

**UNITED STATES DISTRICT COURT
Western District of Texas
Austin Division**

THOMAS DOUGHTY, individually	§	
and on behalf of the classes,	§	
	§	
Plaintiff,	§	CA No.: 1:24-cv-01190-DII
	§	
v.	§	
	§	
	§	Class Action
BRIGHT SOLAR MARKETING,	§	Jury Demanded
LLC,	§	
	§	
Defendant.	§	

PLAINTIFF’S REPLY IN SUPPORT OF MOTION TO COMPEL DISCOVERY

Plaintiff THOMAS DOUGHTY, files this Reply in Support of his Motion to Compel Discovery and Complete Initial Disclosures (“Motion”) [Doc. No. 25].

Defendant BRIGHT SOLAR MARKETING, LLC’s (“Bright Solar”) Response to Plaintiff’s Motion (“Response”) [Doc. No. 27] is riddled with canned arguments that do not fit the factual reality presented in this case.

1) Bright Solar Marketing, LLC is a real-functioning company.

Bright Solar is a registered Delaware corporation with its principal place of business in Nevada. Bright Solar’s sole officer and manager is Freedom Forever, LLC (“Freedom Forever”). Bright Solar has registered agents in Nevada and Delaware. Bright Solar just recently filed its annual report on May 9, 2025, through its sole officer and manager, Freedom Forever. *See* Bright Solar Corporate Filings, attached as **Exhibit A**.

Bright Solar’s contention that it is not a functioning company is a fallacy.

To state the obvious, Bright Solar is defending this action and presumably paying defense counsel to do so, among its other activities demonstrating that it is a functioning company,

including its annual report filings and the telemarketing it placed to Plaintiff identifying itself as “Bright Solar.”

2) Bright Solar has possession, custody, and control of discoverable information, including the correct legal entities that it contends should be the named defendants in this litigation and that possesses discovery.

As previously briefed, Plaintiff served his pre-suit notice letter on Bright Solar only. Bright Solar then provided that notice letter to Freedom Forever to respond on its behalf. Freedom Forever then investigated Plaintiff’s claims, call history, and any purported consent to place calls to Plaintiff. Freedom Forever then obtained that information and contended that it had obtained consent for Plaintiff to receive calls from Bright Solar. Then, in this litigation, Bright Solar’s counsel of record, who is also the same counsel of record for Freedom Forever, obtained and produced to Plaintiff the evidence that Bright Solar contends constitutes express consent to call Plaintiff (which Plaintiff disputes the credibility of for the reasons set forth in Plaintiff’s Motion).

Bright Solar’s contention that it possesses no communications between it and Freedom Forever (or its vendor(s)) lacks credibility because we know it at least provided Plaintiff’s pre-suit notice to Freedom Solar and that it received data from Freedom Forever to defend this claim.

Not coincidentally, Freedom Forever’s principal address in his corporate filing is the same address as Bright Solar’s sole owner and manager (ie: 43445 Business Park Drive #104, Temecula, CA, 92590). *See* Freedom Forever corporate filing, attached as **Exhibit B**. Bright Solar’s attempt to separate itself from Freedom Forever is a charade.

Bright Solar’s conclusory argument that Freedom Forever is simply a parent holding company unconnected to Bright Solar’s operations, and that Bright Solar has no control to provide information and discovery that it contends is in Freedom Forever’s actual possession, is belied by the factual reality that has already occurred in this case. A common sense peek behind the curtain

highlights Bright Solar's and Freedom Forever's calculated efforts to obfuscate their connection and avoid detection. That is the pattern, practice, and business model of these companies in the real world that should not be allowed in this Court to avoid discovery obligations.

Bright Solar complains that Plaintiff sued the wrong legal entity and that Plaintiff should amend its Complaint, but Bright Solar is using tactics to block Plaintiff from doing so.

