

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

CVS-

16 CV 17041

BRIANA BLUNT, as an individual and as a
representative of the class,

Plaintiff,

v.

BELK, INC.,

Defendant.

Case No.

CLASS ACTION COMPLAINT

DEMAND FOR JURY TRIAL

Briana Blunt ("Plaintiff"), by and through her attorneys, on behalf of herself, the Class set forth below, and in the public interest, brings this Class Action Complaint against Belk, Inc. ("Defendant"), pursuant to the federal Fair Credit Reporting Act ("FCRA").

INTRODUCTION

1. This consumer class action is brought under the FCRA against a company that routinely and systematically violates the FCRA's basic protections by failing to provide required disclosures prior to procuring criminal background reports on applicants and employees as required by 15 U.S.C. § 1681b(b)(2).

2. As Defendant's practices were routine and systematic, Plaintiff asserts claims for damages on behalf of herself and a Class of similarly situated individuals on whom Defendant caused a consumer report to be procured without first providing an adequate disclosure.

3. Plaintiff suffered an injury in fact as a result of Defendant's conduct. Plaintiff's privacy was invaded because Defendant procured a consumer report on her when it had no right to do so.

4. Plaintiff was deprived of information to which Congress determined she was entitled before she was asked to give consent to Defendant procuring a background report on her.

THE PARTIES

5. Plaintiff Briana Blunt is an individual who resides in Genta, Virginia. Defendant Belk, Inc. is a North Carolina corporation with its principal place of business in Charlotte, North Carolina.

JURISDICTION AND VENUE

6. The subject matter jurisdiction over this cause and personal jurisdiction over the Defendant is conferred upon and vested in this Court under and by virtue of N.C.G.S. §§ 1-75.4, 7A-240 and 7A-243. Defendant is headquartered in this County and a substantial part of the events giving rise to this claim occurred in this District.

7. Venue for this cause is properly laid in this Court pursuant to and in accordance with N.C.G.S. §§ 1-76, 1-77, 1-79, 1-80 and 1-82.

8. This action is timely filed within the limits prescribed by all statutes of limitation and repose.

STATUTORY BACKGROUND

9. Despite its name, the Fair Credit Reporting Act regulates not only credit reports, but also criminal background checks.

10. Enacted in 1970, the FCRA's passage was driven in part by two related concerns: first, that consumer reports were playing a central role in people's lives at crucial moments, such as when they applied for a job or credit, and when they applied for housing. Second, despite their importance, consumer reports were unregulated and frequently contained errors and inaccuracies.

11. While recognizing that consumer reports play an important role in the economy, Congress wanted consumer reports to be “fair and equitable to the consumer” and to ensure “the confidentiality, accuracy, relevancy, and proper utilization” of consumer reports. 15 U.S.C. § 1681.

12. Through the FCRA, Congress required employers to disclose that a consumer report may be obtained for employment purposes before procuring the report. 15 U.S.C. § 1681b(b)(2)(A)(i).

13. Specifically, Congress made it unlawful for an employer or prospective employer to “procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to any consumer, unless ...a clear and conspicuous disclosure has been made in writing to the consumer at any time before the report is procured or caused to be procured, *in a document that consists solely of the disclosure*, that a consumer report may be obtained for employment purposes.” 15 U.S.C. § 1681b(b)(2)(A)(i) (emphasis added). This requirement is frequently referred to as the “stand-alone disclosure requirement.”

14. The only additional item that may appear on the disclosure is an authorization for the consumer report to be procured by the person who intends to use it. *See* 15 U.S.C. § 1681b(b)(2)(A).

15. Before they procure any background reports, users of consumer reports for employment purposes must certify to the consumer reporting agency that they have complied with the FCRA’s disclosure and written authorization provisions. 15 U.S.C. § 1681b(b)(1).

16. Many other provisions of the FCRA are also notice provisions. *See* 15 U.S.C. § 1681b(4)(B) (notification of national security investigation); § 1681c(h) (notification of address

discrepancy); § 1681d(a) (disclosure of investigative report); § 1681g (full file disclosure to consumers); § 1681h (forms and conditions of disclosure); § 1681m(a) (notice of adverse action).

17. Like the other notice provisions of the FCRA, the stand-alone disclosure provision puts consumers on notice that a report about them may be prepared. This knowledge enables consumers to exercise a variety of other substantive rights conferred by the statute, many of which work to ensure accuracy, confidentiality, and fairness. 15 U.S.C. § 1681c(a) (limiting temporal scope of information that can be reported); § 1681e(b) (mandating that consumer reporting agencies employ procedures to ensure “maximum possible accuracy” in reports); § 1681k (requiring consumer reporting agencies that report public record information to employers to either provide notice to the consumer that information is being reported or have “strict procedures” to ensure that information is “complete and up to date”); § 1681i (requiring that consumer reporting agencies investigate any disputed information); § 1681g (requiring that consumer reporting agencies provide a complete copy of the consumer’s file to the consumer).

18. Without a clear notice that a consumer report is going to be procured on them, applicants are hindered in their ability to preserve their privacy, and to correct errors or other problems with the reports.

