

## TCPA MORASSE: Pelican and Gustav Renny Stuck in Another Case Involving Auto Warranty Calls

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So I reported last month that Renny was personally sued in a case out in Ohio in connection with [auto warranty calls](#).

Turns out, he and Pelican are also stuck in a case in Texas. The Court has ordered jurisdictional discovery to be conducted and denied a motion to dismiss in the meantime. See *Pavelka v. Pelican Investment Holdings Group, LLC*, 2022 WL 3159275 (N.D. Tex. August 8, 2022).

The Texas case also involves a company called Affordable Auto Protection, LLC. They're stuck in the case as well. It moved to dismiss arguing that the Plaintiffs had not alleged when their numbers were placed on the DNC list. But since the Plaintiffs actually had made those allegations the Court denied the motion.

There's not much of a backstory here but it is worth knowing that in this suit the following people are stuck in the case:

1. The actual caller;
2. The company whose goods were sold;
3. An officer of the company whose goods were sold.

While 1 and 2 isn't unusual, the fact that Renny is stuck in a case involving calls that were made by a company he doesn't directly own or work for is...interesting.

But, then again, Plaintiff alleges Renny is in control of all parties. Check out these allegations:

*Plaintiffs contend that although allegedly separate, Affordable, AAP, and Renny are in fact, "one and the same." Id. ¶ 8.5. "AAP is a Delaware entity registered to do business in Florida." Id. ¶ 2.6. AAP's website is registered to GR Investment Group, LLC (GR Investment). Id. ¶ 8.15. Renny is the registered agent and manager of GR Investment. Id. AAP is the d/b/a name of Pelican Investment Holdings Group, LLC (Pelican), and Renny signed Pelican's d/b/a application for the name. Id. ¶*

8.16. The sole member and manager of Pelican is Falcon Endeavors Inc. (Falcon). *Id.* ¶ 8.18. Renny is the Chief Executive Officer of Falcon. *Id.* ¶ 8.19. Renny is also the registered agent and manager of Affordable. *Id.* ¶ 8.20. GR Investment, Pelican, Falcon, and Affordable share one principal address: 1300 N. Congress Avenue, West Palm Beach, FL 33409. *Id.* ¶¶ 8.15, 8.17, 8.19–8.20.

Plaintiffs further contend that Renny controls the other Defendants, Affordable and AAP, and executes documents on behalf of each entity. *Id.* ¶¶ 8.6–8.8. Affordable allegedly controls AAP as well. *Id.* ¶ 8.6. Together, Affordable and Renny “directed AAP to make the telephone solicitation calls to Plaintiffs and ... Class Members.” *Id.* ¶ 8.11. Affordable and Renny “benefited from the vehicle service contracts issued by AAP “ to three of the plaintiffs and “accepted the future benefits of the profits from the vehicle service contracts.” *Id.* ¶ 8.12.

Not sure how much, if any, of this is true but it is fascinating.

Happy Monday TCPAWorld.

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