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Attorneys for Plaintiff
THE UNITED STATES OF AMERICA
IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 JUN - 7 PM 3:37
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY: _____

FILED

UNITED STATES OF AMERICA,
Plaintiff,
v.
SPOKEO, INC.,
Defendant.

Case No. ~~CV 12-05001~~ MMMISH*

COMPLAINT FOR CIVIL
PENALTIES, INJUNCTION
AND OTHER RELIEF

Plaintiff, the United States of America, acting upon notification and authorization to the Attorney General by the Federal Trade Commission ("FTC" or "Commission"), for its Complaint alleges that:

1 1. Plaintiff brings this action under sections 5(a), 13(b), and 16(a) of
2 the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 45(a), 53(b), and
3 56(a); and section 621(a) of the Fair Credit Reporting Act (“FCRA”), 15
4 U.S.C. §1681s(a), to obtain monetary civil penalties, and injunctive or other
5 relief from Defendant for engaging in violations of the FTC Act, 15 U.S.C.
6 § 45(a), and the FCRA, 15 U.S.C. §§ 1681 – 1681x.

7 **JURISDICTION AND VENUE**

8 2. This Court has subject matter jurisdiction over this matter under
9 28 U.S.C. §§ 1331, 1337(a), 1345, and 1355, and under 15 U.S.C. §§ 45(a),
10 53(b), 56(a), and 1681s.

11 3. Venue in the United States District Court for the Central District
12 of California is proper under 15 U.S.C. § 53(b) and under 28 U.S.C.
13 §§ 1391(b)-(c) and 1395(a).

14 **PLAINTIFF**

15 4. This action is brought by the United States of America on behalf
16 of the Federal Trade Commission. The Commission is an independent agency
17 of the United States government given statutory authority and responsibility by,
18 *inter alia*, the FTC Act, *as amended*, 15 U.S.C. §§ 41-58, and the FCRA, 15
19 U.S.C. §§ 1681-1681x. The Commission is charged, *inter alia*, with enforcing
20 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair and
21 deceptive acts or practices in or affecting commerce; and the FCRA, which
22 imposes duties upon consumer reporting agencies.

23 **DEFENDANT**

24 5. Defendant Spokeo, Inc. (“Spokeo”) is a privately-held Delaware
25 C-type corporation doing business in California. Spokeo has its principal place
26 of business at 199 South Los Robles Avenue, Suite 711, Pasadena, CA 91101.
27 Spokeo transacts or has transacted business in this district and throughout the
28 United States.

1 **COMMERCE**

2 6. At all times relevant to this Complaint, Defendant has maintained
3 a substantial course of trade in or affecting commerce, as “commerce” is
4 defined in section 4 of the FTC Act, 15 U.S.C. § 44.

5 **THE FAIR CREDIT REPORTING ACT**

6 7. The FCRA was enacted in 1970, became effective on April 25,
7 1971, and has been in force since that date.

8 8. Section 621 of the FCRA, 15 U.S.C. § 1681s, authorizes the
9 Commission to use all of its functions and powers under the FTC Act to
10 enforce compliance with the FCRA by all persons subject thereto except to the
11 extent that enforcement specifically is committed to some other governmental
12 agency, irrespective of whether the person is engaged in commerce or meets
13 any other jurisdictional tests set forth by the FTC Act.

14 **VIOLATIONS OF THE FAIR CREDIT REPORTING ACT**

15 9. Spokeo assembles consumer information from “hundreds of online
16 and offline sources,” such as social networking sites, data brokers, and other
17 sources to create consumer profiles, which Defendant promotes as “coherent
18 people profiles” and “powerful intelligence.” These consumer profiles identify
19 specific individuals and display such information as the individual’s physical
20 address, phone number, marital status, age range, or email address. Spokeo
21 profiles are further organized by descriptive headers denoting, among other
22 things, a person’s hobbies, ethnicity, religion, or participation on social
23 networking sites, and may contain photos or other information, such as
24 economic health graphics, that Spokeo attributes to a particular individual.
25 Among other things, Spokeo sells the profiles through paid subscriptions,
26 which provide a set number of searches based on subscription level, as well as
27 through Application Program Interfaces (“API”) that provide customized
28 and/or higher volume access.

1 10. Since at least 2008, Spokeo has provided its consumer profiles to
2 businesses, including entities operating in the human resources (“HR”),
3 background screening, and recruiting industries, to serve as a factor in deciding
4 whether to interview a job candidate or whether to hire a candidate after a job
5 interview.