19. As discussed below, Defendant routinely violated the FCRA and consumers’ rights by failing to provide the required stand-alone disclosure before procuring consumer reports for employment purposes.

ALLEGATIONS RELATING TO PLAINTIFF’S CLASS ACTION CLAIMS

20. On or about September 2014, Plaintiff applied to work for Defendant at its location in Lynchburg, Virginia.

21. As part of the application process, Plaintiff was provided with the document attached hereto as Exhibit A.

22. On or around September 26, 2014, Defendant ordered and received a background report on Plaintiff from Sterling Infosystems, Inc., doing business as SterlingBackcheck ("Sterling"). A redacted copy of the report Defendant procured is attached hereto as Exhibit B.

23. The report included a variety of private information on Plaintiff that Defendant would not have had but for its procurement of Plaintiff's report. The private information included information on the state in which Plaintiff's social security number was issued, whether her social security number was valid, and Plaintiff's residence since 2008.

24. The report also purported to include information on "aliases" associated with Plaintiff, including "Briana Blune." Plaintiff has never used that name as an "alias" or in any other fashion.

25. The report also included information regarding the fact that Plaintiff does not have any criminal history.

26. Because the report contained information regarding whether Plaintiff's address history, her "aliases" and her lack of a criminal background, the background check contained information regarding Plaintiff's "character, general reputation, personal characteristics, or mode of living." 15 U.S.C. § 1681a(d).

27. Because the background report contained information regarding Plaintiff's "character, general reputation, personal characteristics, or mode of living," the background check was a consumer report as defined under the FCRA. 15 U.S.C. § 1681a(d).

28. Sterling is a consumer reporting agency within the meaning of the FCRA because it sells background reports to paying customers in order to help those customers evaluate

applicants and employees for employment purposes. See generally www.sterlingtalentsolutions.com (site last visited August 17, 2016); see also <http://www.sterlingtalentsolutions.com/About/About-Us> (site last visited September 19, 2016) (“Since 1975, we’ve been serving organizations ... with high quality employment screening and hiring solutions ... [O]ur team of more than 3,500 employees proudly serves over 50,000 customers around the world.”).

29. Defendant failed to provide Plaintiff with a stand-alone disclosure before procuring Plaintiff’s background check.

30. Exhibit A fails to meet the stand-alone disclosure requirements of 15 U.S.C. § 1681b(b)(2)(A)(i).

31. Exhibit A is not a document consisting solely of a disclosure because it contains extraneous information.

32. First Exhibit A is not a “document that consists solely of the disclosure[] that a consumer report may be obtained for employment purposes” because it states that the signer “fully understand[s] that all employment decisions are based on legitimate non-discriminatory reasons.”

33. The inclusion of this language is wholly unrelated to disclosing anything about background reports, and is instead an impermissible attempt by Defendant to avoid discrimination charges by forcing job applicants to make admissions about Defendant’s employment decision-making practices.

34. Second, neither Exhibit A is not a “document that consists solely of the disclosure[] that a consumer report may be obtained for employment purposes” because it

contains extraneous information about various aspects of laws of various states, including states in which Plaintiff does not reside. For example, Exhibit A includes information for:

- (a) "California, Connecticut, Maryland, Oregon Vermont and Washington State Applicants Only (AS APPLICABLE)";
- (b) "California, Connecticut, and Vermont only";
- (c) "Connecticut, Oregon, Maryland and Washington only";
- (d) "California Oregon and Vermont only";
- (e) "California, Maine, Massachusetts, Minnesota, New Jersey, & Oklahoma Applicants only"
- (f) "California only";
- (g) "NY Applicants Only"
- (h) California Applicants and Residents Only.

None of these sections relates to the requirements of the FCRA or to the fact that a background report will be procured, and each goes far beyond simply informing the recipient that a consumer report may be procured.

35. Third, Exhibit A is not a "document that consists solely of the disclosure[] that a consumer report may be obtained for employment purposes" because it falsely states that applicants must notify Belk within five days of learning that a report is inaccurate to inform Belk that the consumer is disputing inaccurate information in the report. This statement is false. In reality, a consumer may dispute inaccurate information at any time and has no obligation to notify the prospective employer that it is doing so. *See* 15 U.S.C. § 1681i.

36. This misstatement of the applicant's legal rights is unrelated to disclosing that a report will be procured for employment purposes, but is instead an impermissible attempt by

Defendant to truncate the amount of time consumers believe they have to correct an inaccurate report and to change the report correction process provided for in the FCRA.

37. Fourth, Exhibit A is not a “document that consists solely of the disclosure[] that a consumer report may be obtained for employment purposes” because Exhibit A purports to authorize Defendant to make inquiries into Plaintiff through “direct or indirect contact with former employers, schools, financial institutions, landlords and public agencies or other persons who may have such knowledge.” Ex. A. This language is an impermissible attempt by Defendant and its consumer reporting agency to secure permission from the applicant to access a variety of records that would otherwise be protected from disclosure.

