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1 Charles Eastwood
2 4024 N. 84th Ln.
3 Phoenix AZ 85037
4 602-717-5397
5 Plaintiff in Pro Per

SUPERIOR COURT OF ARIZONAA
COUNTY OF MARICOPA

CV2010 027605

7 CHARLES EASTWOOD,
8 Plaintiff,
9 vs.

Case No.:

10 ATLAS LOCKSMITH SOLUTIONS, LLC;
11 AMIR RON; JANE DOE RON; KOBI BURSHTAIN;
12 JANE DOE BURSHTAIN; ODED TAMIR; JANE
13 DOE TAMIR; MILLER LOCK & SAFE, LLC;
14 MILLENNIUM LOCKSMITH LLC, NIR AVITAN;
15 JANE DOE AVITAN; AURITAI COHEN; JANE
16 DOE COHEN; ROTEM NAHMARA; JANE DOE
17 NAHMARA; ORON GARABIAN; JANE DOE
18 GARABIAN; BASAD, INC.; PELEG FORMAN;
19 BATIA "BELLI" FORMAN; SHARON BITON;
20 MICHAEL BITON; DEPENDABLE LOCKS, INC.;
21 DAVID PEER; JANE DOE PEER; DAVID
22 SASSON; JANE DOE SASSON; GLOBAL
23 LOCKSMITH, LLC; APPLE CONTRACTING, LLC
24 dba TRUST LOCKSMITH; ADAM AVIGDOR; JANE
25 DOE AVIGDOR; SOS LOCKSMITH; AAA
26 LOCKSMITH SERVICES; COMPLETE SERVICES,
27 LLC; YIGAL LAMPERT; JANE DOE LAMPERT;
28 24/7 LOCKSMITH; OWNER OF 866-992-4545;
29 RUSSELL KUTSENKO; JANE DOE KUTSENKO;
30 ELECTRIC LIGHTWAVE, LLC; INTEGRA
31 TELECOM HOLDINGS, INC.; TW TELECOM
32 HOLDINGS, INC.; TW TELECOM OF ARIZONA
LLC; XO COMMUNICATIONS, LLC;
XO COMMUNICATIONS SERVICES, INC.;
ESCHELON TELECOM, INC.; ESCHELON
TELECOM OF ARIZONA, INC.; MOUNTAIN
TELECOMMUNICATIONS OF ARIZONA, INC.;
COMCAST PHONE OF ARIZONA, LLC; TELEPORT
COMMUNICATIONS GROUP INC.; 360NETWORKS
(USA) INC.; QWEST SERVICES CORPORATION
OF COLORADO (FN), QWEST SERVICES
CORPORATION, QWEST CORPORATION;
SUPERMEDIA LLC, SUPERMEDIA SALES - WEST
INC.;

COMPLAINT FOR VIOLATIONS
OF ARS §44-1221
MISREPRESENTING THE
GEOGRAPHICAL ORIGIN OR
LOCATION OF THE PERSON'S
BUSINESS, ARS 44-1522, et.
seq. CONSUMER FRAUD,
CONSPIRACY, NEGLIGENCE,
GROSS NEGLIGENCE, UNFAIR
BUSINESS PRACTICES, BREACH
OF FIDUCIARY DUTY, BREACH
OF CONTRACT, DECLARATORY
RELIEF

TEMPORARY RESTRAINING
ORDER
PRELIMINARY AND PERMANENT
INJUNCTIVE RELIEF,

PETITION FOR A WRIT OF
MANDAMUS REQUIRING THE
ARIZONA ATTORNEY GENERAL
TO TAKE OVER THE CRIMINAL
AND CONSUMER FRAUD ASPECTS
OF THIS CASE

APPOINTMENT OF A RECEIVER
TO TAKE POSSESSION OF
ATLAS LOCKSMITH SOLUTIONS,
LLC; MILLENNIUM LOCKSMITH,
LLC; DEPENDABLE LOCKSMITH;
COMPLETE SERVICES LLC,
GLOBAL LOCKSMITH, LLC;
TRUST LOCKSMITH, SOS
LOCKSMITH, AAA LOCKSMITH,
OWNER OF 866-992-4545 and
BASAD, INC.

1 Charles Eastwood
4024 N. 84th Ln.
2 Phoenix AZ 85037
602-717-5397
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4
5 **SUPERIOR COURT OF ARIZONAA**
6 **COUNTY OF MARICOPA**

7 CHARLES EASTWOOD,
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9 Plaintiff,

10 vs.

11 ATLAS LOCKSMITH SOLUTIONS, LLC;
12 AMIR RON; JANE DOE RON; KOBI BURSHTAIN;
13 JANE DOE BURSHTAIN; ODED TAMIR; JANE
14 DOE TAMIR; MILLER LOCK & SAFE, LLC;
15 MILLENNIUM LOCKSMITH LLC, NIR AVITAN;
16 JANE DOE AVITAN; AURITAI COHEN; JANE
17 DOE COHEN; ROTEM NAHMARA; JANE DOE
18 NAHMARA; ORON GARABIAN; JANE DOE
19 GARABIAN; BASAD, INC.; PELEG FORMAN;
20 BATIA "BELLI" FORMAN; SHARON BITON;
21 MICHAEL BITON; DEPENDABLE LOCKS, INC.;
22 DAVID PEER; JANE DOE PEER; DAVID
23 SASSON; JANE DOE SASSON; GLOBAL
24 LOCKSMITH, LLC; APPLE CONTRACTING, LLC
25 dba TRUST LOCKSMITH; ADAM AVIGDOR; JANE
26 DOE AVIGDOR; SOS LOCKSMITH; AAA
27 LOCKSMITH SERVICES; COMPLETE SERVICES,
28 LLC; YIGAL LAMPERT; JANE DOE LAMPERT;
29 24/7 LOCKSMITH; OWNER OF 866-992-4545;
30 RUSSELL KUTSENKO; JANE DOE KUTSENKO;
31 ELECTRIC LIGHTWAVE, LLC; INTEGRA
32 TELECOM HOLDINGS, INC.; TW TELECOM
HOLDINGS, INC.; TW TELECOM OF ARIZONA
LLC; XO COMMUNICATIONS, LLC;
XO COMMUNICATIONS SERVICES, INC.;
ESCHELON TELECOM, INC.; ESCHELON
TELECOM OF ARIZONA, INC.; MOUNTAIN
TELECOMMUNICATIONS OF ARIZONA, INC.;
COMCAST PHONE OF ARIZONA, LLC; TELEPORT
COMMUNICATIONS GROUP INC.; 360NETWORKS
(USA) INC.; QWEST SERVICES CORPORATION
OF COLORADO (FN), QWEST SERVICES
CORPORATION, QWEST CORPORATION;
SUPERMEDIA LLC, SUPERMEDIA SALES - WEST
INC.;