6 a. Spokeo entered into API user agreements with, and
7 provided high volume access to, paying business customers,
8 including entities operating in the human resources,
9 background screening, and recruiting industries.

10 b. In its marketing and advertising, the company has promoted
11 the use of its profiles as a factor in deciding whether to
12 interview a job candidate or whether to hire a candidate
13 after a job interview. Spokeo purchased thousands of online
14 advertising keywords including terms targeting employment
15 background checks, applicant screening, and recruiting.
16 Spokeo ran online advertisements with taglines to attract
17 recruiters and encourage HR professionals to use Spokeo to
18 obtain information about job candidates’ online activities.

19 c. Spokeo has affirmatively targeted companies operating in
20 the human resources, background screening, and recruiting
21 industries. It created a portion of its website intended
22 specifically for recruiters, which was available through a
23 dedicated click tab labeled “recruiters” that was prominently
24 displayed at the top of the Spokeo home page. Recruiters
25 were encouraged to “Explore Beyond the Resume.” In
26 addition, Defendant promoted the Spokeo.com/HR URL to
27 recruiters in the media and in marketing to third parties, and
28 offered special subscription plans for its HR customers.

1 11. In 2010, Spokeo changed its website Terms of Service to state that
2 it was not a consumer reporting agency and that consumers may not use the
3 company's website or information for FCRA-covered purposes. However,
4 Spokeo failed to revoke access to or otherwise ensure that existing users,
5 including subscribers who may have joined Spokeo through its
6 Spokeo.com/HR page, or those who had previously purchased access to
7 profiles through API user agreements, did not use the company's website or
8 information for FCRA-covered purposes.

9 12. The consumer profiles Spokeo provides to third parties are
10 "consumer reports" as defined in section 603(d) of the FCRA, 15 U.S.C.
11 § 1681a(d):

12 any written, oral, or other communication of any
13 information by a consumer reporting agency bearing
14 on a consumer's credit worthiness, credit standing,
15 credit capacity, character, general reputation, personal
16 characteristics, or mode of living which is used or
17 expected to be used or collected in whole or in part for
the purpose of serving as a factor in establishing the
consumer's eligibility for (A) credit or insurance to be
used primarily for personal, family, or household
purposes; (B) employment purposes; or (C) any other
purpose authorized under section 604.

18 Spokeo profiles are consumer reports because they bear on a consumer's
19 character, general reputation, personal characteristics, or mode of living and/or
20 other attributes listed in section 603(d), and are "used or expected to be used .
21 . . in whole or in part" as a factor in determining the consumer's eligibility for
22 employment or other purposes specified in section 604.

23 13. In providing "consumer reports" Spokeo is now and has been a
24 "consumer reporting agency" ("CRA") as that term is defined in section 603(f)
25 of the FCRA, 15 U.S.C. § 1681a(f). That section defines a "consumer
26 reporting agency" as

27 any person which, for monetary fees, dues, or on
28 cooperative nonprofit basis, regularly engages in
whole or in part in the practice of assembling or

1 evaluating consumer credit information or other
2 information on consumers for the purpose of
3 furnishing consumer reports to third parties, and
4 which uses any means or facility of interstate
5 commerce for the purpose of preparing or furnishing
6 consumer reports.

7 Spokeo regularly assembles "information on consumers" into consumer reports
8 that it provides to third parties in interstate commerce, including companies in
9 the human resources, background screening, and recruiting industries.

10 Defendant is in the business of furnishing consumer reports to third parties that
11 are "used or expected to be used" for "employment purposes."

12 14. Section 607(a) of the FCRA, 15 U.S.C. § 1681e(a), requires CRAs
13 to maintain reasonable procedures to limit the furnishing of consumer reports
14 to the purposes specified in section 604, 15 U.S.C. § 1681b. These procedures
15 require that the CRA, prior to furnishing a user with a consumer report, require
16 the prospective users of the information to identify themselves to the CRA,
17 certify the purpose for which the information is sought, and certify that the
18 information will be used for no other purpose. The CRA must make a
19 reasonable effort to verify the identity of each new prospective user and the
20 uses certified prior to furnishing such user a consumer report. In addition,
21 section 607(a) prohibits any CRA from furnishing a consumer report to any
22 person it has reasonable grounds to believe will not use the consumer report for
23 a permissible purpose. Spokeo has failed to maintain any procedures required
24 by section 607(a).

25 15. Section 607(b) of the FCRA, 15 U.S.C. § 1681e(b), requires all
26 consumer reporting agencies to follow reasonable procedures to assure
27 maximum possible accuracy of consumer report information. Spokeo has
28 failed to follow any reasonable procedures to assure maximum possible
accuracy of the information in reports that it prepared as required by section
607(b).

