

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS

Robert A. Doane v. Python Leads, LLC, Jacquelyn Leah Levine, and
Ali Raza

Robert A. Doane v. Python Leads, LLC, No. 1:24-cv-12947-JEK (D. Mass. Dec. 4, 2025) · No. 1:24-cv-12947-JEK · Decided December 4, 2025

SUMMARY

The United States District Court for the District of Massachusetts denied Jacquelyn Levine’s motions to dismiss claims arising from allegedly unsolicited telemarketing calls, including claims under the Telephone Consumer Protection Act, the Massachusetts Telemarketing Solicitation Act, and Massachusetts General Laws chapter 93A. The court held that Doane had standing, that personal jurisdiction over Levine was proper under the Massachusetts long-arm statute and due process principles, and that jurisdictional discovery was unnecessary. The court also granted Doane’s motion to strike exhibits attached to the motion to dismiss.

CASE DETAILS

COURT	United States District Court for the District of Massachusetts
WRITING FOR THE COURT	Julia E. Kobick
JURISDICTION	United States District Court for the District of Massachusetts
DECIDED	December 4, 2025
DOCKET	1:24-cv-12947-JEK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under the Telephone Consumer Protection Act, the Massachusetts Telemarketing Solicitation Act, and Massachusetts General Laws chapter 93A. Defendant Jacquelyn Levine moved to dismiss for lack of personal jurisdiction and failure to state a claim, including on standing and liability grounds. Plaintiff moved for jurisdictional discovery and to strike exhibits attached to the Rule 12(b)(6) motion.
STANDARD OF REVIEW	For personal jurisdiction, the court applied the prima facie method, crediting the plaintiff’s version of genuinely contested facts and considering the defendant’s facts only if uncontradicted. For the Rule 12(b)(6) motion, the court accepted well-pleaded allegations as true,

construed them favorably to the plaintiff, and evaluated whether the complaint plausibly stated a claim. Standing was evaluated under Article III's injury-in-fact, causation, and redressability requirements. The motion to strike was evaluated under the rule limiting consideration on a motion to dismiss to the complaint and documents incorporated into it.

PRECEDENTIAL VALUE

Unknown; memorandum and order of a federal district court with no reporter citation in the source.

TOPICS

personal jurisdiction

motions to dismiss

standing

consumer protection

deceptive trade practices

PRACTICE AREAS

civil procedure

consumer protection

telecommunications law

personal jurisdiction

torts

QUESTIONS PRESENTED

1. Whether Doane adequately alleged Article III standing to assert his TCPA claim.
2. Whether the court could exercise specific personal jurisdiction over Levine under the Massachusetts long-arm statute and the Due Process Clause.
3. Whether jurisdictional discovery was warranted.
4. Whether Doane plausibly alleged TCPA liability against Levine under a vicarious-liability theory.
5. Whether Doane plausibly stated claims under the Massachusetts Telemarketing Solicitation Act and Massachusetts General Laws chapter 93A.
6. Whether exhibits attached to Levine's Rule 12(b)(6) motion should be stricken because they were not incorporated into the complaint.

HOLDINGS

1. Doane adequately established standing because he plausibly alleged that he received 23 unsolicited and harassing telemarketing calls in violation of the TCPA, suffered a concrete privacy and nuisance injury, and could obtain redress through judicial relief.
2. Specific personal jurisdiction existed over Levine under both the Massachusetts long-arm statute and due process.
3. Jurisdictional discovery was unwarranted because Doane had already made a sufficient prima facie showing of personal jurisdiction over Levine.
4. Doane plausibly alleged that Levine may be vicariously liable for Python's calls under federal common-law agency principles, although the complaint did not plausibly allege that Levine directly initiated the calls.

5. Doane plausibly stated claims against Levine under the Massachusetts Telemarketing Solicitation Act and Massachusetts General Laws chapter 93A.
6. The court granted Doane's motion to strike Levine's three exhibits because they were not incorporated into or otherwise part of the complaint, and Levine stipulated that they should not be considered at the Rule 12(b)(6) stage.

KEY QUOTATIONS

“Specific jurisdiction exists over Levine, given her oversight and control of Python’s call centers that targeted Massachusetts residents like Doane.” (Discussion II)

“Nevertheless, Levine may be vicariously liable for Python’s calls to Doane.” (Discussion III)

FACTUAL BACKGROUND

Python Leads, LLC, a Florida company operating call centers in Pakistan, allegedly conducted large-scale telemarketing for insurance-lead customers using spoofing, robocalls, and prerecorded messages. Levine was Python's founder, CEO, and sole member; she allegedly wrote telemarketing scripts, established and trained the Pakistan call centers, oversaw their operations, and contracted with Final Expense Direct. Doane, a Massachusetts resident whose cellphone number was listed on federal and Massachusetts do-not-call registries, allegedly received at least 23 unsolicited calls from Python between December 2021 and January 2022 and never consented to them.

PROCEDURAL HISTORY

Doane filed suit in November 2024. Levine moved to dismiss under Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), while Doane opposed, sought jurisdictional discovery, and moved to strike three exhibits. Python later filed an answer conceding personal jurisdiction over it. The court denied both motions to dismiss and the motion for jurisdictional discovery, and granted the motion to strike.