In an effort to narrow the issues, to ensure that the correct legal entit(ies) are named as defendants, and to advance the litigation to the merits, undersigned counsel specifically conferred with Bright Solar to:

“identify the Bright Solar entity that Bright Solar contends is the correct party defendant so we can clean up the pleadings. You advised on our call that a different Bright Solar entity placed the calls for Freedom Forever. This entity is not identified in Defendant's initial disclosures.”

Bright Solar's counsel responded:

“. . . there is no need to correct, amend, or otherwise address any party names we see no basis to provide call records

*See Discovery conferral e-mail dated April 17, 2025, attached as **Exhibit C.***

Despite Bright Solar's argument that Plaintiff should simply amend the complaint to obtain the discovery he seeks, the parties' conferrals demonstrate the Bright Solar refuses to identify these entities informally or in formal discovery responses or its initial disclosures, and that it has possession and control to provide the information. Also, the reason Freedom Forever was dropped as a named defendant is because of the arguments and representations that Defendants made in their joint Motion to Dismiss the original complaint [Doc. No. 5], that was filed through the same joint counsel, in seeking dismissal of Freedom Forever.

3) Plaintiff did not fail to confer.

Bright Solar complains that Plaintiff failed to confer on Bright Solar's specific discovery responses. But those crocodile tears are due to Bright Solar's own wrongdoing. The Court need not look further than Bright Solar's Response to see that it was Bright Solar who refused to discuss or reconsider any of its specific responses based on its contention that it has already fully responded, that it does not have any other information to provide, that there is no other information in its possession, custody, or control, and that it is premature to discuss any of its responses due to its pending Motion to Dismiss the Amended Complaint.

Regardless, Plaintiff specifically attempted to "confer regarding Defendant's discovery responses." *See* E-mail scheduling discovery conferral dated March 26, 2025, attached as **Exhibit D**.

Bright Solar continues to maintain that any discovery is premature due to the pending Motion to Dismiss. *See* **Exhibit B**. Bright Solar's position is nonsensical because no discovery has been stayed in this case. Additionally, Bright Solar's pending Motion to Dismiss is non-dispositive – it is a partial Motion to Dismiss on only 2 discrete grounds – to strike Plaintiff's requests for attorney's fees and injunctive relief. Neither of these grounds seek to dispose of the case or have any bearing on the discovery issues presented.

I. Conclusion

Based on the foregoing, Plaintiff requests that the Court compel Defendant to provide amended Initial Disclosures and discovery responses, and to fully respond to discovery and provide a complete production. This discovery is proportionate and important given the issues in the case, including but not limited to, for the purpose of ensuring the appropriate legal entities are named as defendants.

At a bare minimum, the Court should compel Defendant to fully identify all legal entities involved with the transmission of the subject calls, including the Bright Solar entity that placed the calls, and all records, call details, CRM reports, call notes, communications, and any other ESI related to Plaintiff and/or his telephone number, at this stage of the proceeding.

Dated: May 15, 2025

/s/ Joshua H. Eggnatz
Joshua H. Eggnatz, Esq.
Fla. Bar. No.: 0067926
EGGNATZ | PASCUCCI
7450 Griffin Road, Suite 230
Davie, FL 33314
Tel: (954) 889-3359
Fax: (954) 889-5913
JEggnatz@JusticeEarned.com
SGizzie@JusticeEarned.com

Attorney for Plaintiff

Chris R. Miltenberger, Esq.
Texas Bar Number: 14171200
The Law Office of Chris R. Miltenberger, PLLC
1360 N. White Chapel, Suite 200
Southlake, TX 76092
817-416-5060 (office)
817-416-5062 (fax)
chris@crmlawpractice.com

Designated as Lead Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of May 2025 I electronically filed the foregoing document with the Clerk of Court for the United States District Court for the Western District of Texas and served a true and correct copy thereof on all counsel of record using the CM/ECF System.