) Case No.:

) **COMPLAINT FOR VIOLATIONS**
) **OF ARS §44-1221**
) **MISREPRESENTING THE**
) **GEOGRAPHICAL ORIGIN OR**
) **LOCATION OF THE PERSON'S**
) **BUSINESS, ARS 44-1522, et.**
) **seq. CONSUMER FRAUD,**
) **CONSPIRACY, NEGLIGENCE,**
) **GROSS NEGLIGENCE, UNFAIR**
) **BUSINESS PRACTICES, BREACH**
) **OF FIDUCIARY DUTY, BREACH**
) **OF CONTRACT, DECLARATORY**
) **RELIEF**

) **TEMPORARY RESTRAINING**
) **ORDER**
) **PRELIMINARY AND PERMANENT**
) **INJUNCTIVE RELIEF,**

) **PETITION FOR A WRIT OF**
) **MANDAMUS REQUIRING THE**
) **ARIZONA ATTORNEY GENERAL**
) **TO TAKE OVER THE CRIMINAL**
) **AND CONSUMER FRAUD ASPECTS**
) **OF THIS CASE**

) **APPOINTMENT OF A RECEIVER**
) **TO TAKE POSSESSION OF**
) **ATLAS LOCKSMITH SOLUTIONS,**
) **LLC; MILLENNIUM LOCKSMITH,**
) **LLC; DEPENDABLE LOCKSMITH;**
) **COMPLETE SERVICES LLC,**
) **GLOBAL LOCKSMITH, LLC;**
) **TRUST LOCKSMITH, SOS**
) **LOCKSMITH, AAA LOCKSMITH,**
) **OWNER OF 866-992-4545 and**
) **BASAD, INC.**

1)
2 GOOGLE, INC., YAHOO! Inc. ARIZONA)
3 ATTORNEY GENERAL TERRY GODDARD,)
4 ILS DOES 1-999; TELCO DOES 1000-1999,)
5 Defendants)

6 **SUBJECT MATTER OF THIS ACTION**

7 This action is a private action authorized by ARS section
8 44-1221(C) to enforce the provisions of 44-1221(A) in an effort
9 to stop the "**Invasion of the Locksmith Scammers** (ILS)" within
10 the state of Arizona generally and Maricopa county specifically.
11 These criminals utilize a modus operandi that includes the
12 procurement of hundreds to thousands of telephone numbers.
13 Subsequent to the procurement of these numbers the scammers
14 cause them to be associated with addresses that have no
15 connection to them then they cause the telephone numbers and
16 their associated phony addresses to be published extensively in
17 printed directories and the internet directories and search
18 engines and they thoroughly saturate same.

19 The TELCO DEFENDANTS involved are either (A) grossly
20 negligent in insuring the accuracy of the listings that they
21 populate into their directory databases which are ultimately
22 used by all 411 information providers and publishers of print
23 directories and internet information sources, or (B) are
24 intentionally co-conspiring with the ILS scammers by accepting
25 all the phony addresses from them to populate said phony
26 addresses into the shared database.

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1 Since the telephone companies enjoy "PUBLIC UTILITY" status
2 conferred upon them by the State of Arizona and "TRUSTED ENTITY"
3 status by the directory publishing companies and internet
4 information providers they have a fiduciary duty to the public
5 to ensure that the information that they place into DIRECTORY
6 DATABASES is in fact accurate and will not cause the public or
7 other businesses to be harmed. Plaintiff attempted to gain the
8 assistance of the ARIZONA ATTORNEY GENERAL and despite the
9 potential for over \$3,000,000.00 (three million dollars) in
10 fines against one company alone; Terry Goddard's office has
11 turned a deaf ear. A defrauded consumer Lisa Mendez informed
12 plaintiff that she also made a complaint to the Attorney General
13 that was apparently essentially ignored.

14 On one occasion **Plaintiff personally met with Attorney**
15 **General Terry Goddard** at a public event and we spoke at length
16 about the issues surrounding the locksmith scammers. At that
17 time I handed him a 100 page document that contained
18 documentation of the "REVIEWER SCAM" and Plaintiff volunteered
19 to work in his office, perhaps as an investigator or paralegal.
20 Mr. Goddard declined that offer.

21 Since that date plaintiff has heard nothing from Mr.
22 Goddard or any of his staff with the exception of one e-mail
23 from Ms. Ellis in his Tucson office who was simply forwarding me
24 a copy of a default judgment against DEPENDABLE.

