

METRO & NM

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Man harassed by debt collector wins \$10M award

Attorney: He now feels 'vindicated'

BY SCOTT SANDLIN
JOURNAL STAFF WRITER

In 2014, Paul Christensen was just getting by on Social Security and a tiny pension from a onetime job as a night grocery stocker. Living in a rented apartment, he finally had saved up enough money to have his lower teeth pulled and be fitted for dentures.

His savings were stolen, his attorney says, by an aggressive Midwestern debt collection agency, Financial Credit Services Inc., also known as Asset Recovery Associates

or ARA. The debt was "either completely bogus or was decades past the statute of limitations," which the company knew or should have known, according to the lawsuit filed by Nick Mattison and Susan Warren for Christensen.

This week, a federal civil jury heard testimony from Christensen about his experience and from two other witnesses about enduring a similar drubbing by the same company.

In less than a half hour of deliberations, they awarded \$200,000 in compensatory damages to the now 70-year-old man.

And Christensen, who took the bus to and from the court

proceeding, walked away with a \$10 million punitive damages award.

"He was very happy. We were humbled by the verdict," Mattison said Friday. "He felt he was being vindicated."

No attorney ever entered an appearance for Financial Credit Services, and no one defended it at trial, although the company was served with the complaint, and Mattison's law firm, Feferman and Warren, has previously sued on behalf of other clients. Mattison said those cases were resolved before trial.

"It was surprising to us" that there was no response, he said. Mattison said he hopes eventually to collect on the

verdict, "but it's a process to get them to pay."

The lawsuit says Financial Credit Services has been sued for similar violations of the Fair Debt Collection Practices Act, and has been the subject of actions by many state attorneys general and other agencies.

Debt collection companies must be licensed to operate in the state, but Financial Recovery Services was not licensed in New Mexico at the time the calls were made to Christensen, he said.

A woman called as a witness testified about getting harassing calls a decade ago from the same company, and another woman, a Gallup resident,

testified about more recent interactions in which she arranged payments and had her car repossessed anyway. "She ended up in a homeless shelter in Albuquerque for a couple of weeks," Mattison said.

Despite his modest income, Christensen began saving again and is close to having money for the procedures he needs, but meanwhile his teeth have deteriorated even more and he did oral surgery on himself.

"What's happened is his bottom teeth have been worn down almost to the gumline," Mattison said. "It's hard for him to eat anything besides soft food like mashed

potatoes."

Mattison said that Christensen began experiencing pain from a lower incisor and decided to pull it himself. He devised a means of padding tweezers with tape to get into the gums and extract the tooth, photos of which were admitted into evidence at the Thursday trial before U.S. Magistrate Judge Laura Fashing.

"It could not have been pleasant," Mattison said. "He realized it was what he had to do. These businesses that target people who are just getting by can cause enormous harm."