/s/ Joshua H. Eggnatz
Joshua H. Eggnatz

SERVICE LIST

William J. Akins
State Bar No. 24011972
PIERSON FERDINAND LLP
2021 Guadalupe Street, Suite 260
Austin, Texas 78701
Telephone: (214) 924-9504
william.akers@pierferd.com

Barry Goheen (*Pro Hac Vice*)
PIERSON FERDINAND LLP
100 Mount Paran Ridge
Atlanta, GA 30327-3561
Tel: (404) 703-3093
barry.goheen@pierferd.com

Counsel for Defendant

EXHIBIT A

Filing History

Entity Information

Entity Name:

BRIGHT SOLAR MARKETING LLC

Entity Number:

E6478832020-8

Entity Type:

Foreign Limited-Liability Company

Entity Status:

Active

Formation Date:

05/07/2020

NV Business ID:

NV20201773708

Termination Date:

Annual Report Due Date:

5/31/2026

Compliance Hold:




Series LLC:

Domicile Name:

Jurisdiction:

Delaware - United States

Filing History Details

File Date	Effective Date	Filing Number	Document Type	Amendment Type	Source	# of Pages	View
05/09/2025	05/09/2025	20254886555	Annual List		External	2	
05/30/2024	05/30/2024	20244093086	Annual List		External	2	
05/19/2023	05/19/2023	20233208748	Annual List		External	2	
04/21/2022	04/21/2022	20222267645	Annual List		External	2	
03/17/2021	03/17/2021	20211314544	Annual List		External	2	
07/24/2020	07/24/2020	20200806616	Amended List		Internal	2	
05/07/2020	05/07/2020	20200647906	Initial List		Internal	2	
05/07/2020	05/07/2020	20200647882	Registration – Foreign LLC		Internal	2	

Page 1 of 1, records 1 to 8 of 8

Filing Date SnapShot As Of: 05/09/2025

Business Details	Name Changes	Principal Office	Registered Agent
Officer Information	Shares		

Business Name :

BRIGHT SOLAR MARKETING LLC

Entity Type :

Foreign Limited-Liability Company

Jurisdiction :

Nevada

Formation Date in Jurisdiction :

04/30/2020

Annual Report Due Date :

5/31/2025

[Back](#)

[Return to Search](#)

[Return to Results](#)

Entity Information

Entity Information

Entity Name:

BRIGHT SOLAR MARKETING LLC

Entity Number:

E6478832020-8

Entity Type:

Foreign Limited-Liability Company

Entity Status:

Active

Formation Date:

05/07/2020

NV Business ID:

NV20201773708

Termination Date:

Annual Report Due Date:

5/31/2026

Compliance Hold:

Series LLC:

Domicile Name:

Jurisdiction:

Delaware - United States

Registered AGENT INFORMATION**Name of Individual or Legal Entity:**

CORPORATION SERVICE COMPANY*

Status:

Active

CRA Agent Entity Type:**Registered Agent Type:**

Commercial Registered Agent

NV Business ID:

NV20101844335

Office or Position:**Jurisdiction:**

DELAWARE

Street Address:

112 NORTH CURRY STREET, Carson City, NV, 89703, USA

Mailing Address:**OFFICER INFORMATION** **View Historical Data**

Title	Name	Address	Last Updated	Status
Manager	Freedom Forever LLC	43445 Business Park Drive #104, Temecula, CA, 92590, USA	07/24/2020	Active

Page 1 of 1, records 1 to 1 of 1

[Filing History](#)

[Name History](#)

[Mergers/Conversions](#)

[Return to Search](#)

[Return to Results](#)

Filing History

Entity Information

Entity Name:

BRIGHT SOLAR MARKETING LLC

Entity Number:

E6478832020-8

Entity Type:

Foreign Limited-Liability Company

Entity Status:

Active

Formation Date:

05/07/2020

NV Business ID:

NV20201773708

Termination Date:

Annual Report Due Date:

5/31/2026

Compliance Hold:

Series LLC:

Domicile Name:

Jurisdiction:

