

From: [Braz, Madison](#)
To: law@herminalaw.com
Subject: Re: Public Records Act Request
Date: Wednesday, October 16, 2019 8:44:35 AM
Attachments: [2019-10-15 Braz final ltr to Hermina and documents.pdf](#)

Dear John Hermina,

Please see attached in response to your Public Records Act request dated October 15, 2019.

Sincerely,

Madison Braz
Consumer Advisor

State of Vermont
Office of the Attorney General
Consumer Assistance Program
109 State Street
Montpelier, VT 05609-1001

Email: ago.cap@vermont.gov
Website: <http://www.uvm.edu/consumer>
Phone: (800) 649-2424 (toll free from VT phone)
Fax: (802) 304-1014

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E. B. LONDON
CHIEF ASST. ATTORNEY
GENERAL



ADDRESS REPLY TO:
CONSUMER ASSISTANCE PROGRAM
109 State Street
Montpelier, Vt 05609
website: ago.vermont.gov/cap
e-mail: ago.cap@vermont.gov

STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
PUBLIC PROTECTION DIVISION

TEL: 1-800-649-2424
FAX: (802) 304-1014

October 15, 2019

Via email to law@herminalaw.com.

John Hermina
Hermina Law Group
Laurel Lake Executive Park
8327 Cherry Lane
Laurel, MD 20707

Re: Public Records Request

Dear John Hermina,

I write in response to your Public Records Act request dated October 15, 2019, a copy of which is attached for your convenience (PRA-CAP002).

The documents pertaining to your request are attached. Personal information has been redacted pursuant to 1 V.S.A. § 317(c)(7).

To the extent you feel information has been withheld in error, you may appeal to the Deputy Attorney General, Joshua Diamond.

Sincerely,

A handwritten signature in black ink, appearing to read 'Madison Braz', written over a thin horizontal line.

Madison Braz
Consumer Assistance Program
Office of the Attorney General
State of Vermont



HERMINA LAW GROUP

Laurel Lakes Executive Park
8327 Cherry Lane • Laurel, MD 20707

Via Fax To: 802-828-3187

October 15, 2019

Phone: (301) 206-3166
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TJ Donovan
Attorney General
State of Vermont
109 State Street
Montpelier, Vermont 05609-1001

**Re: FOIA REQUEST
Cox v. Spirit Airlines, Inc.
"Gotcha Carryon Fee Litigation"
EDNY Civil Action 1:17-05172**

Dear Mr. Donovan:

I represent a significant number of Plaintiffs in a class action suit against Spirit Airlines. The suit alleges that Spirit Airlines breaches its online agreements using third parties (such as Expedia and Priceline) by surprising plaintiffs with gotcha carryon fees, over and above the agreed price, at the airport.

Pursuant to the Freedom of Information Act ("FOIA") and its State law equivalent, I am requesting that you kindly furnish the undersigned counsel with any and all complaints your Office received regarding Spirit Airlines from January 2018 through October 30, 2019.

If you have any questions, please feel free to contact me at 301-776-2003.

Thank you in advance for your cooperation.

Sincerely,

John Hermina

From: [AGO CAP](#)
To: [AGO - CAP](#)
Subject: CAP Complaint
Date: Thursday, March 15, 2018 5:24:12 PM
Attachments: [Spirit Airlines Combo popup.html](#)

The following CAP complaint was submitted:

Your First Name	Maureen
Your Last Name	Leggett
Your E-Mail Address	[REDACTED]
Your Daytime Phone	[REDACTED]
Daytime Phone Type	Home
Your Age	[REDACTED]
I am a...	[REDACTED]
Your Mailing Address	[REDACTED]
Your City	Saint Albans
Your State	VT
Your Zip Code	05478
Your Alternate Phone	[REDACTED]
Alternate Phone Type	Mobile
Is your complaint about:	Some other type of business
Business Name or Person's	Spirit Airlines

First Name	
Business Phone (1)	801.401.2222
Phone (1) Type	Office
Business E-Mail Address	Bense (Spirit Airlines Support)
Business Address	2800 Executive Way
Business City	Miramar
Business State	FL
Business Zip Code	33025
Description	<p>When I originally was working on my Spirit airline booking on March 7 & got past the flight selection, a POP UP WINDOW appeared which gives you two selections to choose from when booking. The top of the window is entitled "THE THRILLS COMBO SAVES YOU UP TO \$444.00" then it lists 6 items, one of which is called "Flight Flex...No Change Fees! Modify for FREE via Spirit.com up to 24 hrs before departure - Subject to fare difference". At the bottom are two boxes to select from...A) \$9 Fare Club and save \$444.00 (\$60.99 PP ea way); and B) Standard and save \$384.00 (\$75.99 PP ea way). I had to change my reservation to same date but later time & was charged \$360.00 Change Fee. I called to dispute the fee & was told that since I didn't select the "thrills combo" when making the original reservation there was nothing Spirit could do.</p> <p>I'm complaining because their website is VERY DECEPTIVE in stating "Thrills Combo saves you up to \$444.00 & the two options to select are called " \$9 Fare Club" and "Standard"....and further the \$9 Fare Club box reflects the same verbage "and Save \$444.00" as the header of the window. One can normally assume then that all 6 listed items are included when you select the \$9 Fare Club box!!! Why would I or anyone select "Standard" and expect to get the Flight Flex or seat selection & other 4 items listed on the pop up window when it does not correlate to the header verbage at the top of the pop up window?! So I naturally selected & joined the \$9 Fare Club (Paid add'l \$59.95) so I would get the option for changing itinerary if needed.</p>
Amount of loss:	520.00
How would you like this matter to be resolved?	I want my credit card credited this amount.

Incident Date	3/15/2018 12:00:00 AM
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