1 16. Section 607(d) of the FCRA, 15 U.S.C. § 1681e(d), requires CRAs
2 to provide a “Notice to Users of Consumer Reports: Obligations of Users
3 Under the FCRA” (“User Notice”) to any person to whom a consumer report is
4 provided by the CRA. As required by section 607(d), the Commission has
5 prescribed the content of the User Notice through a model notice that is set
6 forth in 16 CFR 698, Appendix H. The User Notice provides users of
7 consumer reports with important information regarding their obligations under
8 the FCRA, including the obligation of the user to provide a notice to consumers
9 who are the subject of an adverse action (e.g., denial of employment) based in
10 whole or in part on information contained in the consumer report. Spokeo has
11 failed to provide the section 607(d) User Notice to those who purchase
12 consumer reports.

13 17. Section 604 of the FCRA, 15 U.S.C. § 1681b, prohibits CRAs
14 from furnishing consumer reports to persons who the consumer reporting
15 agency does not have reason to believe have a “permissible purpose.” Section
16 604(b), 15 U.S.C. § 1681b(b), includes employment purposes as a permissible
17 purpose but prescribes certain conditions for furnishing and using consumer
18 reports for employment purposes. Spokeo regularly furnishes consumer reports
19 to third parties without procedures to inquire into the purpose for which the
20 user is buying the report. Spokeo has violated Section 604, 15 U.S.C. § 1681b,
21 in furnishing consumer reports to persons that it did not have a reason to
22 believe had a permissible purpose to obtain a consumer report.

23 **COUNT 1 - VIOLATIONS OF SECTION 607(a) of the FCRA**

24 18. Section 607(a) of the FCRA, 15 U.S.C. § 1681e(a), requires that
25 every consumer reporting agency maintain reasonable procedures to limit the
26 furnishing of consumer reports for enumerated “permissible purposes.” These
27 reasonable procedures include making reasonable efforts to verify the identity
28 of each prospective user of consumer report information and the uses certified

1 by each prospective user prior to furnishing such user with a consumer report.

2 19. As described in Paragraph 14, Spokeo has failed to maintain such
3 reasonable procedures. For example, Spokeo has failed to require that
4 prospective users of the profiles identify themselves, certify the purposes for
5 which the information is sought, and certify that the information will be used
6 for no other purpose.

7 20. By and through the acts and practices described in Paragraph 19
8 above, Defendant has violated section 607(a) of the FCRA, 15 U.S.C.
9 § 1681e(a).

10 21. Pursuant to section 621(a)(1) of the FCRA, 15 U.S.C.
11 § 1681s(a)(1), the acts and practices alleged in Paragraph 19 also constitute
12 unfair or deceptive acts or practices in violation of section 5(a) of the FTC Act,
13 15 U.S.C. § 45(a).

14 **COUNT 2 - VIOLATIONS OF SECTION 607(b) OF THE FCRA**

15 22. Section 607(b) of the FCRA, 15 U.S.C. § 1681e(b), requires
16 consumer reporting agencies to follow reasonable procedures to assure
17 maximum possible accuracy of the information concerning the individual about
18 whom the report relates.

19 23. As described in Paragraph 15, Defendant has failed to use
20 reasonable procedures to assure maximum possible accuracy of consumer
21 report information.

22 24. By and through the acts and practices described in Paragraph 23,
23 Defendant has violated section 607(b) of the FCRA, 15 U.S.C. § 1681e(b).

24 25. Pursuant to section 621(a)(1) of the FCRA, 15 U.S.C.
25 § 1681s(a)(1), the acts and practices alleged in Paragraph 23 also constitute
26 unfair or deceptive acts or practices in violation of section 5(a) of the FTC Act,
27 15 U.S.C. § 45(a).

1 **COUNT 3 - VIOLATIONS OF SECTION 607(d) OF THE FCRA**

2 26. Section 607(d) of the FCRA, 15 U.S.C. § 1681e(d), requires that a
3 consumer reporting agency provide, to any person to whom it provides a
4 consumer report (“users”), a User Notice.

5 27. As described in Paragraph 16, Defendant has failed to provide
6 User Notices to users and thereby has violated section 607(d) of the FCRA, 15
7 U.S.C. § 1681e(d).

8 28. By and through the acts and practices described in Paragraph 27
9 above, Defendant has violated section 607(d) of the FCRA, 15 U.S.C.
10 § 1681e(d).