Delaware - United States

Filing History Details

File Date	Effective Date	Filing Number	Document Type	Amendment Type	Source	# of Pages	View
05/09/2025	05/09/2025	20254886555	Annual List		External	2	
05/30/2024	05/30/2024	20244093086	Annual List		External	2	
05/19/2023	05/19/2023	20233208748	Annual List		External	2	
04/21/2022	04/21/2022	20222267645	Annual List		External	2	
03/17/2021	03/17/2021	20211314544	Annual List		External	2	
07/24/2020	07/24/2020	20200806616	Amended List		Internal	2	
05/07/2020	05/07/2020	20200647906	Initial List		Internal	2	
05/07/2020	05/07/2020	20200647882	Registration – Foreign LLC		Internal	2	

Page 1 of 1, records 1 to 8 of 8

Filing Date SnapShot As Of: 05/09/2025

Business Details		Name Changes		Principal Office		Registered Agent	
Officer Information			Shares				
Date	Title	Name	Attention	Address1/Address2/City/State/Zip/Country			
07/24/2020	Manager	Freedom Forever LLC		43445 Business Park Drive #104, Temecula, CA, 92590, USA			

Department of State: Division of Corporations

[Allowable Characters](#)

HOME

Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

[File Number:](#) **7953596** [Incorporation Date / Formation Date:](#) **4/30/2020**
(mm/dd/yyyy)

[Entity Name:](#) **BRIGHT SOLAR MARKETING LLC**

[Entity Kind:](#) **Limited Liability Company** [Entity Type:](#) **General**

[Residency:](#) **Domestic** State: **DELAWARE**

[REGISTERED AGENT INFORMATION](#)

Name: **CORPORATION SERVICE COMPANY**

Address: **251 LITTLE FALLS DRIVE**

City: **WILMINGTON** County: **New Castle**

State: **DE** Postal Code: **19808**

Phone: **302-636-5401**

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like Status Status, Tax & History Information

For help on a particular field click on the Field Tag to take you to the help area.

EXHIBIT B

Home

Search

Forms

Help

FREEDOM FOREVER LLC
(201630210449)

Business Search

The California Business Search provides access to available information for **corporations, limited liability companies and limited partnerships** of record with the California Secretary of State, with **free PDF copies** of over 17 million imaged business entity documents, including the most recent imaged Statements of Information filed for Corporations and Limited Liability Companies.

Currently, information for Limited Liability Partnerships (e.g. law firms, architecture firms, engineering firms, public accountancy firms, and land survey firms), General Partnerships, and other entity types are **not contained** in the California Business Search. If you wish to obtain information about LLPs and GPs, submit a Business Entities Order paper form to request copies of filings for these entity types. Note: This search is not intended to serve as a name reservation search. To reserve an entity name, select Forms on the left panel and select Entity Name Reservation ? Corporation, LLC, LP.

Basic Search

A Basic search can be performed using an entity name or entity number. When conducting a search by an entity number, where applicable, **remove "C"** from the entity number. Note, **a basic search** will search **only ACTIVE entities** (Corporations, Limited Liability Companies, Limited Partnerships, Cooperatives, Name Reservations, Foreign Name Reservations, Unincorporated Common Interest Developments, and Out of State Associations). The basic search performs a contains ?keyword? search. The Advanced search allows for a ?starts with? filter. To search entities that have a status other than active or to refine search criteria, use the **Advanced** search feature.

Advanced Search

An Advanced search is required when searching for publicly traded disclosure information or a status other than active.

An Advanced search allows for searching by specific entity types (e.g., Nonprofit



Request Certificate

Initial Filing Date	10/21/2016
Status	Active
Standing - SOS	Good
Standing - FTB	Good
Standing - Agent	Good
Standing - VCFCF	Good
Formed In	DELAWARE
Entity Type	Limited Liability Company - Out of State
Principal Address	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590
Mailing Address	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590
Statement of Info Due Date	10/31/2026
Agent	1505 Corporation CSC - LAWYERS INCORPORATING SERVICE
CA Registered Corporate (1505) Agent Authorized Employee(s)	KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA WENDY HARRIS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA MELISSA DEKOVEN 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA CRYSTAL RODRIGUEZ 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA MADDIE BRIGHT 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA JAE HALL 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA AARON CANELES 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA

Business UCC

Home


Search

Forms

Help

Disclaimer: Search results are limited to the 500 entities closest matching the entered search criteria. If your desired search result is not found within the 500 entities provided, please refine the search criteria using the Advanced search function for additional results/entities. The California Business Search is updated as documents are approved. The data provided is not a complete or certified record.

