

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

**GEORGE CANSLER, on his own behalf,
and on behalf of a class of those similarly
situated,**

Plaintiff,

v.

**UNIVERSITY HEALTH SYSTEMS OF
EASTERN CAROLINA, INC., EAST
CAROLINA HEALTH-CHOWAN, INC.,
HALIFAX REGIONAL MEDICAL
CENTER, INC., ROANOKE VALLEY
HEALTH SERVICES, INC., PITT
COUNTY MEMORIAL HOSPITAL,
INC., DUPLIN GENERAL HOSPITAL,
INC., EAST CAROLINA HEALTH-
BEAUFORT, INC., EAST CAROLINA
HEALTH-BERTIE, INC., EAST
CAROLINA HEALTH-HERITAGE,
INC., THE OUTER BANKS HOSPITAL,
INC., VIDANT MEDICAL GROUP
AFFILIATES, LLC, VIDANT MEDICAL
GROUP, LLC, VIDANT INTEGRATED
CARE, LLC, and FIRSTPOINT
COLLECTION RESOURCES, INC.,**

Defendants.

CLASS ACTION COMPLAINT

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Plaintiff, George Cansler, through counsel, acting on his own behalf and on behalf of a putative class of those similarly situated, brings this action for violations of the North Carolina Unfair and Deceptive Trade Practices Act (“UDTPA”), N.C.G.S. § 75-1 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201(a) *et seq.*, the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*, and the North Carolina Collection Agency Act (“NCCAA”), N.C.G.S. § 58-70 *et seq.*, against Defendants University Health Systems of Eastern Carolina, Inc., East Carolina Health-Chowan, Inc., Halifax Regional Medical Center, Inc., Roanoke Valley Health Services, Inc., Pitt County Memorial Hospital, Inc. Duplin General Hospital, Inc., East Carolina Health-Beaufort, Inc., East Carolina Health-Bertie, Inc., East Carolina Health-Heritage, Inc., The Outer Banks Hospital, Inc., Vidant Medical Group Affiliates, LLC, Vidant Medical Group, LLC, Vidant Integrated Care, LLC (collectively, “Vidant”), and FirstPoint Collection Resources, Inc. (“FirstPoint”), and states as follows based on personal knowledge, investigation of counsel, and information and belief:

I. NATURE OF THE ACTION

1. This action concerns unfair and deceptive billing and collection practices engaged in by Vidant and FirstPoint. Defendants grossly overcharged Mr. Cansler without having any enforceable agreement with him to pay Vidant’s inflated prices. Defendants then utilized aggressive, manipulative, and illegal collection practices in an attempt to coerce him to pay an unreasonable amount to which he had never agreed. Indeed, Vidant had a policy of not disclosing to patients like Mr. Cansler the prices of Vidant’s services. This was despite the fact that Vidant was aware that many patients, like Mr. Cansler, would have to bear the vast majority of that expense after the services were provided. Mr. Cansler’s experience is typical of insured patients

who receive care at Vidant facilities. He therefore sues for damages and declaratory relief both for himself and a class of those similarly situated.

II. THE PARTIES

A. Plaintiff.

2. Plaintiff George Cansler is a resident of Edenton, North Carolina, Chowan County.

B. Defendants.

3. Defendant University Health Systems of Eastern Carolina, Inc. d/b/a Vidant Health, is a North Carolina nonprofit corporation. Its principal place of business is located at 800 W.H. Smith Boulevard, Greenville, NC 27834, Pitt County. It may be served with process through its registered agent at P.O. Box 6028, Greenville, NC 27835.

4. Vidant Health is a not-for-profit, 1,447-bed hospital system that serves more than 1.4 million people in 29 counties in Eastern North Carolina. The system is made up of nine hospitals and more than 12,000 employees. Its estimated revenue for the year 2017 was \$1,693,152,000. It is one of the largest health systems in the State. It is sophisticated as an organization and has far greater resources than an individual consumer. “Vidant Health” appears on the bills Mr. Cansler received. On information and belief, in the past Vidant Health has made collection claims in consumer bankruptcies regarding medical bills. On information and belief, Vidant Health primarily controlled and directed the billing practices alleged herein.

5. Defendant East Carolina Health-Chowan, Inc., d/b/a Vidant Chowan Hospital, is a North Carolina nonprofit corporation. Its principal place of business is located at 800 W.H. Smith Boulevard, Greenville, NC 27834. It may be served with process through its registered agent Michael Waldrum at P.O. Box 6028, Greenville, NC 27835. As described below, the Plaintiff’s relevant service occurred at Vidant Chowan Hospital.

6. Defendant Halifax Regional Medical Center, Inc., operating under the name Vidant North Hospital, is a North Carolina nonprofit corporation. Its principal place of business is located at 800 W.H. Smith Boulevard, Greenville, NC 27834. It may be served with process through its registered agent Michael Waldrum at P.O. Box 6028, Greenville, NC 27835.

7. Defendant Roanoke Valley Health Services, Inc., operating under the name Vidant North Hospital, is a North Carolina nonprofit corporation. Its principal place of business is located at 2100 Stantonsburg Road, Greenville, NC 27834. It may be served with process through its registered agent Michael Waldrum at 800 W.H. Smith Boulevard, Greenville, NC 27834.

8. Defendant Pitt County Memorial Hospital, Inc., operating under the name Vidant Medical Center, is a North Carolina nonprofit corporation. Its principal place of business is located at 800 W.H. Smith Boulevard, Greenville, NC 27834. It may be served with process through its registered agent Michael Waldrum at P.O. Box 6028, Greenville, NC 27835.

9. Defendant Duplin General Hospital, Inc., operating under the name Vidant Duplin Hospital, is a North Carolina nonprofit corporation. Its principal place of business is located at 800 W.H. Smith Boulevard, Greenville, NC 27834. It may be served with process through its registered agent Michael Waldrum at P.O. Box 6028, Greenville, NC 27835.

10. Defendant East Carolina Health-Beaufort, Inc., operating under the name Vidant Beaufort Hospital, is a North Carolina nonprofit corporation. Its principal place of business is located at 800 W.H. Smith Boulevard, Greenville, NC 27834. It may be served with process through its registered agent Michael Waldrum at P.O. Box 6028, Greenville, NC 27835.

11. Defendant East Carolina Health-Bertie, Inc., operating under the name Vidant Bertie Hospital, is a North Carolina nonprofit corporation. Its principal place of business is located

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