

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

LINETTE ROSS,

Plaintiff,

vs.

VAKULSKAS LAW FIRM, PC,
NEIMAN STONE AND MCCORMICK,
and RF FINANCIAL, LP,

Defendants.

No. 10-CV-4100-DEO

ORDER

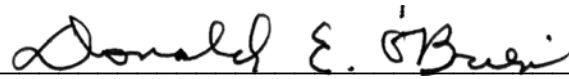
The Court has had an opportunity to read the case of Picht v. Hawks and is aware that it holds that if you violate state law, it is an automatic violation of the Fair Debt Collection Practices Act. 236 F.3d 446, 448 (8th Cir. 2001). Because Plaintiff first cited Picht v. Hawks in the hearing of May 8, 2012, the Court is persuaded both parties should have an opportunity to brief issues raised therein.

The Court specifically requests the parties address whether a debt collector's failure to register is a violation of state law. Assuming *arguendo* it is a violation of state law, the parties shall also address the damages Plaintiff will be entitled to pursuant to 15 U.S.C. Section 1692k or applicable Iowa law.

The Court has not made any final determinations as to any of Plaintiff's claims and will wait to do so until final

briefings have been received. If counsel needs more time than that allotted pursuant to the minutes of May 8, 2012, the time frame will be extended upon motion of counsel.

IT IS SO ORDERED this 11th day of May, 2012.

A handwritten signature in cursive script, reading "Donald E. O'Brien", is written above a horizontal line.

Donald E. O'Brien, Senior Judge
United States District Court
Northern District of Iowa