11 29. Pursuant to section 621(a)(1) of the FCRA, 15 U.S.C.
12 § 1681s(a)(1), the acts and practices alleged in Paragraph 27 also constitute
13 unfair or deceptive acts or practices in violation of section 5(a) of the FTC Act,
14 15 U.S.C. § 45(a).

15 **COUNT 4 - VIOLATIONS OF SECTION 604 OF THE FCRA**

16 30. Section 604 of the FCRA, 15 U.S.C. § 1681b prohibits CRAs from
17 furnishing consumer reports to persons that it did not have reason to believe
18 had a permissible purpose to obtain a consumer report.

19 31. As described in Paragraph 17, in multiple instances, Spokeo has
20 furnished consumer reports to persons that it did not have reason to believe had
21 a permissible purpose to obtain a consumer report.

22 32. By and through the acts and practices described in Paragraph 31
23 above, Defendant has violated section 604 of the FCRA, 15 U.S.C. § 1681b.

24 33. Pursuant to section 621(a)(1) of the FCRA, 15 U.S.C.
25 § 1681s(a)(1), the acts and practices alleged in Paragraph 31 also constitute
26 unfair or deceptive acts or practices in violation of section 5(a) of the FTC Act,
27 15 U.S.C. § 45(a).

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SECTION 5 OF THE FTC ACT

34. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits “unfair or deceptive acts or practices in or affecting commerce.”

VIOLATIONS OF SECTION 5 OF THE FTC ACT

35. During 2010, Defendant directed its employees to draft comments endorsing Spokeo to be posted on news and technology websites. These comments were reviewed and edited by Spokeo managers and then posted using account names, provided by Spokeo, that would give the readers of these comments the impression they had been submitted by independent, ordinary consumers or business users of Spokeo.

COUNT 5 - ENDORSEMENTS

36. As described in Paragraph 35, Defendant has represented, expressly or by implication, that its comments about Spokeo were independent comments reflecting the views of ordinary consumers or business users of Spokeo.

37. In truth and in fact, the comments about Spokeo were not independent comments reflecting the views of ordinary consumers or business users of Spokeo. The comments were created by employees and managers of Spokeo in response to news articles or reviews of Spokeo. Therefore, the representations set forth in Paragraph 36 were, and are, false and misleading.

38. The acts and practices alleged in Paragraphs 35-37 constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act, 15 U.S.C. § 45(a).

THIS COURT’S POWER TO GRANT RELIEF

39. Section 621(a)(2)(A) of the FCRA, 15 U.S.C. § 1681s(a)(2)(A), authorizes the Court to award monetary civil penalties in the event of a knowing violation of the FCRA, which constitutes a pattern or practice. Spokeo’s violations of the FCRA, as alleged in this Complaint, have been

1 knowing and have constituted a pattern or practice of violations. As specified
2 by the Federal Civil Penalty Inflation Adjustment Act of 1990, 28 U.S.C.
3 § 2461, as amended by the Debt Collection Improvements Act of 1996, Pub. L.
4 104-134, § 31001(s)(1), 110 Stat. 1321-373, the Court is authorized to award a
5 penalty of not more than \$2,500 per violation for violations occurring before
6 February 10, 2009, and \$3,500 per violation for violations occurring on or after
7 that date.

8 40. Each instance in which Spokeo has failed to comply with the
9 FCRA constitutes a separate violation of the FCRA for the purpose of
10 assessing monetary civil penalties under section 621 of the FCRA, 15 U.S.C.
11 § 1681s. Plaintiff seeks monetary civil penalties for every separate violation of
12 the FCRA.

13 41. Under section 621(a) of the FCRA, 15 U.S.C. § 1681s(a), and
14 section 13(b) of the FTC Act, 15 U.S.C. § 53(b), this Court is authorized to
15 issue a permanent injunction prohibiting Defendant from violating the FTC Act
16 and the FCRA.

17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff requests that this Court, pursuant to 15 U.S.C.
19 §§ 45(a)(1), 45(m)(1)(A), 53(b), 1681s, and 1691c, and pursuant to the Court's
20 own equitable powers:

21 (1) Enter judgment against Defendant and in favor of Plaintiff for each
22 violation alleged in this Complaint;

23 (2) Enter a permanent injunction to prevent future violations of the
24 FCRA and the FTC Act by Defendant;

25 (3) Award Plaintiff monetary civil penalties from Defendant for each
26 violation of the FCRA alleged in this Complaint; and

27 (4) Award Plaintiff the costs of bringing this action, as well as such other
28 and additional relief as the Court may determine to be just and proper. The parties,

1 by their counsel, hereby consent to the terms and conditions of the Order as set
2 forth above and consent to the entry thereof.

