UNITED STATES DISTRICT COURT
NORTHEN DISTRICT OF ILLINOIS

ALEXIS FENNESSY,
individually and
on behalf of all others similarly situated,

Plaintiff,

v.

THE ALLSTATE CORPORATION,

Defendant.
_____/

CLASS ACTION

JURY TRIAL DEMANDED

CLASS ACTION COMPLAINT

Plaintiff Alexis Fennessy brings this class action against Defendant The Allstate Corporation, and alleges as follows upon personal knowledge as to Plaintiff and Plaintiff's own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by Plaintiff's attorneys.

NATURE OF THE ACTION

1. This is a putative class action pursuant to the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq*. (the "TCPA").

2. In violation of the TCPA, Defendant engages in unsolicited robocalling to promote its products and services.

3. Through this action, Plaintiff seeks statutory damages to put an end to Defendant's unlawful conduct which has resulted in intrusion into the peace and quiet in a realm that is private and personal to Plaintiff and the Class members.

PARTIES

4. Plaintiff is a natural person and a called party protected under the TCPA and resident of Newport News City, Virgina.

5. Defendant is, and at all times relevant hereto was, a Delaware corporation with its principal place of business in Cook County, Illinois.

JURISDICTION AND VENUE

6. This Court has federal question subject matter jurisdiction over Plaintiff's TCPA claims pursuant to 28 U.S.C. § 1331.

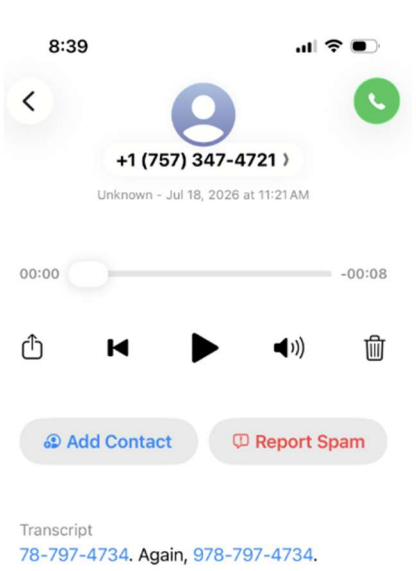
7. Defendant is subject to personal jurisdiction in Illinois because this suit arises out of and relates to Defendant's contacts with this state. Defendant initiated and directed telemarketing and/or advertising robocalls coming from Illinois. Specifically, Defendant initiated and directed the transmission of unsolicited robocalls to Plaintiff's cellular telephone number to sell goods, services or products from Illinois.

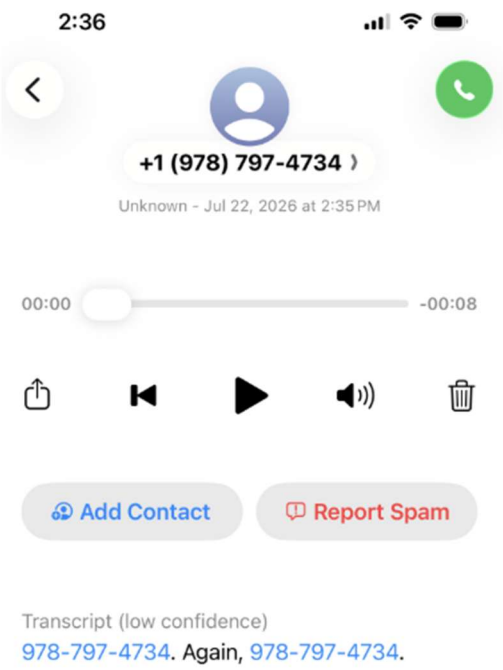
8. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c) because Defendant is deemed to reside in any judicial district in which it is subject to personal jurisdiction, and because a substantial part of the events or omissions giving rise to the claim occurred in this District.

