

Sample Letter to Plaintiff's Counsel

When Served with an Unfiled Summons & Complaint

Sent By Certified Mail, No. 123456789

Dear Plaintiff's Counsel:

I was served as a Defendant with a Summons & Complaint on _____ with _____ listed as the Plaintiff, your office listed as Plaintiff's Counsel, and no case number.

If the case has been filed, or if it is filed at any time in the future, please mail the Summons & Complaint with the case number and file stamp to:

Defendant's Name

Defendant's Address

I have sought legal advice and been told that my income is below the median for my family size, making me eligible for Chapter 7 bankruptcy. I do not wish to file bankruptcy, but would be forced to do so if I am sued.

I ask that the debt be charged off, and, under the FDCPA, that no further collection efforts be made against me. Thank you.

Sincerely,

Defendant