

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

John Doe v. Application Processing Service, Inc.

Doe v. Application Processing Service · No. 8:25-cv-02758-WFJ-NHA · Decided February 11, 2026

SUMMARY

The United States District Court for the Middle District of Florida granted in part John Doe’s motion for default judgment against Application Processing Service, Inc. in an action alleging violations of the Fair Credit Reporting Act. The court entered judgment on claims under 15 U.S.C. §§ 1681e(b) and 1681i, awarding \$7,425 in actual damages and \$29,700 in punitive damages, for a total of \$37,125, while reserving attorney’s fees and costs for a supplemental motion.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	February 11, 2026
DOCKET	8:25-cv-02758-WFJ-NHA
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for final default judgment after the Clerk entered default against Defendant, which had been properly served but failed to plead, appear, or move to set aside the default.
STANDARD OF REVIEW	On a motion for default judgment, the court determines whether the well-pleaded allegations establish a sufficient basis for judgment, applying a standard akin to the standard for deciding whether a complaint would survive a motion to dismiss. Damages are determined in the court's discretion, and an evidentiary hearing is unnecessary when the evidence is already of record or the damages can be calculated without one.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	John Doe v. Application Processing Service, Inc.

TOPICS

credit reporting

default judgment

damages

attorney fees

personal jurisdiction

PRACTICE AREAS

Fair Credit Reporting Act

consumer protection

default judgment

damages

attorney's fees

QUESTIONS PRESENTED

1. Whether the well-pleaded allegations established a sufficient basis for default judgment on Plaintiff's claims under 15 U.S.C. §§ 1681e(b) and 1681i.
2. Whether Defendant's alleged conduct constituted willful violations of the FCRA.
3. What actual and punitive damages were supported by the record.
4. Whether Plaintiff was entitled to attorney's fees and costs under the FCRA and the court's local rules.

HOLDINGS

1. Plaintiff sufficiently alleged claims under 15 U.S.C. §§ 1681e(b) and 1681i because the complaint alleged inaccurate information, unreasonable reporting procedures or reinvestigation, injury, and causation.
2. Defendant's alleged conduct constituted willful violations of the FCRA because Defendant allegedly ignored major inaccuracies and refused to reinvestigate despite being confronted with the disputed information.
3. Plaintiff was entitled to \$7,425 in actual damages, consisting of \$2,425 in documented financial losses and \$5,000 for emotional harm supported by the record.
4. Plaintiff was entitled to \$29,700 in punitive damages, calculated using a four-to-one ratio against the \$7,425 compensatory-damages award.
5. Plaintiff was entitled to seek attorney's fees and costs under the FCRA, but the court deferred the fee determination and required a separate motion under Local Rule 7.01(c).

KEY QUOTATIONS

“There is no possible “reasonable reading of the [FCRA’s] terms” that would permit Defendant to outright refuse to comply with its statutory duties to ensure maximum possible accuracy and reinvestigate any disputes just because Plaintiff’s information could be found online.” (Discussion, Part I)

“The Clerk is DIRECTED to enter final default judgment on all counts in favor of Plaintiff John Doe against Defendant Application Processing Service, Inc., together with post-judgment interest to accrue at the legal rate, all for which let execution issue forthwith.” (Conclusion ¶ 2)

FACTUAL BACKGROUND

Application Processing Service, Inc. prepared and provided a consumer report concerning John Doe to a prospective housing provider and homeowners association in August 2025. The report allegedly included expunged, sealed, duplicated, and outdated criminal and traffic records, as well as unclear dispositions. The

prospective landlord denied Doe's housing application based on the report, and Doe alleged financial losses, emotional harm, and expenses incurred attempting to correct the report. After Doe disputed the information, Defendant allegedly refused to reinvestigate.

PROCEDURAL HISTORY

Plaintiff filed an FCRA complaint on October 8, 2025, alleging violations of 15 U.S.C. §§ 1681e(b) and 1681i. Defendant was served on October 17, 2025, but did not respond or appear. The Magistrate Judge granted Plaintiff's motion for entry of default, and the Clerk entered default on January 27, 2026. The district court granted the motion for default judgment in part, entered judgment on both counts, awarded \$37,125 in actual and punitive damages, and directed Plaintiff to file a separate attorney-fee and cost motion.

DISPOSITION

other

CASES CITED

- Surtain v. Hamlin Terrace Found., 789 F.3d 1239, 1245 (11th Cir. 2015)
- Nishimatsu Constr. Co., Ltd. v. Houston Nat'l Bank, 515 F.2d 1200, 1206 (5th Cir. 1975)
- Graveling v. Castle Mortg. Co., 631 F. App'x 690, 698 (11th Cir. 2015)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Securities & Exchange Commission v. Smyth, 420 F.3d 1225, 1232 n.13 (11th Cir. 2005)
- Perry Ellis Int'l, Inc. v. URI Corp., 2007 WL 3047143, at *1 (S.D. Fla. Oct. 18, 2007)
- Axiom Worldwide, Inc. v. Excite Med. Corp., 591 F. App'x 767, 775 (11th Cir. 2014)
- Borg-Warner Acceptance Corp. v. Lovett & Tharpe, Inc., 734 F.2d 639, 640 (11th Cir. 1984)
- Ordonez v. Icon Sky Holdings LLC, No. 10-60156-CIV, 2011 WL 3843890, at *5 (S.D. Fla. Aug. 30, 2011)
- Buchanan v. Bowman, 820 F.2d 359, 361 (11th Cir. 1987)
- Coleman v. Experian Info. Sols., Inc., 655 F. Supp. 3d 1285, 1300 (N.D. Ga. 2023)
- Enwonwu v. Trans Union, LLC, 364 F. Supp. 2d 1361, 1365 (N.D. Ga. 2005)
- Losch v. Nationstar Mortg. LLC, 995 F.3d 937, 943-44 (11th Cir. 2021)
- Collins v. Experian Info. Sols., Inc., 775 F.3d 1330, 1333, 1335-36 (11th Cir. 2015)
- Celestine v. Cap. One, 741 F. App'x 712, 715 (11th Cir. 2018)
- Levine v. World Fin. Network Nat'l Bank, 554 F.3d 1314, 1318 (11th Cir. 2009)
- Rhodes v. First Advantage Background Servs. Corp., No. 24-11005, 2024 WL 4615775, at *8 (11th Cir. Oct. 30, 2024)
- Rodriguez v. Nat'l Tenant Network, Inc., No. 6:23-CV-2487-ACC-RMN, 2024 WL 5484107, at *8 (M.D. Fla. Nov. 13, 2024)
- Harris v. Mexican Specialty Foods, Inc., 564 F.3d 1301, 1306 (11th Cir. 2009)
- Williams v. First Advantage LNS Screening Sols. Inc., 947 F.3d 735, 750, 765-66 (11th Cir. 2020)

- Norman v. Hous. Auth. of City of Montgomery, 836 F.2d 1292, 1304 (11th Cir. 1988)
- Marchisio v. Carrington Mortg. Servs., LLC, Case No. 14-14011-civ, 2020 WL 4350725, at *6 (S.D. Fla. July 29, 2020)
- Am. Civil Liberties Union of Ga. v. Barnes, 168 F.3d 423, 427 (11th Cir. 1999)

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