25 PARTIES

26 Pl. Plaintiff Charles Eastwood is a resident of Phoenix
27 Arizona. Plaintiff is a professional locksmith and has held an
28 Arizona Privilege Tax License for the business "Locksmith
29 Charley" since 8/14/2001. Plaintiff is a member in good standing
30 of the Associated Locksmiths of America and after proficiency
31 testing holds the title "Certified Registered Locksmith".
32

1 **LOCKSMITH SCAMMER DEFENDANTS**

2 LS1. According to the records of the Arizona Corporations
3 Commission Defendant ATLAS LOCKSMITH SOLUTIONS, LLC,
4 (hereinafter "ATLAS") was previously, under file number R-
5 1355034-3, a Georgia Corporation, incorporated on 3/27/2007 and
6 approved 3/30/2007. According to website of the Georgia
7 Secretary of State
8 (<http://corp.sos.state.ga.us/corp/soskb/Corp.asp?1222606>) the
9 State of Georgia "administratively dissolved" this corporation
10 on 5/16/2008.

11 Defendant ATLAS LOCKSMITH SOLUTIONS, LLC, (hereinafter
12 "ATLAS") is presently an Arizona "DOMESTIC L.L.C." under Arizona
13 Corporation Commission (hereinafter referred to as "AZCC") file
14 number L-1569752-4 and was incorporated on 12/11/2009 and
15 approved on 1/14/2010.

16 LS2. Defendants AMIR RON aka AMIR ROB, (hereinafter "RON")
17 an individual; KOBI BURSHTEIN, (hereinafter "BURSHTEIN") an
18 individual; and ODED TAMIR, (hereinafter "TAMIR") an individual;
19 are members of defendant ATLAS. Defendants JANE DOE RON,
20 (hereinafter "JRON") an individual; JANE DOE
21 BURSHTEIN, (hereinafter "JBURSHTEIN") an individual; and JANE DOE
22 TAMIR, (hereinafter "TAMIR") an individual; if they exist, are
23 the spouses of the respective defendants above.

24 LS3. According to the records of the Arizona Corporations
25 Commission Defendant MILLER LOCK & SAFE, LLC (hereinafter
26 referred to as "MILLER") is presently an Arizona DOMESTIC L.L.C.
27 under Corporations Commission file number L-1602979-2 and was
28 incorporated on 5/14/2010 and approved on 5/18/2010. Defendants
29 RON and BURSHTEIN are members and managers of defendant MILLER.

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1 LS4. Defendant MILLENNIUM LOCKSMITH LLC (hereinafter
2 referred to as "MILLENNIUM") is an Arizona corporation.
3 Defendants NIR AVITAN (hereinafter referred to as "AVITAN"),
4 AURITAI COHEN (hereinafter referred to as "COHEN"), and ROTEM
5 NAHMARA (hereinafter referred to as "NAHMARA") are individuals
6 and members of Defendant MILLENNIUM LOCKSMITH LLC. Defendants
7 JANE DOE AVITAN, JANE DOE COHEN, and JANE DOE NAHMARA, if they
8 exist, are individuals and the spouses of the respective
9 defendants above.

10 LS5. Defendant ORON GARABIAN is an individual who along with
11 defendant AVITAN was a member of now defunct AAA LOCKSMITH 24/7 LLC
12 Arizona Corporation Commission file #: L-1291403-6.

13 LS6. Defendant BASAD, INC. (hereinafter referred to as "BASAD")
14 is a Colorado Corporation authorized to do business in Arizona under
15 AZCC File Number: F-1230199-9 that was filed on 9/19/2005 and approved
16 on 11/18/2005. Defendant PELEG FORMAN, an individual is the President
17 of BASAD. Defendant BATIA "BELLI" FORMAN is the secretary of defendant
18 BASAD. The exact relationship of defendants SHARON BITON, an
19 individual, and MICHAEL BITON, an individual to defendant BASAD are
20 unknown at this time although they were included as defendants in the
21 action "COLORADO V BASAD, et. al." filed by the Colorado Attorney
22 General's office.

23 LS7. Defendant DEPENDABLE LOCKS, INC. (hereinafter referred to as
24 "DEPENDABLE" is a corporate entity established in New York on October
25 19, 2005. Defendant DEPENDABLE applied for authority to operate in
26 Arizona on July 17, 2006. Defendant DEPENDABLE's authority to operate
27 in Arizona was revoked on April 8, 2008. Defendant DAVID PEER, an
28 individual (hereinafter referred to as "PEER") is listed as the
29 President/CEO of defendant DEPENDABLE. Jane Doe Peer if she exists is
30 the spouse of PEER. Defendant DAVID SASSON (hereinafter referred
31 to as SASSON") is an individual and is believed to have some
32 connection with defendant DEPENDABLE.

1 LS8. The exact identity and structure of defendant GLOBAL
2 LOCKSMITH, LLC (hereinafter referred to as "GLOBAL") and the
3 identities and capacities of ILS DOES 1-20 are unknown to plaintiff at
4 this time and plaintiff will amend this complaint when those
5 identities are ascertained.

6 LS9. Defendant APPLE CONTRACTING, LLC dba TRUST LOCKSMITH
7 (hereinafter referred to as "TRUST") is an Arizona Domestic LLC, File
8 Number: L-1564051-6, incorporated on 11/12/09 and approved on
9 12/01/09. Defendant ADAM AVIGDOR (hereinafter referred to as
10 "AVIGDOR") is an individual and the sole member / manager of defendant
11 TRUST.

12 LS10. The exact identity and structure of defendants SOS
13 LOCKSMITH (hereinafter referred to as "SOS") and AAA LOCKSMITH
14 (hereinafter referred to as "AAA") and the identities and capacities
15 of ILS DOES 21-40 are unknown to plaintiff at this time and plaintiff
16 will amend this complaint when those identities are ascertained.