3 OF COUNSEL:

FOR PLAINTIFF
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United States Attorney
Central District of California

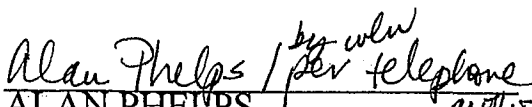
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Margaret M. Morrow and the assigned discovery Magistrate Judge is Stephen J. Hillman.

The case number on all documents filed with the Court should read as follows:

CV12- 5001 MMM (SHx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

COPY

Name & Address:
Wendy Weiss, AUSA, Chief, Civil Fraud Section
300 North Los Angeles St., Room 7516
Los Angeles, CA 90012

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CASE NUMBER

PLAINTIFF(S)

CV12-05001 MMM(SH)

v.

SPOKEO, INC.,

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S):

A lawsuit has been filed against you.

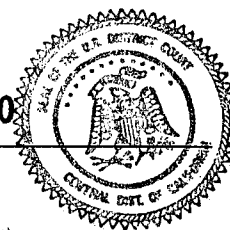
Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, ANDRÉ BIROTTE JR., US Attorney, whose address is 300 North Los Angeles St., Room 7516, Los Angeles, CA 90012. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN - 7 2012

Clerk, U.S. District Court

Dated: _____

By: JULIE PRADO
Deputy Clerk



(Seal of the Court)

1154

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

COPY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) UNITED STATES OF AMERICA	DEFENDANTS SPOKEO, INC.
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) WENDY WEISS, AUSA, Chief, Civil Fraud Section 300 North Los Angeles Street, Room 7516, Federal Building Los Angeles, CA 90012; Phn: 213-894-0444; Fax: 213-894-2380	Attorneys (If Known) ANDREW SERWIN, ROBERT H. GRIFFITH, PETER F. MCLAUGHLIN Foley & Lardner LLP, 300 K St NW, Suite 600 Washington, DC 20007; Tel: 202.672.5300; Fax: 202.672.5399

II. BASIS OF JURISDICTION (Place an X in one box only.) <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Citizen of This State</td> <td style="width: 10%;">PTF <input type="checkbox"/></td> <td style="width: 10%;">DEF <input type="checkbox"/></td> <td style="width: 33%;">Incorporated or Principal Place of Business in this State</td> <td style="width: 10%;">PTF <input type="checkbox"/></td> <td style="width: 10%;">DEF <input type="checkbox"/></td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Foreign Nation</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/>	DEF <input type="checkbox"/>	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/>	DEF <input type="checkbox"/>	Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/>	<input type="checkbox"/>	Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input type="checkbox"/>	Foreign Nation	<input type="checkbox"/>	<input type="checkbox"/>
Citizen of This State	PTF <input type="checkbox"/>	DEF <input type="checkbox"/>	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/>	DEF <input type="checkbox"/>														
Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/>	<input type="checkbox"/>														
Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input type="checkbox"/>	Foreign Nation	<input type="checkbox"/>	<input type="checkbox"/>														

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify): _____
 6 Multi-District Litigation
 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Action for civil penalties and injunctive relief under the Fair Credit Reporting Act, 15 USC 1681 et seq.; and the Federal Trade Commission Act, 15 U.S.C. 45

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR										
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <th style="background-color: #cccccc;">REAL PROPERTY</th> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	REAL PROPERTY	<th style="background-color: #cccccc;">PERSONAL INJURY</th> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <th style="background-color: #cccccc;">IMMIGRATION</th> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	PERSONAL INJURY	IMMIGRATION	<th style="background-color: #cccccc;">PERSONAL PROPERTY</th> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <th style="background-color: #cccccc;">BANKRUPTCY</th> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <th style="background-color: #cccccc;">CIVIL RIGHTS</th> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PERSONAL PROPERTY	BANKRUPTCY	CIVIL RIGHTS	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <th style="background-color: #cccccc;">FORFEITURE / PENALTY</th> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	FORFEITURE / PENALTY	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <th style="background-color: #cccccc;">PROPERTY RIGHTS</th> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <th style="background-color: #cccccc;">SOCIAL SECURITY</th> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <th style="background-color: #cccccc;">FEDERAL TAX SUITS</th> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	PROPERTY RIGHTS	SOCIAL SECURITY	FEDERAL TAX SUITS

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FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
 Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): W. W. Date 6/7/12

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))