



May 25, 2022

Identity Theft and Credit Reporting Violations Alleged Against Navy Federal Credit Union

Abelon v. Navy Federal Credit Union et al.

U.S.D.C., S.D. Cal., Case No. 3:22-cv-00704-CAB-BGS

On May 17, 2022, the Swigart Law Group, APC, filed a federal lawsuit against Navy Federal Credit Union (“NFCU”) on behalf of Plaintiff Gilcy Abelon. The complaint alleges violations of the Fair Credit Reporting Act (“FCRA”), the California Consumer Credit Reporting Agencies Act (“CCRAA”), the California Identity Theft Act (“CITA”), and California Penal Code Section 530.8 and seeks monetary damages on behalf of Ms. Abelon.

Around November 2020, an unknown person obtained Ms. Abelon’s personal identifying information, including her social security number, date of birth, address, phone number, and driver’s license number. Without Ms. Abelon’s permission or knowledge, the unauthorized person obtained a \$26,000.00 NFCU loan, in her name. It was not until 2021, when Ms. Abelon requested her Equifax, Experian, and Trans Union credit reports from annualcreditreport.com, did she discover the fraud. Ms. Abelon was devastated to discover the fraudulent account on her credit reports and learn NFCU reported that she was severely delinquent in payments. Ms. Abelon contacted the Federal Trade Commission and filed a formal Fraud Complaint and Affidavit establishing an official record of identity theft.

Ms. Abelon notified Equifax, Experian and Trans Union of the fraudulent NFCU tradeline by mailing each agency a dispute letter explaining that she was the victim of identity theft and as a result the information related to the NFCU tradeline was inaccurate. At the same time, Ms. Abelon mailed an identity theft notice and request for documents and information to NFCU under Cal. Pen. Code 530.8. Ms. Abelon attached copies of her FTC Fraud Complaint to each dispute letter and identity theft notice. In response to Ms. Abelon’s credit report dispute letters, NFCU and the credit bureaus continued to claim her credit reports were accurate, despite evidence to the contrary. In response to Ms. Abelon’s identity theft notice, NFCU incorrectly maintained Ms. Abelon’s liability for the fraudulent loan and refused to provide any documents or information related to the fraudulent loan.

Despite Ms. Abelon’s efforts, the inaccurate information remains on Ms. Abelon’s reports and NFCU asserts Ms. Abelon’s liability for the loan. Ms. Abelon was left with no choice but to retain the Swigart Law Group, APC, a consumer rights firm practicing exclusively on behalf of aggrieved individuals, to pursue legal action. There were no upfront costs, and a favorable result is anticipated.

See a copy of the Swigart Law Group complaint [here](#).



2221 Camino del Rio South, Ste. 308, San Diego, CA 92108

P 866-219-3343 **D** 619-728-6348 **F** 866-219-8344 **E** josh@swigartlawgroup.com

WWW.SWIGARTLAWGROUP.COM