

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

SHARRY ROBERTS

PLAINTIFF

v.

No. 4:16-cv-700-DPM

PENNYMAC LOAN SERVICES, LLC

DEFENDANT

ORDER

Courts have divided about whether one may orally revoke consent under the TCPA. But, in an unpublished opinion, the Eighth Circuit has indicated that it's possible, and other circuits have so held. *Brenner v. American Education Services*, 575 Fed. App'x 703, 703 (8th Cir. 2014), citing *Osorio v. State Farm Bank, F.S.B.*, 746 F.3d 1242, 1255-56 (11th Cir. 2014) and *Gager v. Dell Financial Services, LLC*, 727 F.3d 265, 270-72 (3d Cir. 2013). Pennymac's motion to dismiss, No 9, is therefore denied.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

11 January 2017