17 LS11. Defendant COMPLETE SERVICES, LLC (hereinafter referred to
18 as "COMPLETE") is an Arizona LLC incorporated and approved on
19 1/17/2006 by defendant YIGAL LAMPERT. Defendant YIGAL LAMPERT
20 (hereinafter referred to as "LAMPERT"), an individual, is the sole
21 member of COMPLETE. JANE DOE LAMPERT, if she exists, (hereinafter
22 referred to as "JLAMPERT"), an individual, is the spouse of LAMPERT.

23 Defendant COMPLETE does business in Arizona and has
24 registered the following trade names: 01 LOCKSMITH, EMERGENCY
25 LOCKSMITH, A 01 LOCKSMITH, A & A LOCKSMITH, O LOCKSMITH, A
26 EMERGENCY LOCKSMITH, 0 LOCKSMITH, 0101 LOCKSMITH, AAAA
27 LOCKSMITH, A 001 LOCKSMITH, 24 7 A LOCKSMITH, AAAA 01 LOCKSMITH,
28 001 24 HOUR LOCKSMITH, EMERGENCY 00 LOCKSMITH, 0 # 01 24 HOUR
29 LOCKSMITH, and A 01 EMERGENCY LOCKSMITH. The defendant COMPLETE
30 SERVICES, LLC together with all of the above registered names
31 are hereinafter referred to collectively as "COMPLETE"

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1 LS12. Defendant GLOBAL LOCKSMITH, LLC (hereinafter referred
2 to as GLOBAL") is an obscure entity that plaintiff has yet to
3 completely identify. GLOBAL apparently filed LLC papers in New
4 Jersey 8/15/2008. The Record from New Jersey indicates a
5 Business ID Number of 0400245495 and that on 2/5/2009 GLOBAL's
6 status was changed to "CANCELLED" The name of the Incorporator
7 is blank, the "Agent" is listed as GLOBAL LOCKSMITH at 570
8 Maitland Ave, Teaneck NJ 07666 which appears to be a residence.
9 The NJ record shows no business address and no officer or
10 director names associated with this filing. There is no
11 indication of any filing by GLOBAL to do business in Arizona
12 under any corporation or trade name.

13 LS13. The complete identity of Defendant 24/7 Locksmith and its
14 legal makeup and the identities and capacities of ILS DOES 41-60 are
15 unknown to plaintiff at this time and plaintiff will amend this
16 complaint to reflect the true and correct name and legal structure of
17 Defendant 24/7 when it becomes known.

18 LS14. The complete identity of Defendant **OWNER OF 866-992-4545**
19 and its legal makeup and the identities and capacities of ILS DOES 61-
20 80 are unknown to plaintiff at this time and plaintiff will amend this
21 complaint to reflect the true and correct name and legal structure of
22 **OWNER OF 866-992-4545** when it becomes known. The true name and
23 capacity of the Defendant named herein as "UNIDENTIFIED OWNER OF
24 866-992-4545" is unknown to plaintiff at this time. Plaintiff
25 intends to amend this complaint to reflect the true name and
26 capacity of this defendant once it is ascertained through
27 discovery.

28 LS15. Defendants RUSSELL KUTSENKO and JANE DOE KUTSENKO are
29 individuals.

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1 **TELCO DEFENDANTS**

2 TC1. Defendant ELECTRIC LIGHTWAVE, LLC is a Delaware LLC
3 authorized to do business in Arizona effective 8/29/2005.
4 Defendant ELECTRIC LIGHTWAVE, LLC is a co-owner of the trade
5 name "INTEGRA TELECOM" along with defendants ESCHELON and
6 MOUNTAIN. Its sole member seems to be defendant INTEGRA TELECOM
7 HOLDINGS INC.

8 TC2. INTEGRA TELECOM HOLDINGS INC (hereinafter referred to as
9 "INTEGRA") is an Oregon corporation authorized to do business in
10 Arizona effective 8/27/2007.

11 TC3. Defendants TW TELECOM HOLDINGS, INC. TW TELECOM OF
12 ARIZONA LLC (hereinafter collectively referred to as "TW") are
13 Delaware corporations authorized to do business in Arizona.

14 TC4. Defendant XO COMMUNICATIONS, LLC, and XO COMMUNICATIONS
15 SERVICES, INC. (hereinafter collectively referred to as "XO")
16 are Delaware corporations authorized to do business in Arizona.

17 TC5. Defendant MOUNTAIN TELECOMMUNICATIONS OF ARIZONA, INC.
18 (hereinafter referred to as "MOUNTAIN") is an Arizona profit
19 corporation that was incorporated on 5/22/1997 and approved by
20 the State of Arizona on 5/30/1997. MOUNTAIN is a co-owner of the
21 trade name "INTEGRA TELECOM" along with defendants ESCHELON and
22 ELECTRIC LIGHTWAVE.

23 TC6. Defendant ESCHELON TELECOM, INC. is a Delaware
24 Corporation authorized to do business in Arizona. Defendant
25 ESCHELON TELECOM OF ARIZONA, INC., A MINNESOTA CORPORATION is a
26 Minnesota Corporation authorized to do business in Arizona.
27 These defendants are collectively referred to hereinafter as
28 "**ESCHELON**". Defendant ESCHELON is a co-owner of the trade name
29 "INTEGRA TELECOM" along with Defendants MOUNTAIN and ELECTRIC
30 LIGHTWAVE.

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1 TC7. Defendants formerly known as SUPERMEDIA MEDIA LLC and
2 SUPERMEDIA MEDIA SALES - WEST INC. are now SUPERMEDIA LLC and
3 SUPERMEDIA SALES - WEST, INC respectively (hereinafter
4 collectively referred to as "SUPERMEDIA") are Delaware
5 corporations authorized to do business in Arizona.

