

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

<p>LAMOR WHITEHEAD,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BMW FINANCIAL SERVICES NA, LLC dba BMW FINANCIAL SERVICES and ROLLS-ROYCE MOTOR CARS FINANCIAL SERVICES,</p> <p style="text-align: right;">Defendant.</p>	<p>Index No.</p> <p>Date Index No. Purchased:</p> <p>SUMMONS</p>
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To the above-named Defendant:

BMW FINANCIAL SERVICES NA, LLC
28 Liberty Street
New York, NY 10005

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff’s attorney within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is NY CPLR § 503(a) based on Defendant’s residence in New York County, New York.

Dated: New York, New York
October 23, 2022



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ATTORNEY FOR PLAINTIFF

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK


<p>LAMOR WHITEHEAD, <div style="text-align: right;">Plaintiff,</div> <div style="text-align: center;">v.</div> BMW FINANCIAL SERVICES NA, LLC dba BMW FINANCIAL SERVICES and ROLLS-ROYCE MOTOR CARS FINANCIAL SERVICES, <div style="text-align: right;">Defendant.</div> </p>	<p>Index No.</p> <p>Date Index No. Purchased:</p> <p>VERIFIED COMPLAINT AND JURY DEMAND</p>
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1. Plaintiff LAMOR WHITEHEAD (“Plaintiff”) is an individual and natural person.
2. Defendant BMW FINANCIAL SERVICES NA, LLC dba BMW FINANCIAL SERVICES and ROLLS-ROYCE MOTOR CARS FINANCIAL SERVICES (“Defendant”) is a New York foreign limited liability company that can be served process at 28 Liberty St., NY, NY 10005.
3. Plaintiff has a loan with Defendant under account ending 8807 for a 2017 Rolls-Royce Dawn.
4. On 8/23/22, Plaintiff called Defendant to check on the status of his auto loan payments.
5. Plaintiff was uncertain of the payment status and inquired as to whether he was up-to-date.
6. Defendant’s agent Sonji told Plaintiff that he was current and no payment was due, but August.
7. Plaintiff’s call with Defendant’s representative took place on 8/23/22 at about 1-2 p.m. EDT.
8. According to Sonji, the August payment was only 2 days late and the July payment was paid.
9. Therefore, Plaintiff was confident that he was not subject to being over 30-days on his loan.
10. Plaintiff was later alerted that Defendant reported a 30-day late on his consumer (credit) report.
11. Defendant reported Plaintiff 30 days late on the July 2022 payment, which it said was paid.
12. Plaintiff was shocked and dismayed to see that his credit score dropped ~70 points as a result.
13. Defendant’s reporting caused catastrophic consequences on Plaintiff’s financial transactions.
14. Plaintiff has requested that Defendant correct its consumer (credit) reporting, but it has refused.
15. **Count I:** Defendant is liable to Plaintiff for negligence for the above-alleged conduct herein.

16. Wherefore, Plaintiff demands a jury trial on all issues so triable and prays for entry of judgment in favor of Plaintiff and against Defendant for compensatory and punitive damages.

Dated: New York, New York
October 23, 2022

Respectfully submitted,



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<p>LAMOR WHITEHEAD, Plaintiff, v. BMW FINANCIAL SERVICES NA, LLC dba BMW FINANCIAL SERVICES and ROLLS-ROYCE MOTOR CARS FINANCIAL SERVICES, Defendant.</p>	<p>Index No. Date Index No. Purchased: PLAINTIFF'S VERIFICATION PURSUANT TO NY CPLR § 3020</p>
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I, LAMOR WHITEHEAD, swear, affirm, and declare under penalty of perjury and state:

1. I am the plaintiff in the above-entitled civil action;
2. I have read the foregoing **VERIFIED COMPLAINT AND JURY DEMAND** and know the contents thereof; and
3. The same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.

Dated: 10/23/2022

Lamar Whitehead
LAMOR WHITEHEAD

State of Texas
County of ELLIS

Before me, Abi Gutierrez, on this day personally appeared, LAMOR WHITEHEAD, to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 10/23/2022.

Abi Gutierrez
Notary Public's Signature
Print: Abi Gutierrez
My commission expires: 01/26/2025

Notarized online using audio-video communication

