

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FILED
MAR 3 2025
2025 MAR -3 AM 9:47

ROBERT A. DOANE,

Plaintiff

v.

**PYTHON LEADS, LLC.,
JACQUELYN LEAH LEVINE
ALI RAZA**

Defendants.

Civil Action No. 1:24-CV-12947-JEK

**DEFENDANTS PYTHON LEADS, LLC AND JACQUELYN LEAH LEVINE'S
12(b)(6) MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

I, Jacquelyn Levine, am the owner and authorized representative of Python Leads, LLC. I submit this motion on behalf of the company in my capacity as its owner. I understand that Python Leads, LLC, as a corporate entity, must retain legal counsel to appear in this Court.

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Python Leads, LLC ("Python Leads") and Jacquelyn Leah Levine ("Levine") move to dismiss Plaintiff Robert A. Doane's Complaint for failure to state a claim upon which relief can be granted.

Plaintiff asserts claims under the Telephone Consumer Protection Act ("TCPA"), the Massachusetts Telemarketing Solicitation Act ("MTSA"), and the Massachusetts Consumer Protection Act ("MCPA"). However, Plaintiff's allegations fail as a matter of law for the following reasons:

1. **Plaintiff is a Serial Litigant** – Plaintiff has filed nearly 20 TCPA lawsuits over the past seven years in Federal Court and over 17 in Massachusetts state court, actively soliciting

telemarketing calls to manufacture claims. Courts have dismissed similar suits on the basis that professional litigants lack standing under the TCPA.

2. **Plaintiff's Claims Are Barred by Prior Settlement** – Plaintiff previously settled a similar TCPA claim for \$18,500, covering the same alleged telemarketing calls. Established case law prevents plaintiffs from relitigating settled claims.
3. **Plaintiff Fails to Allege Direct or Vicarious Liability** – The Complaint does not allege that Python Leads or Levine placed any calls or directed third parties to do so. Without direct involvement or an agency relationship, no liability exists.
4. **Plaintiff Lacks Article III Standing** – Courts have ruled that plaintiffs who invite or manufacture telemarketing calls to file lawsuits lack standing under the TCPA. Doane's pattern of litigation matches the abusive tactics rejected by federal courts.

For these reasons, and as further detailed in the accompanying Memorandum in Support, Python Leads and Levine respectfully request that this Court dismiss the Complaint with prejudice.

Dated: March 3, 2025

Respectfully submitted,

/s/ Jacquelyn Levine
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served, via the court's electronic filing system or email, on March 3, 2025 to:

Richard B. Reiling
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63 Atlantic Avenue, 3rd Flr.
Boston, MA 02110
617-412-4291
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/s/ Jacquelyn Levine
Jacquelyn Levine