Although every attempt has been made to ensure that the information contained in the database is accurate, the Secretary of State's office is not responsible for any loss, consequence, or damage resulting directly or indirectly from reliance on the accuracy, reliability, or timeliness of the information that is provided. All such information is provided "as is." To order certified copies or certificates of status, (1) locate an entity using the search; (2) select Request Certificate in the right-hand detail drawer; and (3) complete your request online.

freedom forever 

Advanced 

Results: 13

Entity Information 	Initial Filing Date 	Status 
BODY FREEDOM FOREVER LLC (201620910111) 	07/20/2016	Terminat
Forever Freedom Enterprise, Inc. (6373441) 	09/04/2024	Active
FOREVER FREEDOM ENTERPRISES, INC. (3258197) 	11/03/2009	Suspend - FTB
Forever Freedom Media LLC (202357412704) 	05/29/2023	Active

FREEDOM FOREVER LLC
(201630210449)



Request Certificate

Initial Filing Date	10/21/2016
Status	Active
Standing - SOS	Good
Standing - FTB	Good
Standing - Agent	Good
Standing - VCFCF	Good
Formed In	DELAWARE
Entity Type	Limited Liability Company - Out of State
Principal Address	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590
Mailing Address	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590
Statement of Info Due Date	10/31/2026
Agent	1505 Corporation CSC - LAWYERS INCORPORATING SERVICE
CA Registered Corporate (1505) Agent Authorized Employee(s)	KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA WENDY HARRIS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA MELISSA DEKOVEN 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA CRYSTAL RODRIGUEZ 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA MADDIE BRIGHT 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA JAE HALL 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA AARON CANELES 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA


	Business	UCC																												
Home	FREEDOM FOREVER CALIFORNIA, LLC (201709510187)	> 03/27/2017	Active	FREEDOM FOREVER LLC (201630210449)																										
Search																														
Forms	FREEDOM FOREVER DEALER SERVICES, LLC (202018110780)	> 06/24/2020	Active	Request Certificate																										
Help				<table border="1"> <tr> <td><i>Initial Filing Date</i></td> <td>10/21/2016</td> </tr> <tr> <td><i>Status</i></td> <td>Active</td> </tr> <tr> <td><i>Standing - SOS</i></td> <td>Good</td> </tr> <tr> <td><i>Standing - FTB</i></td> <td>Good</td> </tr> <tr> <td><i>Standing - Agent</i></td> <td>Good</td> </tr> <tr> <td><i>Standing - VCFCF</i></td> <td>Good</td> </tr> <tr> <td><i>Formed In</i></td> <td>DELAWARE</td> </tr> <tr> <td><i>Entity Type</i></td> <td>Limited Liability Company - Out of State</td> </tr> <tr> <td><i>Principal Address</i></td> <td>43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590</td> </tr> <tr> <td><i>Mailing Address</i></td> <td>43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590</td> </tr> <tr> <td><i>Statement of Info Due Date</i></td> <td>10/31/2026</td> </tr> <tr> <td><i>Agent</i></td> <td>1505 Corporation CSC - LAWYERS INCORPORATING SERVICE</td> </tr> <tr> <td><i>CA Registered Corporate (1505) Agent Authorized Employee(s)</i></td> <td>KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA WENDY HARRIS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA MELISSA DEKOVEN 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA CRYSTAL RODRIGUEZ 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA MADDIE BRIGHT 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA JAE HALL 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA AARON CANELES 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA</td> </tr> </table>	<i>Initial Filing Date</i>	10/21/2016	<i>Status</i>	Active	<i>Standing - SOS</i>	Good	<i>Standing - FTB</i>	Good	<i>Standing - Agent</i>	Good	<i>Standing - VCFCF</i>	Good	<i>Formed In</i>	DELAWARE	<i>Entity Type</i>	Limited Liability Company - Out of State	<i>Principal Address</i>	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590	<i>Mailing Address</i>	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590	<i>Statement of Info Due Date</i>	10/31/2026	<i>Agent</i>	1505 Corporation CSC - LAWYERS INCORPORATING SERVICE	<i>CA Registered Corporate (1505) Agent Authorized Employee(s)</i>	KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA WENDY HARRIS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA MELISSA DEKOVEN 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA CRYSTAL RODRIGUEZ 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA MADDIE BRIGHT 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA JAE HALL 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA AARON CANELES 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA
<i>Initial Filing Date</i>	10/21/2016																													
<i>Status</i>	Active																													
<i>Standing - SOS</i>	Good																													
<i>Standing - FTB</i>	Good																													
<i>Standing - Agent</i>	Good																													
<i>Standing - VCFCF</i>	Good																													
<i>Formed In</i>	DELAWARE																													
<i>Entity Type</i>	Limited Liability Company - Out of State																													
<i>Principal Address</i>	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590																													
<i>Mailing Address</i>	43445 BUSINESS PARK DRIVE, SUITE 104 TEMECULA, CA 92590																													
<i>Statement of Info Due Date</i>	10/31/2026																													
<i>Agent</i>	1505 Corporation CSC - LAWYERS INCORPORATING SERVICE																													
<i>CA Registered Corporate (1505) Agent Authorized Employee(s)</i>	KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA WENDY HARRIS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA MELISSA DEKOVEN 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA CRYSTAL RODRIGUEZ 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA MADDIE BRIGHT 2710 GATEWAY OAKS DRIVE SUITE 150N, SACRAMENTO, CA JAE HALL 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA AARON CANELES 2710 GATEWAY OAKS DRIVE STE 150N, SACRAMENTO, CA																													
	FREEDOM FOREVER ELECTRIC LLC (202127110322)	> 09/24/2021	Active																											
	FREEDOM FOREVER ENTERPRISES, INC. (2769502)	> 08/08/2005	Forfeited FTB																											
	FREEDOM FOREVER FOUNDATION (1469751)	> 10/03/1989	Suspended - FTB																											
	FREEDOM FOREVER LLC (201630210449)	> 10/21/2016	Active																											
	Freedom Forever Northern California, LLC (202462818932)	> 06/28/2024	Active																											
	FREEDOM FOREVER PROCUREMENT LLC (202129910021)	> 10/22/2021	Active																											
	Freedom Forever Southern California, LLC (202462818930)	> 06/28/2024	Active																											

EXHIBIT C

From: [Barry Goheen](#)
To: [Joshua Eggatz](#); chris@crmlawpractice.com
Cc: [William Akins](#)
Subject: RE: Doughty v. Freedom Forever (W.D. Tex.)
Date: Monday, April 21, 2025 5:23:10 PM
Attachments: [image001.png](#)

Josh, we are investigating further based on this note. As you know, we have a Rule 12 motion pending that has nothing to do with the name of the defendant, so we continue to believe that it is premature to engage in discovery until the pleadings are closed and the issues are framed. We also disagree with your “control” argument, an assertion for which there is no support. We also want to work cooperatively but also need to let the court rule on the pending motion.

From: Joshua Eggatz <jeggatz@justiceearned.com>
Sent: Thursday, April 17, 2025 2:22 PM
To: Barry Goheen <barry.goheen@pierferd.com>; chris@crmlawpractice.com
Cc: William Akins <william.akins@pierferd.com>
Subject: RE: Doughty v. Freedom Forever (W.D. Tex.)

