

# Law Firm Sued Over Text Message Ads

Christine Simmons, *New York Law Journal*

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A Connecticut resident is attempting to bring a class action suit against a New York law firm for allegedly violating a consumer protection law by sending out unsolicited text message advertisements.

The plaintiff, Craig Moskowitz, said he brought a putative class action in the Eastern

District, *Moskowitz v. Pullin Law Firm*, 14-06010, against the Pullin Law Firm in Woodbury on behalf of himself and "a nationwide class of individuals" who also received unauthorized texts.

He claims that as early as July 2013, the Pullin firm, run by Allan Pullin, directed the mass transmission of unauthorized messages to cellphones nationwide. Such messages, the suit said, are prohibited under the Telephone Consumer Protection Act (TCPA).

Moskowitz said one text referred to news of Fannie Mae's agreement to a multibillion-dollar settlement. "Call me to see how this effects YOUR home loan terms," the message allegedly said, and provided a phone number.

The Pullin Law Firm continues to send spam without checking whether recipients have consented to receive it, according to the suit, which claims each member should receive \$500 in damages for each violation of the TCPA and an injunction to prevent further violations.

Preston Leonard, Moskowitz's attorney and head of the Leonard Law Office in Boston, said he knows of no other suit against a New York law firm alleging a TCPA violation for text message advertising. Leonard said he has filed suits making similar allegations against technology companies. Moskowitz is also represented by Matthew Fogelman, of Fogelman & Fogelman.

Allan Pullin did not return messages seeking comment.