38. School records, financial records, and public records, which fall within the broad language included in Defendant’s authorizations in Exhibit A, are all legally protected from disclosure. For example, the Family Educational Rights & Privacy Act, 20 U.S.C. § 1232g; 34 CFR Part 99, protects school records from disclosure absent consent from the student. Similarly, the Gramm-Leach-Bliley Act requires financial institutions to safeguard nonpublic information, 15 U.S.C. §§ 6801-6809. Most states’ government data laws are even more restrictive, and prohibit the disclosure of information on individuals held by many state agencies, like Virginia’s Government Data Collection and Privacy Act, Va. Code §§ 2.2-3800, et seq. and North Carolina’s Public Records Act, N.C. Gen. Stat. Ann. § 132-1, et seq. Exhibit A, however, purports to waive these rights.

39. Courts often refer to documents with the same features as Exhibit A as the “Sterling Form,” and this form is routinely found to violate the FCRA. *See, e.g., Jones v. Halstead Mgmt. Co., LLC*, 81 F. Supp. 3d 324, 333 (S.D.N.Y. Jan. 27, 2015) (“[T]he Sterling Disclosure does not appear to be a standalone disclosure. In addition to the disclosure and an

authorization, which is permitted, the Sterling Disclosure includes, inter alia: information regarding time frames within which the applicant must challenge the accuracy of any report; an acknowledgement that “all employment decisions are based on legitimate non-discriminatory reasons ... and all sorts of state-specific disclosures”); *Martin v. Fair Collections & Outsourcing, Inc.*, No. GJH-14-3191, 2015 WL 4064970, at *4 (D. Md. June 30, 20 15) (denying motion to dismiss where Sterling Form “contain[ed] an authorization to obtain the report, information on when the applicant must challenge the accuracy of any report, an acknowledgement that the employee understands that ‘all employment decisions are based on legitimate non-discriminatory reasons,’ and several pieces of state specific information ... With all of this information, there is no question that FCO’s disclosure form contains more than a disclosure that the background check would be obtained and an authorization to obtain the information. Thus, under the plain language of the statute, FCO’s disclosure form does not contain ‘solely the disclosure,’ and the Court cannot say, as a matter of law, that it is acceptable under the FCRA. Plaintiff, therefore, states a claim that the disclosure form violates the FCRA.”); *Miller v. Quest Diagnostics*, 85 F. Supp. 3d 1058, 1061 (W.D. Mo. 2015) (finding “inclusion [on Sterling form] of the state-mandated consumer report information, administrative sections, and release language in the disclosure violates 15 U.S.C. § 1681b(b)(2)”).

40. Additionally, other courts have found that forms containing the same or similar features as Exhibit A do not comply with the stand-alone disclosure requirements of the FCRA. *See, e.g. Legrand v. Intellicorp Records, Inc.*, No. 1:15 CV 2091, 2016 WL 1618135, at *4 (N.D. Ohio Apr. 22, 2016) (finding violation of §1681b(b)(2) where employer’s form contained an authorization to release information from “without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private),

information service bureau, financial institution, employer, or insurance company”); *Woods v. Caremark PHC, L.L.C.*, No. 4:15-CV-00535-SRB, 2015 WL 6742124, at *2 (W.D. Mo. Nov. 2, 2015) (finding disclosure to violate the FCRA when it contained an overly broad authorization); *Johnson v. Casey's Gen. Stores, Inc.*, 116 F. Supp. 3d 944, 946-47 (W.D. Mo. July 27, 2015) (denying motion to dismiss stand-alone disclosure claim where it was alleged that defendant had an overly broad authorization).

DEFENDANT'S ILLEGAL BUSINESS PRACTICES

41. More than fifteen years ago, the Federal Trade Commission emphasized that including extraneous information in a disclosure or including statements in a disclosure which are intended to waive substantive rights is a violation of the FCRA. *Letter from William Haynes, Fed. Trade Comm'n, to Richard W. Hauxwell, CEO Accifax Div.* (June 12, 1998), available at 1998 WL 34323756 (explaining that “inclusion of a . . . waiver in a disclosure form will violate Section [1681b(b)(2)(A)] of the FCRA, which requires that a disclosure consist ‘solely of the disclosure that a consumer report may be obtained for employment purposes’”).

42. Defendant knew that it had an obligation to provide a stand-alone disclosure before procuring a consumer report on Plaintiff.

43. The FCRA requires that, prior to procuring consumer reports, employers must certify to the consumer reporting agency that they will comply with the FCRA's stand-alone disclosure requirements. *See* 15 U.S.C. § 1681b(b)(1).

44. In accordance with their standard procedures, the consumer reporting agencies from which Defendant acquired consumer reports during the two years preceding the filing of this Complaint, including Sterling, required Defendant to certify that it would comply with the stand-alone disclosure provisions of the FCRA.

45. Before procuring Plaintiff's report, Defendant did, in fact, certify to Sterling and any other consumer reporting agencies that it would comply with the stand-alone disclosure provisions of the FCRA.

46. In its contract with Sterling, Defendant also agreed that before obtaining a consumer report, Defendant would provide a disclosure in writing to the consumer that a consumer report would be obtained for employment purposes and that such disclosure would be made in a document consisting solely of the disclosure.

