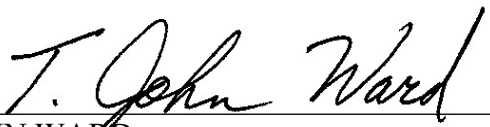


not alleged or proven that it continuously owned the debt, and GECFI has not provided any evidence disputing the Plaintiff's allegations that the debt was transferred from NCO to GECFI. In such a circumstance, where GECFI had bought, sold, or otherwise transferred the debt in question, the Court finds that GECFI may qualify as a "debt collector" under the statute, and that a dismissal at this stage, based upon the pleadings, is inappropriate. At a minimum, the Court will allow discovery into these allegations. As stated in the Magistrate Judge's recommendation, once the parties have been able to conduct discovery on this issue and a more complete record has developed, a motion for summary judgment by the Defendant on this issue may be appropriate.

Therefore, the Court hereby adopts the report of the United States Magistrate Judge as the conclusions of this Court. Accordingly, Defendant's motion to dismiss is DENIED (Dkt. No. 24).

SIGNED this 30th day of March, 2010.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE