

1 Charles Eastwood
4024 N. 84th Ln.
2 Phoenix AZ 85037
602-717-5397
3 Plaintiff in Pro Per

4
5 **SUPERIOR COURT OF ARIZONAA**
COUNTY OF MARICOPA

7 CHARLES EASTWOOD,
8 Plaintiff,

9 vs.

10 ATLAS LOCKSMITH SOLUTIONS, LLC;,
11 ET AL.,

12 Defendants

) Case No.:

)
) **EX-PARTE MOTION FOR**
) **ISSUANCE OF A**
) **ORDER TO SHOW CAUSE**
) **WHY A PRELIMINARY**
) **INJUNCTION SHOULD**
) **NOT ISSUE**

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15 Plaintiff Charles Eastwood hereby makes EX-PARTE application for
16 the issuance of a ORDER TO SHOW CAUSE WHY A PRELIMINARY
17 INJUNCTION SHOULD NOT ISSUE.

18 1. Eleven different companies of "Locksmith Scammers", the
19 ILS DEFENDANTS, are each engaged in identical patterns of
20 criminal (A.R.S. §44-1221(a)&(b)) and unfair practice (A.R.S.
21 §44-1522) by procuring vast numbers of telephone numbers from
22 various telephone companies, associating with those numbers
23 addresses that they have no connection with, and causing these
24 contrived listings to be distributed to the public through
25 printed telephone directories, 411 directory assistance
26 operators, and the Internet.

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1 2. The vast quantity of contrived listings containing phony
2 addresses that these "Locksmith Scammers" have caused to enter
3 public domain has thoroughly saturated the printed directories,
4 411 providers, and the internet to a point where it is somewhere
5 between unlikely and impossible for consumers to identify and
6 locate plaintiff's business and the businesses of the relatively
7 small number of "Legitimate Locksmiths".

8 3. The saturation of public information sources by the
9 "Locksmith Scammers" has resulted in a decline in plaintiff's
10 business to an extent that plaintiff filed bankruptcy on April
11 20, 2010 and is expected to lose his house by foreclosure sale
12 in mid-November.

13 4. Some or all of these "Locksmith Scammers", once they get
14 calls from consumers, utilize fraudulent tactics such as bait
15 and switch on pricing to unnecessarily destroying consumers'
16 locks in lockout situations.

17 5. The activities described in paragraph 4 are being
18 practiced on a daily basis and have damaged, and will continue
19 to damage the reputation of professional locksmiths.

20 6. The ILS DEFENDANTS named in the plaintiff's complaint
21 have caused plaintiff harm and if they are allowed to continue
22 to engage in this course of action unchecked will cause
23 plaintiff irreparable harm.

24 7. The ILS DEFENDANTS have no right to engage in criminal
25 behavior or unfair practices so enjoining that behavior can
26 cause them no harm.

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1 8. A.R.S. §44-1221 states:

2 44-1221. Deceptive use of name; classification; attorney general

3 A. It is unlawful for a person to deceive another person by
4 misrepresenting the geographical origin or location of the
5 person's business in the conduct of the person's business.

6 B. A person who intentionally or knowingly violates subsection A
7 of this section is guilty of a class 2 misdemeanor.

8 C. An act or practice in violation of this section is an unlawful
9 practice under section 44-1522 and subject to enforcement through
10 private action and prosecution by the attorney general. The
11 attorney general may investigate and take appropriate action as
12 prescribed by chapter 10, article 7 of this title.
13 (emphasis added)

14 9. Plaintiff has been victim of one or more of the ILS
15 DEFENDANTS engaging in computer crime, specifically a listing on
16 Google, Inc.'s "MAPS" search engine relating to plaintiff's
17 business was at one time compromised and plaintiff's telephone
18 number was removed and replaced with 866-992-4545. This caused
19 consumers accessing this listing about plaintiff's business to
20 be placed into contact with one of the ILS DEFENDANT's call
21 centers thus illegally diverting business away from plaintiff's
22 business.