6 TC8. Defendant GOOGLE, INC. (hereinafter "GOOGLE"), is a
7 Delaware corporation authorized to do business in Arizona.

8 TC9. Defendant 360NETWORKS(USA)INC. (hereinafter "360") is
9 a Nevada corporation authorized to do business in Arizona.

10 TC10. Defendant QWEST SERVICES CORPORATION OF COLORADO
11 (FN), aka QWEST SERVICES CORPORATION is a Colorado corporation
12 authorized to do business in Arizona. Defendant QWEST
13 CORPORATION is a Colorado corporation authorized to do business
14 in Arizona. These defendants are collectively referred to
15 hereinafter as "QWEST".

16 TC11. Defendant YAHOO! Inc. is a Delaware Corporation that
17 has filed with the State of California as a Foreign corporation
18 and has apparently filed nothing in the state of Arizona.

19 TC12. Defendant COMCAST PHONE OF ARIZONA, LLC is a Delaware
20 Corporation authorized to do business in Arizona.

21 TC13. Defendant TELEPORT COMMUNICATIONS GROUP INC. is a
22 Delaware Corporation authorized to do business in Arizona.

23 TC14. The true name and capacity of Defendant SPRINT
24 SPECTRUM is unknown to plaintiff at this time.

25 TC15. The true names and capacities of defendants sued
26 under the fictitious names **ILS DOES 1-999** and **TELCO DOES 1000-**
27 **1999** are unknown to plaintiff at this time and plaintiff will
28 amend this complaint when the true names and capacities become
29 known to plaintiff. The ILS DOES are believed to be other as
30 yet to be identified businesses, owners, employees, and
31 independent contractors utilized by these ILS organizations. The
32 TELCO DOES are believed to be companies, directors, officers,

1 employees, and independent contractors of telephone industry
2 companies.

3 **DEFINITIONS**

4 For the purpose of clarity, plaintiff establishes the
5 following definitions for terms utilized in this complaint:
6

7 **24/7 DEFENDANTS** - ILS DOES 41-60 (owners, managers, employees,
8 and independent contractors of 24/7)
9

10 **AAA-SOS DEFENDANTS** - ILS DOES 22-40 (owners, managers,
11 employees, and independent contractors of AAA-SOS)
12

13 **ATLAS DEFENDANTS** - The principals RON, JRON, BURSHEIN,
14 JBURSHEIN, TAMIR, and JTAMIR individually, ATLAS LOCKSMITH
15 SOLUTIONS LLC (Georgia Corporation), ATLAS LOCKSMITH SOLUTIONS
16 LLC (Arizona Foreign corporation registration) ATLAS LOCKSMITH
17 SOLUTIONS LLC (Arizona domestic LLC corporation registration)
18 taken together as a group.
19

20 **BASAD DEFENDANTS** - The principals PELEG FORMAN, BATIA "BELLI"
21 FORMAN, SHARON BITON, MICHAEL BITON and the corporation entity
22 BASAD, INC taken together as a group.
23

24 **BOGUS NAMES** - Names that have not been filed with any
25 governmental agency as having anything to do with an ILS
26 company or any other company or individual.
27

28 **CLEC** - competitive local exchange carrier, a type of Telephone
29 Company. Typically a CLEC leases lines and/or network access
30 from the LEC at a discounted rate and resells the services to
31 end users.
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1 **COLLECTION** - A quantity of legitimately acquired telephone
2 numbers to which real names or **BOGUS NAMES** and real addresses
3 or **PHONY ADDRESSES** have been associated thus forming a list
4 consisting of name, address, and telephone number fields. This
5 **COLLECTION** is typically distributed to TELCOs providing
6 services to the end user customers with the intent that the
7 TELCOs populate the **COLLECTION** into the **DIRECTORY DATABASE**.
8

9 **COMPLETE DEFENDANTS** - Defendants COMPLETE SERVICES, LLC
10 including all of COMPLETE's DBAs and defendant YIGAL LAMPERT.
11

12 **DEPENDABLE DEFENDANTS** - Defendants DEPENDABLE LOCKS, INC and
13 DAVID PEER, an individual, and DAVID SASSON, an individual.
14

15 **DIRECTORY DATABASES** - The DA/DL (Directory Assistance /
16 Directory Listing) database(s) that are maintained by each of
17 the TELCO DEFENDANTS and shared with the database(s)
18 maintained by third parties (such as defendant SUPERMEDIA)
19 into whom TRUSTED SOURCES populate the name, address, and
20 telephone number listings of their end-user customers with
21 (frequently unverified) information provided to them by their
22 end-user customers. All of the so-called "TRUSTED" information
23 is thereafter accessed and distributed to the public (A)
24 verbally by "411 Directory Assistance" companies; (B) in print
25 by telephone directory publishers such as DEX or SUPERMEDIA;
26 (C) internet information providers such as GOOGLE, YAHOO,
27 SUPERMEDIA's SUPERPAGES.COM, and many others.

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1 **DIRECTORY LISTINGS** - Listings provided by the end-user customer
2 to a TELCO or by a TELCO to the DIRECTORY DATABASES that
3 specify a NAME, ADDRESS, and TELEPHONE NUMBER that is
4 supposedly identifying a specific legitimate company and/or a
5 specific legitimate address.

6
7 **EXISTING LOCKSMITH** - all existing legitimate locksmiths
8 similarly situated prior to the "Invasion of the Locksmith
9 Scammers" i.e. prior to 03/27/2007.

10
11 **GLOBAL DEFENDANTS** - Include **GLOBAL LOCKSMITH LLC** and **ILS DOES 1-**
12 **20** whose real names and capacities will in an amended
13 complaint when plaintiff becomes aware of their identities.