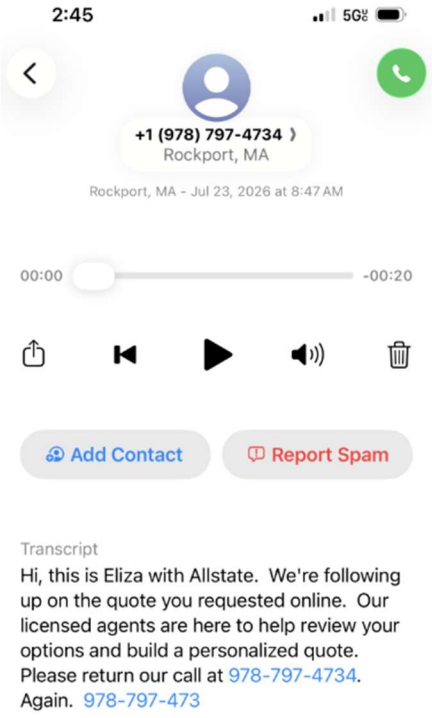
FACTS

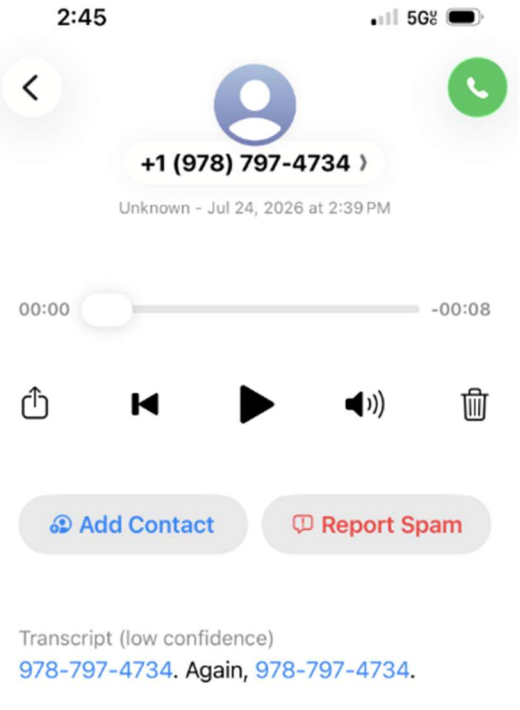
9. Defendant harassed Plaintiff and members of the Class with prerecorded robocalls, the purpose of which was to promote and advertise the commercial availability of Defendant's goods and services.

10. Specifically, on or about July 18, 2026, July 22, 2026, July 23, 2026 and July 24, 2026, Defendant sent the following unsolicited and unconsented to prerecorded voice calls to Plaintiff's cellular telephone number ending in 4741:


8:39
+1 (757) 347-4721
Unknown - Jul 18, 2026 at 11:21 AM
00:00
-00:08
Add Contact
Report Spam
Transcript
78-797-4734. Again, 978-797-4734.


2:36
+1 (978) 797-4734
Unknown - Jul 22, 2026 at 2:35 PM
00:00
-00:08
Add Contact
Report Spam
Transcript (low confidence)
978-797-4734. Again, 978-797-4734.


2:45
5G
+1 (978) 797-4734
Rockport, MA
Rockport, MA - Jul 23, 2026 at 8:47 AM
00:00
-00:20
Add Contact
Report Spam
Transcript
Hi, this is Eliza with Allstate. We're following up on the quote you requested online. Our licensed agents are here to help review your options and build a personalized quote. Please return our call at 978-797-4734. Again. 978-797-473


2:45
5G
+1 (978) 797-4734
Unknown - Jul 24, 2026 at 2:39 PM
00:00
-00:08
Add Contact
Report Spam
Transcript (low confidence)
978-797-4734. Again, 978-797-4734.

11. Upon listening to the messages, Plaintiff was easily able to determine that they were prerecorded and not a live person speaking.

12. The purpose of Defendant's call was to solicit the sale of consumer goods and/or services.

13. Plaintiff is the regular user of the cellular telephone number (ending in 4741) that received the above telephonic prerecorded sales calls and has been registered on the National Do Not Call Registry since April 26, 2023.

14. Upon information and belief, Defendant maintains and/or has access to outbound transmission reports for all robocalls sent advertising/promoting its services and goods. These reports show the dates, times, target telephone numbers, and content of each message sent to Plaintiff and the Class members.

15. Plaintiff never provided Defendant with prior express written consent authorizing Defendant to transmit prerecorded sales or marketing calls to Plaintiff's cellular telephone number.

16. Plaintiff never provided Defendant with prior express consent authorizing Defendant to transmit prerecorded sales or marketing calls to Plaintiff's cellular telephone number.

17. Defendant's prerecorded calls caused Plaintiff and the Class members harm, including liquidated actual damages, inconvenience, invasion of privacy, intrusion upon seclusion, aggravation, annoyance, and violation of their statutory privacy rights.

