

November 23, 2025

FORMAL NOTICE OF DISPUTE - Round 1

To: Comprehensive Analysis

ACCOUNT: [Inconsistent with other bureaus

- Last Active Date:

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ACCOUNT: [Inconsistent pattern

Equifax Reporting: - Status:

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ACCOUNT: [Different amount than TU/EX

- Last Active Date:

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ACCOUNT: [Divergent from other reports

Specific Contradictions Identified

- 1. **Future Date Reporting:** One or more bureaus report future dates, violating temporal logic
- 2. **Balance Inconsistencies:** Different balance amounts across bureaus for same account
- 3. **Last Active Date Conflicts:** Varying last active dates suggest inaccurate data maintenance
- 4. **Payment History Divergence:** Inconsistent payment patterns across

reporting agencies

Legal Analysis

****FCRA 607(b) Requirements:**** The Fair Credit Reporting Act mandates that consumer reporting agencies "follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates." 15 U.S.C. 1681e(b).

****Cushman v. TransUnion Standard:**** In Cushman v. TransUnion Corp., 115 F.3d 220 (3d Cir. 1997), the Third Circuit established that bureaus must verify information through reasonable procedures, not merely automated matching.

****Sarver v. Experian Standard:**** Sarver v. Experian Info. Solutions, 390 F.3d 969 (7th Cir. 2004) requires bureaus to conduct meaningful investigations when disputes arise.

****Application to OPENSKY CBNK:**** The inconsistent reporting across all three bureaus demonstrates a systematic failure to maintain accurate information. The presence of future dates particularly evidences unreasonable procedures, as no legitimate account activity can occur in the future.

Damages Calculation

****Statutory Damages Range:**** \$100 - \$1,000 per violation ****Actual Damages:**** Time and stress (\$500 documented) ****Multiplier Potential:**** 3x for willful violations (if established)

****Per-Bureau Exposure:**** - TransUnion: \$100-\$1,000 statutory + actual damages - Experian: \$100-\$1,000 statutory + actual damages - Equifax: \$100-\$1,000 statutory + actual damages

****Total OPENSKY CBNK Exposure:**** \$300-\$3,000 statutory + \$1,500 actual damages

VIOLATION #2: TBOM/MILSTNE - INACCURATE PAYMENT HISTORY

Statutory Framework ****Primary Violation:**** FCRA 607(b) - Maximum Possible Accuracy ****Secondary Violations:**** FCRA 623(a)(1)(A) - Accuracy in Furnishing

Account Identification - ****Account Name:**** TBOM/MILSTNE - ****Account Type:****

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ACCOUNT: Round 1 - Initial Dispute**

Dear TransUnion:

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****DISPUTE LETTER #2 - EXPERIAN****

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Sincerely,

Daniel Fermin

Consumer