47. Defendant did not procure Plaintiff's report in connection with any investigation of suspected misconduct relating to employment, or compliance with federal, state, or local laws and regulations, the rules of a self-regulatory organization, or any preexisting written policies of the employer.

48. By systematically failing to provide a stand-alone disclosure to Plaintiff and other Class members, Defendant willfully violated 15 U.S.C. § 1681b(b)(2)(A)(i).

49. As a result of Defendant's failure to comply with the FCRA's stand-alone disclosure requirement, Plaintiff and Class members experienced concrete injuries in the form of deprivation of information and invasion of privacy. Absent Plaintiff's written authorization and Defendant's provision of a compliant disclosure, Defendant had no legal basis to procure Plaintiff's report.

CLASS ACTION ALLEGATIONS

50. Plaintiff brings this action as a class action pursuant to Rule 23 of the North Carolina Rules of Civil Procedure.

51. Plaintiff asserts her Claim for Relief on behalf of herself and the proposed Class defined as follows:

All individuals on whom Defendant obtained a consumer report for employment purposes. Class membership begins on the date two years prior to the filing of the original Complaint in this matter and continues through the date on which the Class list is prepared.

52. Adequacy: Plaintiff will fairly and adequately represent the interests of all members of the class. Plaintiff has no conflict of interest with the members of the class. Plaintiff has a genuine personal interest in the outcome of the case and will adequately represent members outside the state.

53. Numerosity: The Class is so numerous that it is impractical to bring all Class members before the Court. Defendant is a large company that has procured reports on hundreds, if not thousands, of job applicants and employees in the past two years.

54. Typicality: Plaintiff's claims are typical of the Class members' claims. The FCRA violations committed by Defendant were committed pursuant to uniform policies and procedures, and Defendant treated Plaintiff in the same manner as other Class members in accordance with its standard policies and practices.

55. Commonality and Predominance: Common questions of law and fact exist that are substantially similar as to all members of the Class and predominate over any questions solely affecting individual members of the Class, including without limitation:

- (a) Whether Defendant violated the FCRA's stand-alone disclosure requirement;
- (b) Whether Defendant's violations of the FCRA were willful;
- (c) The proper measure of statutory damages; and
- (d) The proper measure of punitive damages.

56. Superiority: A class action is superior to other available methods for the fair and efficient adjudication of this litigation. Defendant's conduct described in this Complaint stems from common and uniform policies and practices, resulting in common violations of the FCRA.

Class certification also will obviate the need for unduly duplicative litigation that might result in inconsistent judgments concerning Defendant's practices. Moreover, management of this action as a class action will not present any likely difficulties. In the interests of justice and judicial efficiency, it would be desirable to concentrate the litigation of all Class members' claims in a single forum. Moreover, in view of the complexities of the issues and the expenses of litigation the separate claims of individual Class members are insufficient in amount to support separate actions.

CLAIM FOR RELIEF

Inadequate and Improper Disclosure **15 U.S.C. § 1681b(b)(2)(A)(i)** **(On Behalf of Plaintiff and the Class)**

57. Defendant violated the FCRA by procuring consumer reports on Plaintiff and the Class members without making the stand-alone disclosure required by the FCRA. *See* 15 U.S.C. § 1681b(b)(2)(A)(i).

58. Defendant acted willfully and in knowing or reckless disregard of its obligations and the rights of Plaintiff and the Class members. In addition to the conduct set forth above, Defendant's willful conduct is reflected by, among other things, the fact that it violated a clear statutory mandate set forth in 15 U.S.C. § 1681b(b)(2)(a)(i), and that Defendant certified that it would comply with 15 U.S.C. § 1681b(b)(2)(a)(i). Further:

- (a) The stand-alone disclosure provision was enacted in 1996 and has been in force since Defendant's founding;
- (b) Defendant's conduct is inconsistent with the FTC's longstanding regulatory guidance; judicial interpretation, and the plain language of the statute;

- (c) Defendant repeatedly and routinely uses the same unlawful documents it provided to Plaintiff with all of its applicants on whom it procured consumer reports;
- (d) Despite the clear statutory text and there being a depth of guidance, Defendant systematically procured consumer reports without first disclosing in writing to the consumer *in a document that consists solely of the disclosure*, that a consumer report may be obtained for employment purposes; and
- (e) By adopting such a policy, Defendant voluntarily ran a risk of violating the law substantially greater than the risk associated with a reading that was merely careless.

59. Plaintiff and the Class members are entitled to statutory damages of not less than \$100 and not more than \$1,000 for each and every one of these violations, pursuant to 15 U.S.C. § 1681n(a)(1)(A). Plaintiff and the Class members are also entitled to punitive damages for these violations, pursuant to 15 U.S.C. § 1681n(a)(2). Plaintiff and the Class members are further entitled to recover their costs and attorneys' fees, pursuant to 15 U.S.C. § 1681n(a)(3).

