

## Not So Bullish on the Street: Wall Street Journal Faces New Putative TCPA Class Action Alleging Do Not Call Violations

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Not even the country's largest newspaper can escape the TCPA. The Dow Jones & Company d/b/a the Wall Street Journal, joins the TCPA class action litigation sprawl in New York federal court. In the new class action suit titled *Carol Deaton v. Dow Jones & Company, Inc. d/b/a The Wall Street Journal*, Case No. 18-CV-8027 (Filed September 4, 2018) the Plaintiff sues in the Southern District of New York alleging that the WSJ is making illegal telemarketing calls to those registered on the DNC to solicit potential customers. This case follows the [Dallas Morning News](#) suit that Eric reported here about last month, where he predicted that these DNC suits might be the new wave of TCPA litigation.

The WSJ Complaint states that during or before winter 2016, the WSJ or its agents purchased "leads" containing consumer contact information and created an electronic database to solicit potential customers.

The Plaintiff contends that WSJ, or its agents, called her dozens of times for a year to sell her a WSJ subscription, and her number had been registered to the DNC since 2005.

Plaintiff defines the proposed DNC class as:

"All individuals in the United States who, in the last four years: (1) received more than one telephone call made by or on behalf of Defendant within a 12-month period; and, (2) to a telephone number that had been registered with the National Do Not Call Registry for at least 30 days."

Compl. par. 50.

Plaintiff admits in the Complaint to not knowing the overall number of class members, but she assumes the number of class members is in the thousands. The suit alleges knowing and willful violations of the TCPA, and is seeking injunctive relief, statutory damages, and attorneys' fees and costs.

Based on these types of allegations, WSJ, as one of the largest newspapers in the Nation, could be facing high risks and costly consequences. And as the [Post-ACA Int'l ATDS](#) decisions continue to roll in, it will be interesting to see if these DNC suits will trigger a rash of new TCPA litigation.

The suit can be found here: [Wall Street Journal Complaint](#).

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