP Delivery, a secure email transmission. The transmitted documents have also been uploaded to your Compliance account. RASi offers additional methods of notification including Telephone Notification and FedEx Delivery. If you would like to update your account's notification preferences, please log into your Compliance account at www.rasi.com.

Thank you for your continued business!

FORM NO. 353-3—CITATION
THE STATE OF TEXAS

To: SEQUIUM ASSET SOLUTIONS LLC,
A GEORGIA LIMITED LIABILITY CORPORATION

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Dallas, Texas 75202.

Said Plaintiff being SAGE TELECOM, INC

Filed in said Court 17th day of October, 2022 against

SEQUIUM ASSET SOLUTIONS LLC, A GEORGIA LIMITED LIABILITY CORPORATION

For Suit, said suit being numbered DC-22-14514, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office **on this the 3rd day of November, 2022**

ATTEST: FELICIA PITRE,
Clerk of the District Courts of Dallas County, Texas

By BRITTANY FOREMAN, Deputy
BRITTANY FOREMAN



ESERVE
CITATION

No.: DC-22-14514

SAGE TELECOM, INC
vs.
SEQUIUM ASSET SOLUTIONS LLC, A
GEORGIA LIMITED LIABILITY
CORPORATION

ISSUED
on this the 3rd day of November, 2022

FELICIA PITRE
Clerk District Courts,
Dallas County, Texas

By: BRITTANY FOREMAN, Deputy

Attorney for Plaintiff
ROBERT TAULER
TAULER SMITH LLP
100 CONGRESS AVE SUITE 2000
AUSTIN TX 78701
512-456-8760
RTAULER@TAULERSMITH.COM

DALLAS COUNTY
SERVICE FEES
NOT PAID

OFFICER'S RETURN

Cause No. DC-22-14514

Court No.: 134th District Court

Style: SAGE TELECOM, INC

vs.

SEQUIUM ASSET SOLUTIONS LLC, A GEORGIA LIMITED LIABILITY CORPORATION

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ M.
 Executed at _____, within the County of _____ at
 _____ o'clock _____ M. on the _____ day of _____, 20_____,
 by _____ delivering _____ to _____ the _____ within _____ named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____
 For mileage \$ _____ of _____ County, _____
 For Notary \$ _____ By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____, to certify which witness my hand and seal of office.

Notary Public _____ County _____

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 69939267

Status as of 11/7/2022 1:41 PM CST

Associated Case Party: SAGE TELECOM, INC

Name	BarNumber	Email	TimestampSubmitted	Status
ROBERT TAULER		RTAULER@TAULERSMITH.COM	11/7/2022 1:41:13 PM	SENT

DC-22-14514
CAUSE NO. _____

**SAGE TELECOM, INC., a Texas
Corporation;**

Plaintiff,

v.

**SEQUIUM ASSET SOLUTIONS LLC, a
Georgia limited liability corporation;**

Defendant.

**IN THE DISTRICT COURT OF
DALLAS COUNTY, TX**

JUDICIAL DISTRICT

PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff Sage Telecom, Inc. (“Plaintiff”) in the above-entitled and numbered cause, and files its original petition against Defendant Sequium Asset Solutions LLC (“Defendant”), and for cause of action would respectfully show the Court as follows:

PARTIES

1. Plaintiff Sage Telecom, Inc. (“Plaintiff”) is a Texas corporation with its principal place of business in Dallas, Texas.
2. Defendant Sequium Asset Solutions LLC (“Defendant”) is a Georgia limited liability corporation with its principal place of business in Marietta, Georgia.

NATURE OF ACTION

3. As the U.S. Supreme Court explained, “Americans passionately disagree about many things. But they are largely united in their disdain for robocalls. The Federal Government receives a staggering number of complaints about robocalls—3.7 million complaints in 2019 alone. The States likewise field a constant barrage of complaints. For nearly 30 years, the people’s

PETITION

representatives in Congress have been fighting back.” *Barr v. Am. Ass’n of Political Consultants*, 140 S. Ct. 2335, 2343 (2020).

4. The explosive proliferation of telemarketing phone calls to consumers by mass phone banks of fast-talking pitchmen or automatic computer dialing systems has finally become the subject of both federal and state control and legislation. For example, the proliferation of telemarketing schemes has advanced to the point where a group of telemarketers were sentenced for mail and wire fraud violations arising from a scheme which defrauded victims into paying retainer fees in exchange for false promises of recovery of the money they had previously lost to other telemarketers. *See, e.g., U.S. v. Blitz*, 151 F.3d 1002 (9th Cir. 1998). And the Federal Communications Commission has adopted rules regulating unwanted telephone solicitations, including joining the Do-Not-Call Registry. *See* 47 C.F.R. §§ 64.1200 & 64.1601.

