

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Career Counseling, Inc. d/b/a Snelling)
Staffing Services, a South Carolina)
corporation, individually and as the)
representative of a class of similarly)
situated persons,)
)
Plaintiff,)
v.)
)
Amerifactors Financial Group, LLC,)
and John Does 1–5,)
)
Defendants.)
_____)

Civil Action No. 3:16-cv-03013-JMC

**ORDER AUTHORIZING DISCLOSURE
OF INFORMATION FROM THIRD-PARTY
PHONE CARRIERS**

Having granted Plaintiff Career Counseling, Inc.’s Renewed Motion to Reconsider Denial of an Authorization Order under the Cable Communication Policy Act of 1984, 47 U.S.C. § 551 (*see* ECF No. 201), the court **ORDERS** as follows:

IT IS ORDERED that third-party subpoena respondents in the above-captioned case are hereby authorized to disclose the requested information in said subpoenas, namely:

- 1. For each telephone number on the list for the date listed, identify whether or not you provided online fax service to the subscriber of that telephone number.
- 2. For each telephone number on the attached list for the date listed, provide the name and address of the subscriber.

IT IS FURTHER ORDERED THAT Plaintiff may serve a copy of this Order on third party phone carriers and any of their subsidiaries or affiliated entities that have been served with a subpoena requesting the information set forth above in Request Nos. 1 and 2, advising them of this Order.

IT IS FURTHER ORDERED THAT,

- (a) the phone carriers shall have thirty (30) calendar days after said notice to notify subscribers that their name and address are being sought by Plaintiff;

- (b) each subscriber whose name and address are sought shall have twenty-one (21) calendar days from the date of such notice to file suit, submit, or otherwise assert any opposition to the requested disclosure; and
- (c) payment to the phone carriers by Plaintiff of all reasonable costs of: (i) compiling the names and addresses of subscribers; (ii) providing pre-disclosure notifications to subscribers; and (iii) all other reasonable costs and fees incurred responding to discovery, the determination of which will be addressed by Plaintiff and the phone carrier.

Phone carriers may provide notice using any reasonable means, including but not limited to written notice sent to the subscriber's last known address, transmitted either by first class mail or via overnight service.

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiff in response to the subpoena issued under Rule 45 of the Federal Rules of Civil Procedure may be used by Plaintiff solely for this matter and solely consistent with any orders entered by the Court in this matter.

IT IS FURTHER ORDERED THAT good faith attempts by the phone carriers to notify the subscriber(s) shall constitute compliance with this order.

IT IS SO ORDERED.



United States District Judge

April 12, 2021
Columbia, South Carolina