DISPOSITION

other

CASES CITED

- Thornton v. Ipsen Biopharmaceuticals, Inc., 126 F.4th 76, 80-81 (1st Cir. 2025)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 423 (2021)
- Murray v. Grocery Delivery E-Servs. USA Inc., 55 F.4th 340, 347 (1st Cir. 2022)
- Drazen v. Pinto, 74 F.4th 1336, 1345 (11th Cir. 2023)
- Van Patten v. Vertical Fitness Grp., LLC, 847 F.3d 1037, 1043 (9th Cir. 2017)
- Susinno v. Work Out World Inc., 862 F.3d 346, 351-52 (3d Cir. 2017)
- Martinez-Rivera v. Commonwealth of Puerto Rico, 812 F.3d 69, 74 (1st Cir. 2016)
- A Corp. v. All Am. Plumbing, Inc., 812 F.3d 54, 58 & n.5 (1st Cir. 2016)

- *Rodriguez v. Fullerton Tires Corp.*, 115 F.3d 81, 83-84 (1st Cir. 1997)
- *Baskin-Robbins Franchising LLC v. Alpenrose Dairy, Inc.*, 825 F.3d 28, 34-41 (1st Cir. 2016)
- *Rosenthal v. Bloomingdales.com, LLC*, 101 F.4th 90, 94-96 (1st Cir. 2024)
- *Ward v. AlphaCore Pharma, LLC*, 89 F.4th 203, 209 (1st Cir. 2023)
- *SCVNGR, Inc. v. Punchh, Inc.*, 478 Mass. 324, 330 n.9 (2017)
- *Lyle Richards Int'l, Ltd. v. Ashworth, Inc.*, 132 F.3d 111, 114 (1st Cir. 1997)
- *Tatro v. Manor Care, Inc.*, 416 Mass. 763, 770 (1994)
- *Doucet v. FCA US LLC*, 492 Mass. 204, 207-10 (2023)
- *Lyons v. Duncan*, 81 Mass. App. Ct. 766, 770 (2012)
- *Murphy v. Erwin-Wasey, Inc.*, 460 F.2d 661, 664 (1st Cir. 1972)
- *Rivera-Corraliza v. Morales*, 794 F.3d 208, 224 (1st Cir. 2015)
- *SEC v. Gastauer*, 93 F.4th 1, 8 (1st Cir. 2024)
- *Ford Motor Co. v. Montana Eighth Jud. Dist. Ct.*, 592 U.S. 351, 358, 362, 365 (2021)
- *Donatelli v. Nat'l Hockey League*, 893 F.2d 459, 469 (1st Cir. 1990)
- *Jet Wine & Spirits, Inc. v. Bacardi & Co.*, 298 F.3d 1, 7 (1st Cir. 2002)
- *Daynard v. Ness, Motley, Loadholt, Richardson & Poole, P.A.*, 290 F.3d 42, 62 (1st Cir. 2002)
- *Cunningham v. CBC Conglomerate, LLC*, 359 F. Supp. 3d 471, 480-83 (E.D. Tex. 2019)
- *Burger King Corp. v. Rudzewicz*, *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 473 (1985)
- *Nowak v. Tak How Invs., Ltd.*, 94 F.3d 708, 717-18 (1st Cir. 1996)
- *Pritzker v. Yari*, 42 F.3d 53, 64 (1st Cir. 1994)
- *Cortés-Ramos v. Martin-Morales*, 956 F.3d 36, 41 (1st Cir. 2020)
- *Ocasio-Hernández v. Fortuño-Burset*, 640 F.3d 1, 7 (1st Cir. 2011)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 559 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009)
- *Mims v. Arrow Fin. Servs., LLC*, 565 U.S. 368, 373-74 (2012)
- *Campbell-Ewald Co. v. Gomez*, 577 U.S. 153, 168 (2016)
- *In re Atl. Fin. Mgmt., Inc.*, 784 F.2d 29, 31 (1st Cir. 1986)
- *Ophthalmic Surgeons, Ltd. v. Paychex, Inc.*, 632 F.3d 31, 37 n.6 (1st Cir. 2011)
- *Warcia v. Subway Restaurants, Inc.*, 949 F.3d 354, 357 (7th Cir. 2020)
- *Jones v. Royal Admin. Servs., Inc.*, 887 F.3d 443, 449 (9th Cir. 2018)
- *Doane v. Benefytt Techs., Inc.*, No. 22-cv-10510-FDS, 2023 WL 2465628, at *9 (D. Mass. Mar. 10, 2023)
- *Abrahamian v. loanDepot.com LLC*, No. 23-cv-728-PHX-SMB, 2024 WL 4870494, at *5 (D. Ariz. Nov. 22, 2024)
- *Jones v. Montachusets Reg'l Transit Auth.*, No. 22-1569, 2023 WL 9233970, at *3 (1st Cir. Nov. 30, 2023)
- *Breda v. Cellco P'ship*, 934 F.3d 1, 4 n.4 (1st Cir. 2019)
- *Walsh v. TelTech Sys., Inc.*, 821 F.3d 155, 160 (1st Cir. 2016)
- *PMP Assocs. v. Globe Newspaper Co.*, 366 Mass. 593, 596 (1975)

- Exxon Mobil Corp. v. Att’y Gen., 479 Mass. 312, 316 (2018)
- Aspinall v. Philip Morris Cos., Inc., 442 Mass. 381, 394 (2004)
- Herman v. Admit One Ticket Agency LLC, 454 Mass. 611, 615-16 (2009)

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