Jiffy Lube Text Message Spam Lawsuit Settled for $47 Million, New Class Action Lawsuits Alleged Huffington Post, Dell Inc. Committed Similar Violations of the Telephone Consumer Protection Act

Gilman Law LLP Investigating Consumer Complaints Involving Violations of the Telephone Consumer Protection Act (TCPA). Consumers who Received Spamming Text Messages or Automated Calls on their Cell Phones without Their Consent Should Contact Gilman Law LLP Immediately, before any Statutes of Limitations Expire on their Claims and they Lose their Rights to Recovery.

Boston, MA (PRWEB) August 20, 2012 -- The national consumer protection lawyers at Gilman Law LLP are investigating allegations that Dell Inc., the Huffington Post, and other entities violated the Telephone Consumer Protection Act (TCPA) by spamming consumers with text messages or making automated calls to consumers’ phones without their consent. On August 1, 2012, Heartland Automotive Services, Inc. (“Heartland”), the largest Jiffy Lube franchisee in America, agreed to settle a class action lawsuit filed in U.S. District Court, Southern District of California, which alleged violations of the TCPA when Defendants sent a promotional text message to millions of consumers who had not consented to receive such messages. Under the proposed settlement, Jiffy Lube agreed to pay approximately $47 million in services to class members, and also agreed to obtain and retain “informed written consent” through “affirmative action on the part of the consumer through a clear statement regarding the receipt of text message advertisements.” (Case No. 3:11-MD-02261-JM-JMA)

According to Gilman Law LLP, the TCPA was signed into law in 1991, and imposed restrictions on telephone solicitations, including telemarketing calls and text messages. Among other things, the TCPA limits the use of automatic dialing systems, artificial or prerecorded voice messages, SMS text messages, and fax machines. The Act allows consumers to receive $500 per violation, and as much as $1,500 for each violation if they are able to show the acts were willful or intentional.

This month, both Dell, Inc. and the Huffington Post were named in new class action lawsuits alleging they engaged in activities that violated the TCPA. The Huffington Post lawsuit was filed in the U.S. District Court, Northern District of Illinois, on behalf of all persons who received one or more text messages from the Huffington Post or its agents after requesting that the text messages cease, or after otherwise communicating that the company did not have consent to send any text messages to that telephone number. The lead plaintiff in the complaint claims she signed up for Huffington Post’s text-based news update service, but continued to receive automated text messages at all hours of the day and night even after revoking her consent to receive the messages. (Case No. 12-cv-6138) The complaint against Dell, which was filed in the Southern District of California, seeks to represent anyone who received a non-emergency phone call from Dell to their cell phone through the use of an automatic telephone dialing system or an artificial or prerecorded voice and who did not provide prior express consent for such calls. The lead plaintiff in the lawsuit alleges that Dell made more than 100 automated calls to her cell phone without her consent regarding a past due account. (Case No. 12-cv-1899 H RBB)

Gilman Law LLP is providing free legal consultations to consumers who received text messages, automated phone calls or other communications from the Huffington Post, Dell Inc., or other entities that may have violated the TCPA. Consumers who received spamming text messages or automated calls on their cell phones without their consent should contact Gilman Law LLP immediately, before any statutes of limitations expire on
their claims and they lose their rights to recovery. For a free lawsuit consultation, please contact the consumer protection lawyers at Gilman Law LLP by visiting Gilmanlawllp.com, or call Toll Free at 1-888-252-0048.

About Gilman Law LLP

Gilman Law LLP, a leading national law firm with offices in Florida and Massachusetts, has been recognized for delivering successful results to their clients across a broad range of claims stemming from consumer product injury, mass tort, and class action lawsuits. For over 32 years, the Gilman Law LLP team of highly experienced lawyers has earned renown for tireless work on behalf of their clients on many of today’s most challenging and important legal issues.

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