CLASS ALLEGATIONS

PROPOSED CLASSES

18. Plaintiff brings this lawsuit as a class action on behalf of Plaintiff individually and on behalf of all other similarly situated persons as a class action pursuant to Federal Rule of Civil Procedure 23(a) and (b)(3). The Classes that Plaintiff seeks to represent are defined as:

> **Prerecorded Message Class: All persons within the United States who, within the four years prior to the filing of this action through the date of class certification, (1) received a call from Defendant using an artificial or prerecorded voice, (2) on their cellular telephone, (3) regarding Defendant's goods, products or services.**

19. Defendant and its employees or agents are excluded from the Class.

NUMEROSITY

20. Upon information and belief, Defendant has placed prerecorded sales calls to cellular telephone numbers belonging to at least 50 persons. The members of the Class, therefore, are believed to be so numerous that joinder of all members is impracticable.

21. Identification of the Class members is a matter capable of ministerial determination from Defendant's call records.

COMMON QUESTIONS OF LAW AND FACT

22. There are numerous questions of law and fact common to the Classes which predominate over any questions affecting only individual members of the Classes. Among the questions of law and fact common to the Class are:

(a) Whether Defendant initiated prerecorded calls to Plaintiff and the Class members;

(b) Whether Defendant can meet its burden of showing that it had consent to make such calls;

(c) Whether Defendant is liable for damages, and the amount of such damages;

(d) Whether Defendant violated the TCPA.

23. The common questions in this case are capable of having common answers. Plaintiff and the Class members have identical claims capable of being efficiently adjudicated and administered in this case.

TYPICALITY

24. Plaintiff's claims are typical of the claims of the Class members, as they are all based on the same factual and legal theories.

PROTECTING THE INTERESTS OF THE CLASS MEMBERS

25. Plaintiff is a representative who will fully and adequately assert and protect the interests of the Class and has retained competent counsel. Accordingly, Plaintiff is an adequate representative and will fairly and adequately protect the interests of the Class.

SUPERIORITY

26. A class action is superior to all other available methods for the fair and efficient adjudication of this lawsuit because individual litigation of the claims of all members of the Class is economically unfeasible and procedurally impracticable. While the aggregate damages sustained by the Class are in the millions of dollars, the individual damages incurred by each member of the Class resulting from Defendant's wrongful conduct are too small to warrant the expense of individual lawsuits. The likelihood of individual Class members prosecuting their own separate claims is remote, and, even if every member of the Class could afford individual litigation, the court system would be unduly burdened by individual litigation of such cases.

27. The prosecution of separate actions by members of the Class would create a risk of establishing inconsistent rulings and/or incompatible standards of conduct for Defendant.

COUNT I

VIOLATION OF 47 U.S.C. § 227(b)

(On Behalf of Plaintiff and the TCPA Prerecorded Message Class)

28. Plaintiff re-alleges and incorporates the allegations set forth in paragraphs 1 through 27 as if fully set forth herein.

29. It is a violation of the TCPA to make "any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using any …artificial or prerecorded voice to any telephone number assigned to a … cellular telephone service …." 47 U.S.C. § 227(b)(1)(A)(iii).

30. Defendant used prerecorded messages to make non-emergency telephone calls to the cellular telephones of Plaintiff and other members of the Class.

31. Defendant did not have prior express consent to call the telephones of Plaintiff and the other members of the putative Class when its calls were made.

32. Defendant did not have prior express written consent to call the telephones of Plaintiff and the other members of the putative Class when its calls were made.

33. Defendant has, therefore, violated § (b)(1)(A)(iii) by using prerecorded messages to make non-emergency telephone calls to the cellular telephones of Plaintiff and the other members of the putative Class.

34. As a result of Defendant's conduct and pursuant to § 227(b) of the TCPA, Plaintiff and the other members of the putative Class were harmed and are each entitled to a minimum of $500.00 in damages for each violation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of the Class, prays for the following relief:

a) An order certifying this case as a class action on behalf of the Class as defined above, and appointing Plaintiff as the representative of the Classes and Plaintiff's counsel as Class Counsel;

b) An award of liquidated actual damages of $500 per call for Plaintiff and each member of the Classes as applicable under the TCPA;

c) An order declaring that Defendant's actions, as set out above, violate the TCPA;

d) Such further and other relief as the Court deems necessary.

JURY DEMAND

Plaintiff, individually and on behalf of the Classes, hereby demand a trial by jury.

DATED: November 17, 2026

Respectfully submitted,

By: */s/ Manuel Hiraldo*

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