

# BREAKING NEWS: Monica Graham of Graham Law Firm LLP Announces Rite Aid Failed to Dismiss TCPA Case, Central District CA

*Graham Law Firm LLP Announces Rite Aid Unable to Dismiss TCPA Case in Central District, California*

LOS ANGELES, CALIFORNIA, UNITED STATES, February 3, 2021 /EINPresswire.com/ -- On February 2, 2021, U.S. District Court Judge, Hon. Michael W. Fitzgerald (Case #CV 20-5601-MWF, Stephen et al v. Rite Aid) held that Rite Aid's argument fails in its reliance on the Supreme Court's decision in Barr v. Am. Ass'n of Political Consultants, Inc. as grounds for dismissal. Monica Graham represents the plaintiff who sued Rite Aid Headquarters Corporation (Rite Aid) under the Telephone Consumer Protection Act ("TCPA") which Rite Aid moved to dismiss on the contention AAPC rendered the entirety of the pre-severance robocall provision of the TCPA unconstitutionally void in violation of the First Amendment.

The Court correctly held that TCPA is not unconstitutional as applied to Rite Aid's alleged conduct, as it did not involve robocalls made for the purpose of collecting federal government debts. The Court noted persuasive reasoning for its decision in alignment with the plaintiff's opposition and concluded that "Rite Aid's interpretation of severability is meritless."

Monica Graham is a fierce advocate of the Telephone Consumer Protection Act, which was signed into law in 1991, with the specific purpose of stopping harassing and unwanted phone calls to consumers.

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