

Man sues over credit-report 'target practice'

By Thomas P. Wyman

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INDIANAPOLIS — An Albuquerque man has sued his former phone company in federal court, saying his credit was destroyed because Ameritech Indiana repeatedly used his name to train workers on how to access credit reports.

Frank Martillotti Jr. accused the regional phone company of using him for target practice. And he says the credit agency Equifax is just as guilty because it approved the phone company's requests — perhaps hundreds of them — for his financial history. He sued both for unspecified damages.

Federal law only allows requests for legitimate business purposes.

As a result of the inquiries that went on for more than a year, an apartment complex denied Martillotti a lease and a department store and a bank judged him a bad risk, according to the lawsuit.

"They screwed up his credit rating, and they invaded his privacy," said Martillotti's lawyer, Richard Feferman of Albuquerque. "They had no right to that information."

Dennis McCabe, a spokesman

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**Richard Feferman
of Albuquerque,
Frank Martillotti Jr.'s lawyer**

for Ameritech Indiana, declined to comment on the suit or whether the company had ever used a customer's identity to train workers to obtain credit reports. An Equifax spokesman also declined to comment.

Companies make credit decisions based on a score derived from an individual's credit history. Feferman said a large number of inquiries can harm an individual's score.

A copy of Martillotti's Equifax credit report, included in the lawsuit filed in Indianapolis on Tuesday, shows 74 requests from Ameritech for his credit report in a 17-month period that ended in November.

Feferman said an Ameritech employee admitted to Martillotti that his name had been used as a training exercise — and that as many as 600 inquiries had been filed with credit reporting agencies.

"Some (Ameritech) bureaucrat somewhere just picked his name out of a hat, stuck it in the training manual and said, 'Here, if you want to practice, use this,'" Feferman said.

In a 1996 letter to Ameritech, Martillotti demanded "the excessive inquiries into my credit report to cease immediately."

"Forty-two inquiries within three months is ridiculous," he said, enclosing a check for \$200.45 to pay off an outstanding balance he actually believed to be paid in full.

An Ameritech letter dated July 15, 1996, said he had no outstanding bills and returned the check to Martillotti.

The Equifax credit report Martillotti obtained last November indicated Ameritech filed a credit inquiry the day after returning his check. Between then and Nov. 5, Ameritech made 58 more inquiries to Equifax on Martillotti.

Sears last year refused to increase his credit limit and in November, NationsBank refused him credit. Both cited an excessive number of inquiries by Ameritech.

Ameritech, based in Chicago, operates in Indiana, Illinois, Ohio, Michigan and Wisconsin.