23 10. Plaintiff has identified some 450+/- telephone numbers
24 being used among these eleven ILS DEFENDANT companies that are
25 listed to addresses that the ILS DEFENDANTS neither own, lease,
26 rent, occupy, or have any other legal connection with. A
27 document containing that collection of telephone numbers is
28 attached and marked "EXHIBIT 1 - ALL COMPANIES PHONE NUMBERS"
29 for identification and incorporated herein by reference.

30 11. Plaintiff asserts that some or all of the TELCO
31 DEFENDANTS are supplying the various ILS DEFENDANTS with various
32 quantities of telephone numbers and the ability to cause the ILS
DEFENDANTS' collections of contrived listings containing phony
addresses to be published into public domain to the detriment of
plaintiff as well as every other existing legitimate locksmith.
the TELCO DEFENDANTS .

1 12. The TELCO DEFENDANTS in their capacities as "PUBLIC
2 UTILITIES" are violating their fiduciary duty to the public to
3 ensure that all name and address information provided to them by
4 customers for publication is factually correct and accurate.

5 13. The actions of the TELCO DEFENDANTS have caused and
6 continue to cause irreparable harm to plaintiff.

7 14. Plaintiff has no plain, speedy, or adequate remedy
8 other than injunctive relief.

9 15. Plaintiff requests that the court issue an ORDER TO
10 SHOW CAUSE why the court should not issue a PRELIMINARY
11 INJUNCTION against the **ILS DEFENDANTS** and each of them
12 prohibiting them from:

13 (A) Advertising in any form of media any address that they
14 do not actually own, rent, or lease.;

15 (B) Receiving and/or answering any telephone calls on any
16 telephone number that is associated with any
17 address(es) advertised either in print or internet
18 media in which they cannot demonstrate that they
19 either own, rent, or lease the address in question.;

20 (C) Attempting to utilize "Local Number Portability" to
21 move any telephone numbers from one carrier to
22 another until further order of this Court or the
23 termination of this action.

24 (D) Accessing the any online records of any **EXISTING**
25 **LOCKSMITH** on such services as GOOGLE, YAHOO, or any
26 other online service and attempting to modify the
27 name, address, telephone number, website URL or any
28 other information relating to any **EXISTING LOCKSMITH.**

29 The list of telephone numbers referenced above is contained in
30 the attached exhibit:

31 EXHIBIT 1 - ALL COMPANIES PHONE NUMBERS and is incorporated
32 herein by reference.

1 16. The Court issue an ORDER TO SHOW CAUSE why the court
2 should not issue a PRELIMINARY INJUNCTION against the **TELCO**
3 **DEFENDANTS** and each of them prohibiting them from:

4 (A) Providing or continuing to provide telephone services
5 to the **ILS DEFENDANTS** and each of them for any
6 telephone number assigned to such **ILS DEFENDANT** that
7 is associated with any address where the **TELCO**
8 **DEFENDANT** has not actually physically installed
9 telephone service or has seen documentary evidence in
10 the form of a title deed or a verifiable rental or
11 lease agreement showing that the **ILS DEFENDANT** in
12 question is legally entitled to possession of the
13 premises address associated with that telephone
14 number.

15 (B) Accepting from any customer any order involving the
16 ability of the end-user customer or their
17 representative or agent to supply business names that
18 are not registered with the State of Arizona or
19 addresses that they do not own, rent, or lease and
20 provide backup documentation demonstrating said
21 ownership or a verifiable rental or lease agreement.

22 (C) Permitting any of the various **ILS DEFENDANTS** to
23 exercise their rights to utilize the "Local Number
24 Portability" mechanism to move any affected telephone
25 number to another carrier until further order of this
26 Court or until this action is terminated or resolved.

27 (D) Accepting and implementing any orders for new service
28 from the **ILS DEFENDANTS** pending the outcome of this action.
29 The list of telephone numbers referenced above is contained in
30 the attached exhibit:

31 EXHIBIT 1 - ALL COMPANIES PHONE NUMBERS and is incorporated
32 herein by reference.

1 17. The court issue a ORDER TO SHOW CAUSE WHY A PRELIMINARY
2 INJUNCTION SHOULD NOT ISSUE prohibiting defendant GOOGLE from
3 permitting anyone to access GOOGLE's computers in any manner
4 that would enable them to edit a listing for a business that
5 they are unrelated to.

6 18. The court issue a ORDER TO SHOW CAUSE WHY A PRELIMINARY
7 INJUNCTION SHOULD NOT ISSUE requiring **OWNER OF 866-992-4545** to
8 cease and desist with all computer tampering activities and all
9 activities consistent with attempting to divert business away
10 from legitimate businesses by fraud, deceit, scheme, artifice or
11 device.

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13 Respectfully submitted,

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15 Dated _____

Charles Eastwood,
Plaintiff in Pro. Per.

EXHIBIT 1 – ALL COMPANIES PHONE NUMBERS

Page 1

(480) 306-0101	(480) 422-4180	(480) 478-0603	(480) 621-3867	(480) 777-7488
(480) 307-8188	(480) 422-4181	(480) 478-0688	(480) 621-3868	(480) 816-9833
(480) 339-0011	(480) 422-4182	(480) 483-5080	(480) 621-3869	(480) 820-2145
(480) 347-0745	(480) 422-4183	(480) 488-9551	(480) 621-3870	(480) 820-3658
(480) 347-9115	(480) 422-4184	(480) 515-1287	(480) 621-3871	(480) 821-5558
(480) 347-9160	(480) 422-4185	(480) 553-9425	(480) 621-3872	(480) 836-4279
(480) 371-3220	(480) 422-4186	(480) 584-5024	(480) 621-3873	(480) 941-7212
(480) 371-3285	(480) 422-4189	(480) 607-6770	(480) 621-3874	(480) 947-0371
(480) 371-3287	(480) 422-4190	(480) 621-3837	(480) 621-3875	(480) 947-1160
(480) 371-3289	(480) 422-4192	(480) 621-3838	(480) 621-3876	(480) 966-2232
(480) 371-3290	(480) 422-4195	(480) 621-3839	(480) 621-3877	(480) 969-7432
(480) 371-3292	(480) 422-4197	(480) 621-3840	(480) 621-3878	(480) 970-1778
(480) 371-3294	(480) 422-4198	(480) 621-3841	(480) 621-3879	(480) 991-0508
(480) 371-3295	(480) 429-7602	(480) 621-3842	(480) 621-3880	(480) 998-1345
(480) 371-3297	(480) 455-3342	(480) 621-3843	(480) 621-3881	(520) 254-5260
(480) 371-3299	(480) 455-3343	(480) 621-3844	(480) 621-3882	(520) 395-9485
(480) 371-3322	(480) 455-3344	(480) 621-3845	(480) 621-3883	(520) 395-9498
(480) 371-3324	(480) 455-3344	(480) 621-3846	(480) 621-3884	(520) 979-3418
(480) 371-3325	(480) 455-3345	(480) 621-3847	(480) 621-3885	(602) 220-6725
(480) 371-3327	(480) 455-3345	(480) 621-3848	(480) 621-3886	(602) 243-0108
(480) 371-3329	(480) 455-3346	(480) 621-3849	(480) 621-3887	(602) 249-8752
(480) 374-1687	(480) 455-3346	(480) 621-3850	(480) 621-3939	(602) 251-2338
(480) 374-1775	(480) 455-3347	(480) 621-3851	(480) 621-3940	(602) 252-1860
(480) 381-6316	(480) 455-3347	(480) 621-3852	(480) 621-3941	(602) 252-3123
(480) 389-6298	(480) 455-3348	(480) 621-3853	(480) 621-3942	(602) 252-3835
(480) 422-1206	(480) 455-3348	(480) 621-3854	(480) 621-3943	(602) 252-5012
(480) 422-1207	(480) 455-3349	(480) 621-3855	(480) 621-3944	(602) 253-2609
(480) 422-4166	(480) 455-3349	(480) 621-3856	(480) 621-3945	(602) 253-2695
(480) 422-4169	(480) 455-3352	(480) 621-3857	(480) 621-3957	(602) 253-2878
(480) 422-4170	(480) 455-3355	(480) 621-3858	(480) 626-6082	(602) 255-1258
(480) 422-4172	(480) 455-3356	(480) 621-3859	(480) 639-6840	(602) 255-6107
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(480) 422-4174	(480) 455-3358	(480) 621-3861	(480) 675-5988	(602) 256-6241
(480) 422-4175	(480) 463-4180	(480) 621-3862	(480) 704-1351	(602) 257-4118
(480) 422-4176	(480) 463-4250	(480) 621-3863	(480) 717-1099	(602) 257-9155
(480) 422-4177	(480) 463-4404	(480) 621-3864	(480) 730-9700	(602) 258-1280
(480) 422-4178	(480) 478-0067	(480) 621-3865	(480) 775-4070	(602) 265-0346
(480) 422-4179	(480) 478-0089	(480) 621-3866	(480) 777-3915	(602) 274-0866