5. Recognizing the disdain for unwanted telemarketing calls, telephone solicitation in Texas is now the subject of regulation as a part of the Business and Commerce Code.

6. Critically here, sellers of property, goods, and services who engage in telephone solicitations¹ in this state or who solicit purchasers in this state must now obtain a certificate of registration from the Texas Secretary of State. *See* Texas Bus. & Comm. Code § 302.101. In order to obtain a certificate, sellers must file a registration statement with the Secretary of State, pay a filing fee, and post a \$10,000 security bond. *Id.*, §§ 302.101 – 302.108.

7. The legislation provides for a private right of action, a civil penalty of \$5,000 for each violation, and attorneys’ fees and costs. *Id.*, § 302.302. The statute is to be liberally construed to protect persons against false, misleading, or deceptive practices in the telephone solicitation

¹ “[A] person makes a telephone solicitation if the person effects or attempts to effect a telephone solicitation, including a solicitation initiated by an automatic dialing machine or a recorded message device.” Texas Bus. & Comm. Code § 302.002.

business. *Id.*, § 302.003 (“This chapter shall be liberally construed and applied to promote its underlying purpose to protect persons against false, misleading, or deceptive practices in the telephone solicitation business.”).

8. This case involves an illegal telemarketing campaign by Defendant. Defendant violated Section 302.101 of the Texas Business & Commercial Code when its representatives engaged in continuous and repetitive telephone solicitation of Plaintiff without obtaining a registration certificate from the Office of the Secretary of State.

9. Plaintiff confirmed Defendant is not included in this database by searching Defendant’s name at <https://direct.sos.state.tx.us/telephone/TelephoneSearch.asp>.

10. Plaintiff now seeks \$5,000 for each violation, plus all reasonable costs of prosecuting this action, including court costs and investigation costs, deposition expenses, witness fees, and attorneys’ fees. *See* Texas Bus. & Comm. Code § 302.302.

JURISDICTION AND VENUE

11. This Court has personal jurisdiction over Defendant because it made telemarketing solicitations to Plaintiff by directing its conduct into this District.

12. Venue is proper in this District because Plaintiff is a resident of this District, which is where it received the illegal telemarketing solicitations that are the subject of this lawsuit.

FACTUAL ALLEGATIONS

13. Plaintiff is a Dallas, Texas-based company that manages a free wireless telephone program for the benefit of underserved households throughout the United States, including in Texas. Through its participation in the LifeLine, Emergency Broadband Benefit, and Affordable Connectivity Programs (the “Programs”); Plaintiff administers the state- and federally-funded Programs that provide discounted Internet and phone service to qualified low-income households. In other words, Plaintiff helps supply Internet and phone service to consumers who need it most,

including low-income Texas consumers. Plaintiff administers these Programs under the direction of the FCC and various state regulatory agencies.

14. Consistent with its goal of ensuring low-income consumers have telephone access, Plaintiff aims to protect its customers from abusive and predatory telemarketing practices.

15. For at least the past two years, Plaintiff's customers received at least 188 telephone solicitations (from 833-574-1910) to cell phones managed and provided by Plaintiff (i.e., Plaintiff's cell phones). Upon information and belief, Defendant is the owner and/or subscriber of 833-574-1910.

16. Each of the above-described calls constitute "telephone solicitation[s]" because a seller or salesperson employed or authorized by Defendant initiated telephone calls to Plaintiff in order to induce it to purchase, rent, claim, or receive an item. *Id.*, § 302.001.

17. Defendant violated Section 302.101 of the Texas Business & Commercial Code when its representatives engaged in continuous and repetitive telephone solicitation of Plaintiff without obtaining a registration certificate from the Office of the Secretary of State.

18. Plaintiff confirmed Defendant is not included in this database by searching Defendant's name at <https://direct.sos.state.tx.us/telephone/TelephoneSearch.asp>.

CAUSE OF ACTION

(Violations of Texas Bus. & Comm. Code § 302.101, Against All Defendants)

19. Plaintiff incorporates the foregoing allegations as if fully set forth herein.

20. Defendant violated Section 302.101 of the Texas Business & Commercial Code when its seller(s) or salesperson(s) engaged in continuous and repetitive telephone solicitations to Plaintiff without obtaining a registration certificate from the Office of the Secretary of State.

21. Defendant made at least 188 telephone solicitations to Plaintiff's customers, to cell phones managed and provided by Plaintiff (i.e., Plaintiff's cell phones), in violation of Section

302.101. "Each violation constitutes a separate offense." See Texas Bus. & Comm. Code § 302.251.