DEMAND FOR JURY TRIAL

~~Plaintiff hereby demands a trial by jury for all issues so triable~~

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, on behalf of herself and the Class, prays for relief as follows:

- (a) Determining that this action may proceed as a class action under N.C. Gen. Stat. § 1A-1, Rule 23;

- (b) Designating Plaintiff as a Class Representative and designating Plaintiff's counsel as counsel for the Class;
- (c) Issuing proper notice to the Class at Defendant's expense;
- (d) Declaring that Defendant violated the FCRA;
- (e) Declaring that Defendant acted willfully, in knowing or reckless disregard of Plaintiff's rights and its obligations under the FCRA;
- (f) Awarding statutory damages and punitive damages as provided by the FCRA;
- (g) Awarding reasonable attorneys' fees and costs as provided by the FCRA;
- (h) Granting other and further relief, in law or equity, as this Court may deem appropriate and just.

RESPECTFULLY SUBMITTED AND DATED this 22nd day of September, 2016.

WHITFIELD, BRYSON & MASON, LLP



Daniel K. Bryson, NC Bar No.: 15781
Patrick M. Wallace NC. Bar No.: 48138
900 W. Morgan Street
Raleigh, North Carolina 27603
dan@wbmlp.com
pat@wbmlp.com
Telephone: (919) 600-5000
Facsimile: (919) 600-5035

BERGER & MONTAGUE, P.C.
E. Michelle Drake
43 SE Main Street
Suite 505
Minneapolis, MN 55414
emdrake@bm.net
direct: 612.594.5933
mobile: 612.242.4296

Fax: 612.584.4470
Pro Hac Vice Pending

Attorneys for Plaintiff and Proposed Class

1950

[illegible]

9. It is not possible to have a system of laws that is not based on the principle of equality.

[illegible]

תשס"ח א' ח' סדר

[illegible]

॥ श्री गणेशाय नमः ॥

המחיר של המוצר יגובה על ידי המערכת, ויחולק בין המשתתפים. המחיר יגובה על ידי המערכת, ויחולק בין המשתתפים.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

415-416, 418

[illegible]

107.4. 7 25 10.00

more with history magazine

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 08-19-2007 BY 60322 UCBAW/SJS

[illegible]

Source: *Journal of the American Statistical Association*, 1997, 92, 1031-1042.



Sterling Testing Systems
Results for Order # 27297494 Client: Belk Inc.

SUBJECT PROFILE

NAME TUCKER, BRIANA :

SSN [REDACTED]

CURRENT ADDRESS [REDACTED]

DOB [REDACTED]

ADDITIONAL INFORMATION

Alias Order # And Names

Alias Order # And Names

RESULTS STATUS

Service

Finding

CRIMINAL

Clear

California Applicants/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report. An investigative consumer reporting agency shall provide a consumer seeking to obtain a copy of a report or making a request to review a file, a written notice in simple, plain English and Spanish setting forth the terms and conditions of his or her right to receive all disclosures, as provided in Section 1786.26.

Sólo para los Solicitantes/Empleados de California: En el informe no se garantiza la exactitud o veracidad de la información en cuanto al tema de la investigación, sino sólo que se ha copiado exactamente de los registros públicos, y la información generada como resultado del robo de identidad, incluyendo las pruebas de una actividad delictiva, podría estar incorrectamente asociada con el consumidor que sea el sujeto del informe. Una agencia investigadora de informes de crédito deberá suministrarle a un consumidor que trate de obtener una copia de un informe o solicite revisar un archivo una notificación por escrito en inglés y español lisos y llanos, en la que se establezcan los términos y las condiciones de su derecho a recibir toda la información, como se dispone en la Sección 1786.26.

Pursuant to Minn. Stat. Ann. § 332.70(4): The report may include information that has been expunged, sealed, or has otherwise become inaccessible to the public since the date it was collected.

Results pertaining to the subject's potential criminal background results are only included in the report if there is an exact match between the full name and date of birth provided by the subject and the court record. To ensure the integrity of our results, the criminal information reported appears exactly as it is received from each search. However, if the same information is revealed in numerous criminal background searches, it is only listed once in the report to assist the client in interpreting the findings.

As sex offender, office of foreign asset control and federal criminal offender databases may only list names, information is provided only if there is a complete name match between the subject and the entry in the government records.

Department of motor vehicle records are provided only if there is an exact match between the license number provided by the subject and the agency record.

Credit reports are provided by the credit bureau based on 2 matching criteria among name, and social security number.

Tuesday, July 19, 2016 1:27 pm

EXHIBIT

B



Sterling Testing Systems
Results for Order # 27297494 Client: Belk Inc.

NAME TUCKER, BRIANA .

SSN [REDACTED]

To the extent criminal background results are duplicative of findings from non-criminal background checks, such as a sex offender hit, the results are duplicated in the report. Accordingly, a thorough review of the complete report is required to ensure that the company properly recognizes duplicative results.

The purpose of Social Security Trace/Address Locator Report is to locate jurisdictions for purposes of expanding the scope of the criminal background check. The Social Security number provided by the applicant is not checked against the Social Security Administration database since the Social Security Administration database generally is not accessible for pre-employment screening purposes. In determining whether a number appears to be validly issued, SSN protocols are applied but please note that due to the randomization of the issuance of social security numbers, any conclusion regarding whether the number is valid may not be accurate for recently issued numbers.