14
15 **ILS** - INVASION OF LOCKSMITH SCAMMERS

16
17 **ILS DEFENDANTS** - The groups consisting of 24/7 DEFENDANTS, AAA-
18 SOS DEFENDANTS, ATLAS DEFENDANTS, BASAD DEFENDANTS, COMPLETE
19 DEFENDANTS, DEPENDABLE DEFENDANTS, GLOBAL DEFENDANTS, MILLENNIUM
20 DEFENDANTS, MILLER DEFENDANTS, TRUST DEFENDANTS, DAVID SASSON,
21 OWNER OF 866-992-4545, and ILS DOES.

22
23 **LEC** - Local exchange carrier, typically one of the "baby bells"
24 spun off by the breakup of AT&T.

25 **LEGITIMATE NAMES** - names used by any one of the ILS defendants
26 that said defendant has actually registered with the state of
27 Arizona for use by their company.

28
29 **LISTING** - the name and address information associated with a
30 particular telephone number.

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1 **LISTINGS** - one or more records consisting of NAME, ADDRESS, and
2 TELEPHONE NUMBER fields. These listings may be individual
3 listings or part of a COLLECTION.
4

5 **MILLENNIUM DEFENDANTS** include MILLENNIUM LOCKSMITH LLC, NIR
6 AVITAN, AURITAI COHEN, and ROTEM NAHMARA together as a group.
7

8 **MILLER DEFENDANTS** - MILLER LOCK & SAFE, LLC, BURSHEIN, and
9 RON, taken together as a group
10

11 **PHONY ADDRESS** - an address published in print or via the
12 internet (1) that does not exist or (2) no defendant in this
13 action has any connection with, i.e. no rental or lease
14 agreement, no utilities in the defendant's name, no ownership
15 interest, no business established at the address in question.
16

17 **PHONY LISTINGS** - Contrived listings that include either a BOGUS
18 NAME or a PHONY ADDRESS.
19

20 **REAL ADDRESSES** - Addresses where the people or company in
21 question have an actual physical presence on a consistent
22 ongoing basis. To date plaintiff has identified approximately
23 3 addresses that could possibly be considered "REAL".
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1 **REVIEWER SCAM** - Defendants **GOOGLE** and **YAHOO!** (hereinafter
2 collectively referred to as "SEARCH ENGINES") have engineered
3 their internet websites in such a fashion that a "user" may
4 access the records of any and every "business" that said
5 SEARCH ENGINES have information about. Any "user" is able to
6 create a "profile" and once a profile is created, the "user"
7 is able to write a "review" of any and every "business".
8 Plaintiff truly believes that the SEARCH ENGINES are
9 attempting a well intentioned means for consumers to inform
10 other consumers of the good or bad practices that they have
11 encountered when dealing with a particular business. The
12 "**REVIEWER SCAM**" occurs when an individual who is an employee
13 of say **ILS DEFENDANT GLOBAL** accesses the record of one of the
14 SEARCH ENGINES' web pages that happens to feature a listing
15 connected with GLOBAL and writes a positive review and
16 subsequently accesses more listings connected with GLOBAL and
17 continues to write "reviews" about the service of each of
18 these listings. The end result is (a) fabricated reviews about
19 multiple companies in a particular category, in multiple
20 geographical areas, in a single day. For example, reviews of 5
21 supposedly unconnected companies in 5 distinct suburban
22 neighborhoods of Phoenix by the same "profile" in the same
23 day. See: EXHIBIT GLOBAL.DOC - page 1. The reviewer "bravery"
24 has done just that. The notion that one person would need the
25 services of 5 different locksmiths in 5 different Phoenix
26 suburbs on one day is ludicrous.

27 **TRUST DEFENDANTS** - APPLE CONTRACTING, LLC dba TRUST LOCKSMITH, and
28 ADAM AVIGDOR, an individual, taken together as a group

29 **TRUSTED SOURCE** - Within the telecommunications industry, a
30 TRUSTED SOURCE is a TELCO that populates their customer
31 information into DIRECTORY DATABASE(s).

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1 **TELCO** - Telephone company - whether the company in question is a
2 LEC (Local exchange carrier), CLEC (competitive local exchange
3 carrier) or VOIP (voice over internet protocol) telephone
4 service provider makes no difference - all are included.
5

6 **TELCO DEFENDANTS** - The group of defendant telephone companies
7 consisting of defendants ELECTRIC LIGHTWAVE LLC, MOUNTAIN,
8 INTEGRA, ESCHELON, TW, XO, SUPERMEDIA, 360, QWEST and TELCO
9 DOES 1000-1999.

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1 COMES NOW PLAINTIFF CHARLES EASTWOOD AND FOR CAUSE OF ACTION
2 ALLEGES THAT:

3 **FIRST CAUSE OF ACTION - ATLAS DEFENDANTS**

4 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
5 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

6 1. Plaintiff incorporates the paragraphs above entitled
7 **SUMMARY OF ACTION, PARTIES, and DEFINITIONS** by reference as if
8 fully re-stated herein.

9 2. On or about 8/17/2006 defendants RON, BURSHEIN, and
10 TAMIR, filed or caused to be filed in the office of the Georgia
11 Secretary of State documents establishing "ALTAS LOCKSMITH
12 SOLUTIONS, LLC". A copy of the records of the Georgia filing are
13 attached in file **EXHIBIT 001 - Atlas-Georgia.pdf** and
14 incorporated by reference as if fully restated herein.

15 3. On 5/16/2008 the State of Georgia revoked and
16 administratively dissolved ATLAS for failure to file its annual
17 report. A copy of the records of the Georgia filing are attached
18 in file **EXHIBIT 002 - Atlas-Georgia-Dissolution.pdf** and
19 incorporated by reference as if fully restated herein.