Hi Barry,

Without revealing too much of our work-product and analysis, I will say the purported opt-in is not credible and does not support a dismissal of Plaintiff’s claims.

Bright Solar contends that Plaintiff opted in to be called on May 1, 2023. However, as alleged in Plaintiff’s Complaint, and evidenced by Plaintiff’s call records, Bright Solar started calling Plaintiff on April 11, 2023. Plaintiff received 44 calls from Bright Solar *before* May 1, 2023. Additionally, on May 1, 2023, the date of the purported opt-in, Plaintiff spoke with Bright Solar’s agent and expressly told her to stop calling and to “stop harassing” him with calls. He then received an additional 70 calls after that.

Putting the timeline aside, there are other facts we have discovered that suggest this opt-in is fabricated that we cannot reveal now until we obtain sworn testimony from your client. One fact is that Bright Solar didn’t call for anyone named Harrison Walker. They called asking for someone named Frank – so, Bright Solar was not calling based on this opt-in, otherwise it would have been calling for Harrison. This would not be the first case where Chris and I have exposed a fabricated opt-in or an attempt to create one after the fact.

Plaintiff’s position is that Bright Solar has failed to comply with its discovery and disclosure obligations. Bright Solar has not substantively responded to discovery based on its contention that that the incorrect Bright Solar entity was named, despite the callers stating they were calling from Bright Solar Marketing. This is a textbook sword-shield issue. Regardless, as

discussed on our conferral call, the discovery Plaintiff seeks is, at a minimum, in the named defendant's control. We'd like to continue to work cooperatively with you so both parties understand the facts expeditiously. We, like you, are trying to get to the heart of the issues in proportionate and cost-effective way. If you don't want to do that, we will have to address these issues with the court through a motion to compel or otherwise.

Very truly yours,

Joshua H. Eggnatz
JEggnatz@JusticeEarned.com
7450 Griffin Road
Suite 230
Davie, Florida 33314
Phone: (954) 889-3359
Mobile: (954) 557-6994
Fax: (954) 889-5913



PRIVILEGE AND CONFIDENTIALITY NOTICE:

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C . 2510-2521 and is legally privileged. The contents of this e-mail message and any attachments are intended solely for the party or parties addressed and named in this message. This communication and all attachments, if any, are intended to be and to remain confidential, and it may be subject to the applicable attorney - client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute, or copy this message and or any attachments if you are not the intended recipient. Do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments. Although this E-mail and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Eggnatz Pascucci, P.A., for damage arising in any way from its use.

From: Barry Goheen <barry.goheen@pierferd.com>
Sent: Thursday, April 17, 2025 1:07 PM
To: Joshua Eggnatz <jeggnatz@justiceearned.com>; chris@crmlawpractice.com
Cc: William Akins <william.akins@pierferd.com>
Subject: RE: Doughty v. Freedom Forever (W.D. Tex.)

Josh, respectfully, there is no need for these. First, there is no need to correct, amend, or otherwise

address any party names because, regardless of who the defendant is, Mr. Doughty consented to receive the alleged calls. Second, we see no basis to provide call records because what we provided you establishes consent. To restate, we have provided this in good faith to demonstrate your client's consent, which is something you expressly asked of me in our recent conference. Please let us know once you have discussed with your client, and hopefully he will make the correct decision to dismiss before both sides are required to expend voluminous time and money on the case. Thanks.

From: Joshua Eggnatz <jeggnatz@justiceearned.com>

Sent: Wednesday, April 16, 2025 2:48 PM

To: Barry Goheen <barry.goheen@pierferd.com>; chris@crmlawpractice.com

Cc: William Akins <william.akers@pierferd.com>

Subject: RE: Doughty v. Freedom Forever (W.D. Tex.)

Hi Barry,

Thank you for sending this. We will discuss with Mr. Doughty.

In the interim, please identify the Bright Solar entity that Bright Solar contends is the correct party defendant so we can clean up the pleadings. You advised on our call that a different Bright Solar entity placed the calls for Freedom Forever. This entity is not identified in Defendant's initial disclosures.