This report or portions of this report may have been rated or scored pursuant to criteria provided by the client. The rating is merely to ease the reviewer(s) review of the report and does not indicate that any disqualification decision has been made. Regardless of ratings, absent any statutory provision mandating an employment action, an individualized analysis should be performed.

As it may not be permissible or recommended to use certain information contained in this report for employment decision, it is advisable to consult with counsel prior to making any adverse hiring decisions. By requesting and accepting this report, client confirms it is acting in compliance with its end user certification.

**CRIMINAL RESULTS
REPORT**

THE CRIMINAL INFORMATION REPORTED IN THIS REPORT APPEARS EXACTLY AS IT IS RECEIVED FROM THE LOCAL JURISDICTIONS AND MAY CONTAIN INFORMATION THAT MAY BE PROHIBITED FOR USE IN MAKING HIRING DECISIONS. THEREFORE, IT IS ADVISABLE TO CONSULT YOUR CORPORATE COUNSEL PRIOR TO MAKING ANY ADVERSE HIRING DECISIONS.

STATUS CLOSED OPEN DATE/TIME Sep 26 2014 2:00AM CLOSE DATE/TIME Sep 26 2014 2:03AM

COUNTY NATIONWIDE ZIP STATE NW CITY

* THE NATIONWIDE CRIMINAL HISTORY SEARCH HAS BEEN USED AS A JURISDICTION *
* LOCATOR TO PROVIDE THE BROADEST GEOGRAPHICAL COVERAGE FOR THE CRIMINAL *
* BACKGROUND CHECK. IF THE NATIONWIDE SEARCH REVEALED ANY POTENTIAL *
* REPORTABLE INFORMATION, PRIMARY SOURCE SEARCHES WERE INITIATED. *

No criminal convictions found.



Sterling Testing Systems

Results for Order # 27297493 Client: Belk Inc.

SUBJECT PROFILE

NAME BLUNE, BRIANA.

SSN [REDACTED]

CURRENT ADDRESS [REDACTED]

DOB [REDACTED]

ADDITIONAL INFORMATION

Alias Order # And Names

Alias Order # And Names

RESULTS STATUS

Service

CRIMINAL

Finding

Clear

California Applicants/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report. An investigative consumer reporting agency shall provide a consumer seeking to obtain a copy of a report or making a request to review a file, a written notice in simple, plain English and Spanish setting forth the terms and conditions of his or her right to receive all disclosures, as provided in Section 1786.26.

Sólo para los Solicitantes/Empleados de California: En el informe no se garantiza la exactitud o veracidad de la información en cuanto al tema de la investigación, sino sólo que se ha copiado exactamente de los registros públicos, y la información generada como resultado del robo de identidad, incluyendo las pruebas de una actividad delictiva, podría estar incorrectamente asociada con el consumidor que sea el sujeto del informe. Una agencia investigadora de informes de crédito deberá suministrarle a un consumidor que trate de obtener una copia de un informe o solicite revisar un archivo una notificación por escrito en inglés y español lisos y llanos, en la que se establezcan los términos y las condiciones de su derecho a recibir toda la información, como se dispone en la Sección 1786.26.

Pursuant to Minn. Stat. Ann. § 332.70(4): The report may include information that has been expunged, sealed, or has otherwise become inaccessible to the public since the date it was collected.

Results pertaining to the subject's potential criminal background results are only included in the report if there is an exact match between the full name and date of birth provided by the subject and the court record. To ensure the integrity of our results, the criminal information reported appears exactly as it is received from each search. However, if the same information is revealed in numerous criminal background searches, it is only listed once in the report to assist the client in interpreting the findings.

As sex offender, office of foreign asset control and federal criminal offender databases may only list names, information is provided only if there is a complete name match between the subject and the entry in the government records.

Department of motor vehicle records are provided only if there is an exact match between the license number provided by the subject and the agency record.

Credit reports are provided by the credit bureau based on 2 matching criteria among name, address and social security number.



Sterling Testing Systems

Results for Order # 27297493 Client: Belk Inc.

NAME BLUNE, BRIANA.

SSN [REDACTED]

To the extent criminal background results are duplicative of findings from non-criminal background checks, such as a sex offender hit, the results are duplicated in the report. Accordingly, a thorough review of the complete report is required to ensure that the company properly recognizes duplicative results.

The purpose of Social Security Trace/Address Locator Report is to locate jurisdictions for purposes of expanding the scope of the criminal background check. The Social Security number provided by the applicant is not checked against the Social Security Administration database since the Social Security Administration database generally is not accessible for pre-employment screening purposes. In determining whether a number appears to be validly issued, SSN protocols are applied but please note that due to the randomization of the issuance of social security numbers, any conclusion regarding whether the number is valid may not be accurate for recently issued numbers.

This report or portions of this report may have been rated or scored pursuant to criteria provided by the client. The rating is merely to ease the reviewer(s) review of the report and does not indicate that any disqualification decision has been made. Regardless of ratings, absent any statutory provision mandating an employment action, an individualized analysis should be performed.