20 4. On or about 03/27/2007, defendants ATLAS, RON, BURSHEIN,
21 and TAMIR, filed or caused to be filed in the office of the
22 Arizona Corporation Commission their APPLICATION FOR
23 REGISTRATION of a foreign Limited Liability Company. Arizona
24 Corporation Commission online records indicate that the
25 application filed by defendants ATLAS, RON, BURSHEIN, and
26 TAMIR, was approved on 3/30/2007. This application states their
27 office address to be 7745 E. Redfield Rd. Suite 600, Scottsdale,
28 AZ. 85260. The application names defendants RON, BURSHEIN, and
29 TAMIR, as "MEMBERS" of the corporation. The defendants'
30 application has checked the box indicating "Management of the
31 corporation is reserved to its members."

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1 A copy of the records of the Arizona Foreign Corporation
2 filing are attached in file **EXHIBIT 003 - Atlas-Arizona-**
3 **Foreign.pdf** and incorporated by reference as if fully restated
4 herein.

5 5. On or about 12/11/2009 defendants RON, and BURSHTTEIN,
6 filed or caused to be filed in the office of the AZCC documents
7 establishing "ALTAS LOCKSMITH SOLUTIONS, LLC" as an Arizona
8 DOMESTIC LLC. This Domestic was approved on 1/14/2010. A copy
9 of the records of the Arizona domestic filing are attached in
10 file **EXHIBIT 004 - Atlas-Arizona-Domestic.pdf** and incorporated
11 by reference as if fully restated herein.

12 6. The State of Georgia "administratively dissolved"
13 ATLAS's Georgia corporate entity on 5/16/2008. ATLAS's members
14 defendants RON and BURSHTTEIN did not re-incorporate in Arizona
15 until 12/11/2009. Plaintiff alleges that since ATLAS's
16 underlying corporation was dissolved by Georgia ATLAS's Arizona
17 foreign corporate entity became null and void on 5/16/2008.

18 7. Plaintiff alleges that since there was effectively no
19 existent corporate entity between 5/16/2008 and 12/11/2009 any
20 alleged "corporate shield" defense protecting defendants RON,
21 BURSHTTEIN, and TAMIR could not possibly exist.

22 8. As members, and therefore managers, of defendant ATLAS
23 (in either foreign or domestic entities) defendants RON,
24 BURSHTTEIN, and TAMIR were responsible for and in fact did design
25 and define the polices and procedures of defendant ATLAS and
26 subsequently implement, manage, operate, and supervise the day
27 to day business activities and operations of defendant ATLAS,
28 its employees and/or independent contractors.

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1 9. Defendants RON, BURSHEIN, and TAMIR, as managing
2 members of defendant ATLAS have conspired together to engage in
3 an illegal pattern of conduct whereby they would:

4 (A) procure large numbers of telephone numbers for
5 their company;

6 (B) associate and assign to each of their procured
7 telephone numbers:

8 (1) a business name

9 (2) an address

10 (C) disseminate the collection of telephone numbers,
11 business names and addresses for public distribution
12 and publication in print and internet media.

13
14 10. The business names referenced in paragraph 9(B)(1) were
15 either business names that ATLAS had actually registered as
16 trade names with the State of Arizona (hereinafter referred to
17 as "LEGITIMATE NAMES") or business names that ATLAS contrived
18 from various combinations of letters, numbers, and special
19 characters or that actually belonged to other companies that
20 ATLAS has no legitimate interest in (hereinafter referred to as
21 "BOGUS NAMES")

22 11. The addresses referenced in paragraph 9(B)(2) are
23 addresses that ATLAS:

24 (1) actually occupies or has some legitimate legal
25 connection with, (hereinafter referred to as "REAL
26 ADDRESSES")

27 (2) randomly generated addresses (hereinafter referred
28 to as "PHONY ADDRESSES")

29 (3) contrived or compiled from listings of other types
30 of companies¹ (hereinafter referred to as "PHONY
31 ADDRESSES")

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1 12. The dissemination referred to in paragraph 9(C)
2 consisted of defendant ATLAS's actions consisting of

3 (A) furnishing their **COLLECTION** to the **TELCO**
4 **DEFENDANTS** providing them with telephone service
5 with the intent that said **TELCO DEFENDANTS** effect
6 transmission of their **COLLECTION** to the **DIRECTORY**
7 **DATABASES** which would ultimately inevitably result
8 in the massive publication and redistribution of
9 their **COLLECTION** of contrived **PHONY LISTINGS** to
10 consumers through (i) verbal 411 services; (ii)
11 printed directories; (iii) internet information
12 sources.

13 (B) Either by manual or automated means caused their
14 contrived listings to be entered into internet
15 search engines such as Google, Google Maps, Yahoo!,
16 Yahoo! Local, and others (hereinafter referred to as
17 "SEARCH ENGINES").

18 (C) Either by manual or automated means caused
19 numerous and duplicitous fraudulent self-reviews to
20 be entered into various internet consumer accessed
21 websites such as Yahoo!, Google, Angie's List,
22 Judy's Book and others (hereinafter referred to as
23 "CONSUMER SITES").

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1 13. Plaintiff is informed, and upon such information
2 believes and alleges that plaintiff has identified more than 250
3 (two hundred fifty) telephone numbers associated with the **ATLAS**
4 **DEFENDANTS** as well as more than 300 (three hundred) separate and
5 distinct addresses and/or locations that the **ATLAS DEFENDANTS**
6 have caused to be published where the defendants do not rent,
7 lease, own, or otherwise have any legal interest in the property
8 nor do they maintain any business at these addresses or pay for
9 any utilities at any of these addresses.

10 A comprehensive document describing how plaintiff discovered
11 these addresses and cross-referenced them using various internet
12 resources and list of these addresses, telephone numbers, and
13 websites identified by plaintiff is attached and marked
14 "**EXHIBIT 005 - ATLAS.DOC.pdf**" for identification and is
15 incorporated by reference as if fully restated herein.