EXHIBIT 1 – ALL COMPANIES PHONE NUMBERS

Page 2

(602) 274-0866	(602) 386-3745	(602) 633-9257	(602) 772-3121	(623) 414-4231
(602) 275-1967	(602) 386-3746	(602) 633-9258	(602) 772-3122	(623) 414-4232
(602) 276-0330	(602) 386-3747	(602) 633-9259	(602) 772-3123	(623) 414-4233
(602) 283-9482	(602) 386-3748	(602) 633-9260	(602) 772-3124	(623) 414-4234
(602) 314-2872	(602) 386-3749	(602) 633-9261	(602) 772-3126	(623) 414-4235
(602) 314-3418	(602) 386-3750	(602) 633-9262	(602) 772-3129	(623) 414-4236
(602) 325-5200	(602) 386-3751	(602) 633-9263	(602) 772-3165	(623) 414-4237
(602) 325-5205	(602) 386-3752	(602) 633-9264	(602) 772-3166	(623) 414-4238
(602) 325-5506	(602) 386-3753	(602) 633-9265	(602) 772-3169	(623) 414-4239
(602) 340-0146	(602) 386-3754	(602) 633-9266	(602) 772-3170	(623) 414-4240
(602) 346-0388	(602) 386-3755	(602) 633-9267	(602) 772-3171	(623) 414-4241
(602) 346-5910	(602) 386-3756	(602) 633-9268	(602) 772-3172	(623) 414-4242
(602) 346-5911	(602) 386-3757	(602) 633-9269	(602) 772-3173	(623) 414-4243
(602) 346-5912	(602) 386-3758	(602) 633-9270	(602) 772-3206	(623) 414-4244
(602) 346-5913	(602) 386-3759	(602) 635-4280	(602) 772-3207	(623) 414-4245
(602) 346-5914	(602) 386-3760	(602) 635-6683	(602) 772-3209	(623) 414-4246
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(602) 347-5652	(602) 386-3773	(602) 682-4791	(602) 773-4567	(623) 414-4251
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(602) 357-1844	(602) 412-3466	(602) 682-4795	(602) 788-1777	(623) 414-4253
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(800) 208-5625
(800) 219-0960
(800) 521-1499
(800) 688-9482
(800) 983-0994
(800) 983-0994
(866) 202-3453
(877) 212-1819
(877) 291-5625
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(877) 291-5625
(877) 310-2290
(877) 562-5790
(877) 591-9242
(888) 296-7195
(888) 701-5349
(888) 750-5625
(888) 850-5625
(888) 883-8088