22. Plaintiff is entitled to \$5,000 for each knowing violation of Section 302.101. *Id.*, §§ 302.251 & 302.302.

23. Plaintiff "also is entitled to recover all reasonable costs of prosecuting the action, including court costs and investigation costs, deposition expenses, witness fees, and attorney's fees." *Id.*

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

A. A declaration that Defendant's actions complained of herein violate Texas state law;

B. An award of \$5,000 for each knowing violation of Section 302.101 of the Texas Business & Commercial Code;

C. All reasonable costs of prosecuting the action, including court costs and investigation costs, deposition expenses, witness fees, and attorneys' fees; and

D. Such further relief as the Court deems necessary, just, and proper.

JURY DEMAND

Plaintiff requests a trial by jury of all claims that can so be tried.

DATED: October 14, 2022

Respectfully submitted,

By: /s/ Robert Tauler

Robert Tauler, Esq.
Texas State Bar No. 24122095
rtauler@taulersmith.com
Tauler Smith LLP
100 Crescent Court, 7th Floor
Dallas, TX 75201
Telephone: (512) 456-8760


CIVIL CASE INFORMATION SHEET
DC-22-14514

134th

CAUSE NUMBER (FOR CLERK USE ONLY): _____ COURT (FOR CLERK USE ONLY): _____

STYLED Sage Telecom, Inc., a Texas corporation v. Sequium Asset Solutions LLC, a Georgia limited liability corporation
(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet: Name: _____ Email: _____ Robert Tauler rtaulcr@taulersmith.com Address: _____ Telephone: _____ 100 Crescent Court, 7th Floor (512) 456-8760 City/State/Zip: _____ Fax: _____ Dallas, TX 75201 Signature: _____ State Bar No: _____  24122095	Names of parties in case: Plaintiff(s)/Petitioner(s): Sage Telecom, Inc., a Texas corporation Defendant(s)/Respondent(s): Sequium Asset Solutions LLC, a Georgia limited liability corporation [Attach additional page as necessary to list all parties]	Person or entity completing sheet is: <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____
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2. Indicate case type, or identify the most important issue in the case (select only 1):

Civil			Family Law		
Contract <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: <input type="checkbox"/> Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:	Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocal (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:	Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input checked="" type="checkbox"/> Other: Violation of Texas Bus. & Comm. Code § 302.101				
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate & Mental Health Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:				

3. Indicate procedure or remedy, if applicable (may select more than 1):

<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover
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4. Indicate damages sought (do not select if it is a family law case):

Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees
 Less than \$100,000 and non-monetary relief
 Over \$100,000 but not more than \$200,000
 Over \$200,000 but not more than \$1,000,000
 Over \$1,000,000

Instructions for Completing the Texas Civil Case Information Sheet

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing. If the original petition, application or post-judgment petition or motion is e-filed, the case information sheet must not be the lead document.

This sheet, required by Rule 78a of the Texas Rules of Civil Procedure, is intended to collect information that will be used for statistical and administrative purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

The attorney or self-represented (*pro se*) plaintiff/petitioner filing the case or post-judgment petition or motion should complete the sheet as follows:

1. Contact information

a) **Contact information for person completing case information sheet.** Enter the following information:

- name;
- address;
- city, state, and zip code;
- email address;
- telephone number;
- fax number, if available;
- State Bar number, if the person is an attorney; and
- signature. (*NOTE: When a case information sheet is submitted electronically, the signature may be a scanned image or "/s/" and the name of the person completing the case information sheet typed in the space where the signature would otherwise appear.*)

b) **Names of parties in the case.** Enter the name(s) of the:

(*NOTE: If the name of a party to a case is confidential, enter the party's initials rather than the party's name.*)

- plaintiff(s) or petitioner(s);
- defendant(s) or respondent(s); and
- in child support cases, additional parties in the case, including the:
 - custodial parent;
 - non-custodial parent; and
 - presumed father.

Attach an additional page as necessary to list all parties.

c) **Person or entity completing sheet is.** Indicate whether the person completing the sheet, or the entity for which the sheet is being completed, is:

- an attorney for the plaintiff or petitioner;
- a *pro se* (self-represented) plaintiff or petitioner;
- the Title IV-D agency; or
- other (provide name of person or entity).

2. Case type.

Select the case category that best reflects the most important issue in the case. You must select only one.

3. Procedure or remedy.

If applicable, select any of the available procedures or remedies being sought in the case. You may select more than one.

4. Damages sought.

Select the damages being sought in the case:

(*NOTE: If the claim is governed by the Family Code, do not indicate the damages sought.*)

- only monetary relief of \$100,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest and attorney fees;
- monetary relief over \$100,000 or less and non-monetary relief;
- monetary relief over \$100,000 but not more than \$200,000;
- monetary relief over \$200,000 but less than \$1,000,000; or
- monetary relief over \$1,000,000.