

ZEICHNER ELLMAN & KRAUSE LLP  
William T. Marshall, Jr. (WM0626)  
33 Wood Avenue South, Suite 110  
Iselin, NJ 08830  
Telephone: (973) 618-9100  
Direct Dial: (973) 852-2660

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CONSUMER DATA INDUSTRY  
ASSOCIATION,

Plaintiff,

v.

ANDREW J. BRUCK, in his official  
capacity as ATTORNEY GENERAL  
FOR THE STATE OF NEW JERSEY,

Defendant.

Civil Action No.  
3:19-cv-19054-ZNQ-TJB

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**STATEMENT OF MATERIAL FACTS NOT IN DISPUTE**

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## **STATEMENT OF MATERIAL FACTS NOT IN DISPUTE**

1. The Consumer Data Industry Association ("CDIA") is an international trade association, founded in 1906, representing consumer credit and other specialized consumer reporting agencies ("CRAs") operating in the United States and throughout the world. (See Stipulated Facts; Declaration of Eric J. Ellman ("Ellman Decl.") ¶1)

2. CDIA's membership includes the nationwide consumer reporting agencies ("NCRAs") which provide a variety of consumer reporting products and services. (Stipulated Facts ¶1; Ellman Decl. ¶3)

3. CDIA represents the NCRAs: Experian, Equifax, and TransUnion. (Stipulated Facts ¶1)

4. The Fair Credit Reporting Act ("FCRA") governs the activities of CRAs. (Ellman Decl. ¶4)

5. NCRAs have spent significant resources over decades building their systems to serve consumers and assist them in understanding their credit reports and legal rights. (Ellman Decl. ¶6)

6. NCRAs have operated with the understanding that they are subject to the FCRA's nationally uniform standard designed to ensure the accuracy, integrity, and reliability of consumer reporting information. (Ellman Decl. ¶6)

7. NCRAs also have developed particularized systems to comply with FCRA regulations and standards related to, *inter alia*: 1) intake of information for purposes of compiling consumer reports; 2) how and when file disclosures must be provided to consumers, including the development and maintenance of a centralized source through which consumers may request their annual file disclosures from the NCRAs; 3) the content of consumer reports; and 4) the accurate transmission of the information to users in consumer reports, which includes the ability to store the information provided by furnishers of consumer information. (Ellman Decl. ¶7)

8. NCRAs receive millions of tradelines a year from over 10,000 qualified and credentialed data furnishers, which are entities across the country that have relationships with consumers, such as creditors and landlords. (Ellman Decl. ¶8)

9. The tradeline data are provided by these furnishers and stored by NCRAs in English using a specific industry Metro 2® format. All information in Metro 2® format is in English. (Ellman Decl. ¶9)

10. All information furnished to the CRAs is provided on forms in English. (Ellman Decl. ¶10)

11. “File” information may include personal statements that are written by the consumer and submitted to the CRA for the purpose of

explaining a dispute with regard to information in their file, and all are recorded in English, as are any fraud or active-duty alert messages that are also part of the consumer's file. (Ellman Decl. ¶11)

12. The NCRAs do not record credit report information in any language other than English in the United States. (Stipulated Facts ¶8; Ellman Decl. ¶11)

Dated: January 21, 2022

Respectfully submitted,

/s/ William T. Marshall, Jr.  
William T. Marshall, Jr.  
(N.J. Bar No. WM0626)  
ZEICHNER ELLMAN & KRAUSE LLP  
33 Wood Avenue South, Suite 110  
Iselin, New Jersey 08830  
Phone: (973) 618-9100  
Fax: (973) 364-9960  
wmarshall@zeklaw.com

Rebecca E. Kuehn, Esq. (*pro hac vice*)  
Jennifer L. Sarvadi (*pro hac vice*)  
HUDSON COOK, LLP  
1909 K Street NW  
4th Floor  
Washington, DC 20006  
Phone: (202) 715-2008  
Facsimile: (202) 223-6935  
rkuehn@hudco.com  
jsarvadi@hudco.com

Attorneys for Plaintiff  
Consumer Data Industry Association