As it may not be permissible or recommended to use certain information contained in this report for employment decision, it is advisable to consult with counsel prior to making any adverse hiring decisions. By requesting and accepting this report, client confirms it is acting in compliance with its end user certification.

CRIMINAL RESULTS

REPORT

THE CRIMINAL INFORMATION REPORTED IN THIS REPORT APPEARS EXACTLY AS IT IS RECEIVED FROM THE LOCAL JURISDICTIONS AND MAY CONTAIN INFORMATION THAT MAY BE PROHIBITED FOR USE IN MAKING HIRING DECISIONS. THEREFORE, IT IS ADVISABLE TO CONSULT YOUR CORPORATE COUNSEL PRIOR TO MAKING ANY ADVERSE HIRING DECISIONS.

STATUS CLOSED OPEN DATE/TIME Sep 26 2014 1:59AM CLOSE DATE/TIME Sep 26 2014 2:02AM

COUNTY NATIONWIDE ZIP STATE NW CITY

* THE NATIONWIDE CRIMINAL HISTORY SEARCH HAS BEEN USED AS A JURISDICTION *
* LOCATOR TO PROVIDE THE BROADEST GEOGRAPHICAL COVERAGE FOR THE CRIMINAL *
* BACKGROUND CHECK. IF THE NATIONWIDE SEARCH REVEALED ANY POTENTIAL *
* REPORTABLE INFORMATION, PRIMARY SOURCE SEARCHES WERE INITIATED. *

No criminal convictions found.



Sterling Testing Systems

Results for Order # 27287702 Client: Belk Inc.

SUBJECT PROFILE

NAME BLUNT, BRIANA .

SSN [REDACTED]

CURRENT ADDRESS [REDACTED]

DOB [REDACTED]

ADDITIONAL INFORMATION

Alias Order # And Names BLUNE/27297493

Alias Order # And Names TUCKER/27297494

RESULTS STATUS

Service

CRIMINAL

S.OFFENDER

SSTRACE

Finding

Clear

Clear

Alert

California Applicants/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report. An investigative consumer reporting agency shall provide a consumer seeking to obtain a copy of a report or making a request to review a file, a written notice in simple, plain English and Spanish setting forth the terms and conditions of his or her right to receive all disclosures, as provided in Section 1786.26.

Sólo para los Solicitantes/Empleados de California: En el informe no se garantiza la exactitud o veracidad de la información en cuanto al tema de la investigación, sino sólo que se ha copiado exactamente de los registros públicos, y la información generada como resultado del robo de identidad, incluyendo las pruebas de una actividad delictiva, podría estar incorrectamente asociada con el consumidor que sea el sujeto del informe. Una agencia investigadora de informes de crédito deberá suministrarle a un consumidor que trate de obtener una copia de un informe o solicite revisar un archivo una notificación por escrito en inglés y español lisos y llanos, en la que se establezcan los términos y las condiciones de su derecho a recibir toda la información, como se dispone en la Sección 1786.26.

Pursuant to Minn. Stat. Ann. § 332.70(4): The report may include information that has been expunged, sealed, or has otherwise become inaccessible to the public since the date it was collected.

Results pertaining to the subject's potential criminal background results are only included in the report if there is an exact match between the full name and date of birth provided by the subject and the court record. To ensure the integrity of our results, the criminal information reported appears exactly as it is received from each search. However, if the same information is revealed in numerous criminal background searches, it is only listed once in the report to assist the client in interpreting the findings.

As sex offender, office of foreign asset control and federal criminal offender databases may only list names, information is provided only if there is a complete name match between the subject and the entry in the government records.

Department of motor vehicle records are provided only if there is an exact match between the license number provided by the subject and the agency record.



Sterling Testing Systems
Results for Order # 27287702 Client: Belk Inc.

NAME BLUNT, BRIANA .

SSN [REDACTED]

Credit reports are provided by the credit bureau based on 2 matching criteria among name, address and social security number.

To the extent criminal background results are duplicative of findings from non-criminal background checks, such as a sex offender hit, the results are duplicated in the report. Accordingly, a thorough review of the complete report is required to ensure that the company properly recognizes duplicative results.

The purpose of Social Security Trace/Address Locator Report is to locate jurisdictions for purposes of expanding the scope of the criminal background check. The Social Security number provided by the applicant is not checked against the Social Security Administration database since the Social Security Administration database generally is not accessible for pre-employment screening purposes. In determining whether a number appears to be validly issued, SSN protocols are applied but please note that due to the randomization of the issuance of social security numbers, any conclusion regarding whether the number is valid may not be accurate for recently issued numbers.

This report or portions of this report may have been rated or scored pursuant to criteria provided by the client. The rating is merely to ease the reviewer(s) review of the report and does not indicate that any disqualification decision has been made. Regardless of ratings, absent any statutory provision mandating an employment action, an individualized analysis should be performed.

As it may not be permissible or recommended to use certain information contained in this report for employment decision, it is advisable to consult with counsel prior to making any adverse hiring decisions. By requesting and accepting this report, client confirms it is acting in compliance with its end user certification.