Please also send Mr. Doughty's call records, or the call records associated with calls placed to or received from his telephone number.

Thank you,

Josh

Very truly yours,

Joshua H. Eggnatz

JEggnatz@JusticeEarned.com

7450 Griffin Road

Suite 230

Davie, Florida 33314

Phone: (954) 889-3359

Mobile: (954) 557-6994

Fax: (954) 889-5913

EXHIBIT D

From: [Barry Goheen](#)
To: [Joshua Eggnatz](#)
Subject: Re: Doughty v. Bright Solar Marketing (W.D. Tex.)
Date: Wednesday, March 26, 2025 5:49:07 PM
Attachments: [image002.png](#)

Can do 1 Friday

Barry Goheen
Pierson Ferdinand
barry.goheen@pierferd.com
(404) 793-3093

From: Joshua Eggnatz <jeggnatz@justiceearned.com>
Sent: Wednesday, March 26, 2025 2:34:47 PM
To: Barry Goheen <barry.goheen@pierferd.com>; chris@crmlawpractice.com
<chris@crmlawpractice.com>
Cc: William Akins <william.akins@pierferd.com>; Shana Gizzie <sgizzie@justiceearned.com>
Subject: RE: Doughty v. Bright Solar Marketing (W.D. Tex.)

Hi Barry,

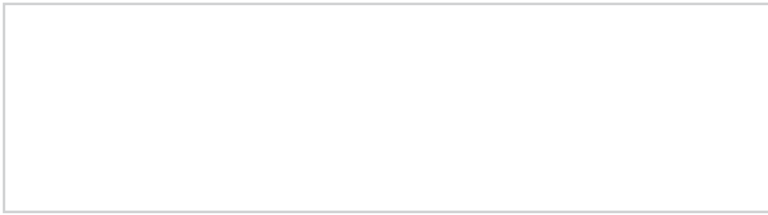
Please let know your availability tomorrow between 10 a.m. est – 1 p.m. est, or Friday between 10:30 a.m est – 2 p.m. est to confer regarding Defendant's discovery responses.

Thanks,

Josh

Very truly yours,

Joshua H. Eggnatz
JEggnatz@JusticeEarned.com
7450 Griffin Road
Suite 230
Davie, Florida 33314
Phone: (954) 889-3359
Mobile: (954) 557-6994
Fax: (954) 889-5913



PRIVILEGE AND CONFIDENTIALITY NOTICE:

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C . 2510-2521 and is legally privileged. The contents of this e-mail message and any attachments are intended solely for the party or parties addressed and named in this message. This communication and all attachments, if any, are intended to be and to remain confidential, and it may be subject to the applicable attorney - client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute, or copy this message and or any attachments if you are not the intended recipient. Do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments. Although this E-mail and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Eggnatz Pascucci, P.A., for damage arising in any way from its use.

From: Barry Goheen <barry.goheen@pierferd.com>
Sent: Monday, March 24, 2025 6:02 PM
To: chris@crmlawpractice.com; Joshua Eggnatz <jeggnatz@justiceearned.com>
Cc: William Akins <william.akins@pierferd.com>
Subject: FW: Doughty v. Bright Solar Marketing (W.D. Tex.)

Sorry, omitted the verification. It is included above.

From: Barry Goheen <barry.goheen@pierferd.com>
Sent: Monday, March 24, 2025 5:17 PM
To: chris@crmlawpractice.com; Joshua Eggnatz <jeggnatz@justiceearned.com>
Cc: William Akins <william.akins@pierferd.com>
Subject: Doughty v. Bright Solar Marketing (W.D. Tex.)

Counsel – attached are the defendant’s responses to plaintiff’s discovery requests.

Barry Goheen
Pierson Ferdinand
100 Mount Paran Ridge
Atlanta, GA 30327
Barry.goheen@pierferd.com
404-703-3093