CRIMINAL RESULTS

THE CRIMINAL INFORMATION REPORTED IN THIS REPORT APPEARS EXACTLY AS IT IS RECEIVED FROM THE LOCAL JURISDICTIONS AND MAY CONTAIN INFORMATION THAT MAY BE PROHIBITED FOR USE IN MAKING HIRING DECISIONS. THEREFORE, IT IS ADVISABLE TO CONSULT YOUR CORPORATE COUNSEL PRIOR TO MAKING ANY ADVERSE HIRING DECISIONS.

STATUS CLOSED OPEN DATE/TIME Sep 25 2014 1:01PM CLOSE DATE/TIME Sep 25 2014 2:20PM

COUNTY PITTSYLVANIA ZIP 24557 STATE VA CITY GRETN

No criminal convictions found.

STATUS CLOSED OPEN DATE/TIME Sep 26 2014 2:01AM CLOSE DATE/TIME Sep 26 2014 11:57AM

COUNTY MAIDEN ALIAS ZIP STATE 00 CITY

NO CRIMINAL CONVICTION FOUND.



Sterling Testing Systems
Results for Order # 27287702 Client: Belk Inc.

NAME BLUNT, BRIANA .

SSN [REDACTED]

S. OFFENDER RESULTS

REPORT

STATUS CLOSED OPEN DATE/TIME Sep 25 2014 1:01PM CLOSE DATE/TIME Sep 25 2014 1:27PM

STATE VA

No Record Found



Sterling Testing Systems
Results for Order # 27287702 Client: Belk Inc.

NAME BLUNT, BRIANA.

SSN [REDACTED]

SSN TRACE RESULTS

REPORT

STATUS CLOSED OPEN DATE/TIME Sep 25 2014 1:01PM CLOSE DATE/TIME Sep 26 2014 2:01AM

***** Social Security Trace *****
*
*

GENERATED: 09/25/2014 01:01:30 PM
TRANSACTION ID: 33561980R103775

1. NAME
BRIANA D BLUNT
SSN [REDACTED] VALID STATE ISSUED
YES VIRGINIA
DOB [REDACTED]
DATE ISSUED
02/10/1995
ADDRESS [REDACTED]
FROM 08/2008 TO 08/2014
2. NAME
BRIANA D TUCKER BLUNT
SSN [REDACTED] VALID STATE ISSUED
YES VIRGINIA
DOB [REDACTED]
DATE ISSUED
02/10/1995
ADDRESS [REDACTED]
FROM 02/2013 TO 05/2013
3. NAME
BRIONO BLUNE
SSN [REDACTED] VALID STATE ISSUED
YES VIRGINIA
DOB [REDACTED] 1995
DATE ISSUED
02/10/1995
ADDRESS [REDACTED]
FROM 02/2013 TO 04/2013
4. NAME
BRIANA D TUCKERBLUNT
SSN [REDACTED] VALID STATE ISSUED
YES VIRGINIA
DOB [REDACTED]
DATE ISSUED
02/10/1995
ADDRESS [REDACTED]
FROM 02/2013 TO 04/2013
5. NAME
BRIANA TUCKER
SSN [REDACTED] VALID STATE ISSUED
YES VIRGINIA
DOB [REDACTED] 1995
DATE ISSUED
02/10/1995
ADDRESS [REDACTED]
FROM 02/2013 TO 03/2013



Sterling Testing Systems
Results for Order # 27287702 Client: Belk Inc.

NAME BLUNT, BRIANA.

SSN [REDACTED]

SS TRACE RESULTS

REPORT

END-USER IS NOTIFIED THAT FOR LEGAL AND PRACTICAL REASONS INFORMATION
OBTAINED THROUGH A SOCIAL SECURITY NUMBER TRACE SHOULD BE USED ONLY TO
VERIFY THE INFORMATION PROVIDED BY THE CONSUMER ON HIS/HER EMPLOYMENT
APPLICATION. INFORMATION OBTAINED THROUGH A SOCIAL SECURITY NUMBER TRACE
SHOULD NOT BE USED ALONE OR IN CONJUNCTION WITH ANY OTHER INFORMATION TO
MAKE AN EMPLOYMENT DECISION.

****END OF NETWORK TRACE****

PLEASE NOTE THAT THE RESULT OF THE SOCIAL SECURITY TRACE SEARCH YIELDED THE
FOLLOWING NAMES IN ADDITION TO THE NAME ORIGINALLY ENTERED FOR THE APPLICANT:

BRIANA D TUCKER BLUNT - LAST NAME DOES NOT MATCH. (SEE #2 ABOVE)
BRIONO BLUNE - NAME DOES NOT MATCH. (SEE #3 ABOVE)
BRIANA D TUCKERBLUNT - LAST NAME DOES NOT MATCH. (SEE #4 ABOVE)
BRIANA TUCKER - LAST NAME DOES NOT MATCH. (SEE #5 ABOVE)

IF OTHER SEARCHES ARE REQUIRED, PLEASE CONTACT OUR CLIENT SERVICES
DEPARTMENT AT CLIENTSERVICES@STERLINGINFOSYSTEMS.COM.

NOTE: AN ADDITIONAL CHARGE MAY APPLY FOR EACH ADDITIONAL NAME.