16 14. Plaintiff has extracted from **EXHIBIT 005 - ATLAS.DOC.pdf**
17 the name, address, and telephone number data described above and
18 has entered it into an EXCEL spreadsheet containing multiple
19 worksheets identified as Phone#s, addresses, names, and websites
20 and has printed each worksheet contained in that spreadsheet
21 sequentially into a PDF file for easier reading. This PDF file
22 has been named "**EXHIBIT 006 - AtlasPhone#s.xls.pdf**" and is
23 attached hereto and incorporated herein by reference as if fully
24 restated herein.

25 15. Plaintiff is informed and upon such information
26 believes and alleges that **ATLAS DEFENDANTS** have registered 12
27 various trade names with the State of Arizona. Plaintiff has
28 identified approximately 84 different names (including the 12
29 registered with the state of Arizona) being advertised with
30 telephone numbers controlled by the **ATLAS DEFENDANTS**. A list of
31 these business names identified by plaintiff is contained in the
32 attached "**EXHIBIT 006 - AtlasPhone#s.xls.pdf**" file.

1 16. The actions of the **ATLAS DEFENDANTS** and each of them,
2 were and are calculated to saturate all manner of publicly
3 accessed information sources, both printed and electronic, with
4 almost entirely **PHONY LISTINGS** is in violation of the spirit and
5 the letter of ARS §44-1221(A) which makes it illegal for anyone
6 to "deceive another person by misrepresenting the geographical
7 origin or location of the person's business in the conduct of
8 the person's business."

9 17. ARS §44-1221(C) states: "**An act or practice in**
10 **violation of this section is an unlawful practice under section**
11 **44-1522 and subject to enforcement through private action"**.
12 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
13 by ARS §44-1221(C).

14 18. The actions of the ATLAS DEFENDANTS, and each of them,
15 are intentional, wanton, willful, malicious, and criminal
16 violations of Arizona law and as such defendants ATLAS, RON,
17 BURSHEIN, and TAMIR are jointly and severally liable for each
18 of these actions.

19 19. Plaintiff has been damaged by the actions of defendants
20 ATLAS, RON, BURSHEIN, and TAMIR as their unlawful activities
21 have resulted in a massive saturation of almost all information
22 sources available to the public with so many telephone numbers
23 and phony addresses has made it nearly impossible for random
24 customers to locate Plaintiff's business listing. Plaintiffs
25 calls for service from new customers has substantially
26 diminished since the DEFENDANTS started this scheme and has
27 resulted in Plaintiff filing bankruptcy and the immediate threat
28 of the loss of plaintiff's home to foreclosure.

29 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **SECOND CAUSE OF ACTION - MILLER DEFENDANTS**
2 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL ORIGIN**
3 **OR LOCATION OF THE PERSON'S BUSINESS**

4 20. Plaintiff re-alleges all of the allegations contained
5 in paragraphs 1-19 above and incorporates them by reference as
6 if fully restated herein.

7 21. On or about 5/14/2010 defendants RON, and BURSHTEIN,
8 filed or caused to be filed in the office of the AZCC documents
9 establishing "MILLER LOCK & SAFE, LLC" as an Arizona DOMESTIC
10 LLC (hereinafter referred to as "MILLER"). This Domestic LLC was
11 approved on 5/18/2010. A copy of the records of the Arizona
12 domestic LLC filing are attached in file

13 **EXHIBIT 007 - MillerLockLLC.pdf** and incorporated by reference as
14 if fully restated herein.

15 22. As members, and therefore managers, of defendant MILLER
16 defendants RON, and BURSHTEIN were and are responsible for and
17 in fact did design and define the policies and procedures of
18 defendant MILLER and subsequently implement, manage, operate,
19 and supervise the day to day business activities and operations
20 of defendant MILLER, its employees and/or independent
21 contractors.

22 23. Defendants RON, and BURSHTEIN, as managing members of
23 defendant MILLER have conspired together to engage in an illegal
24 pattern of conduct whereby they would:

- 25 (A) procure large numbers of telephone numbers for
26 their company;
27 (B) associate and assign to each of their procured
28 telephone numbers:
29 (1) a business name
30 (2) an address

1 (C) Disseminate the collection of telephone numbers,
2 business names and addresses for public distribution
3 and publication in print and internet media.

4 24. The business names referenced in paragraph 23(B)(1)
5 were either business names that MILLER had actually registered
6 as trade names with the State of Arizona (hereinafter referred
7 to as "LEGITIMATE NAMES") or business names that MILLER
8 contrived from various combinations of letters, numbers, and
9 special characters or that actually belonged to other companies
10 that MILLER has no legitimate interest in (hereinafter referred
11 to as "BOGUS NAMES")

12 25. The addresses referenced in paragraph 23(B)(2) are
13 addresses that MILLER:

14 (1) actually occupies or has some legitimate legal
15 connection with, (hereinafter referred to as "REAL
16 ADDRESSES")

17 (2) randomly generated addresses (hereinafter referred
18 to as "PHONY ADDRESSES")

19 (3) contrived or compiled from listings of other types
20 of companies¹ (hereinafter referred to as "PHONY
21 ADDRESSES")

22 26. The dissemination referred to in paragraph 23(C)
23 consisted of defendant MILLER's actions consisting of

24 (A) furnishing their **COLLECTION** to the **TELCO**
25 **DEFENDANTS** providing them with telephone service
26 with the intent that said **TELCO DEFENDANTS** effect
27 transmission of their **COLLECTION** to the **DIRECTORY**
28 **DATABASES** which would ultimately inevitably result
29 in the massive publication and redistribution of
30 their **COLLECTION** of contrived **PHONY LISTINGS** to
31 consumers through (i) verbal 411 services; (ii)
32

1 printed directories; (iii) internet information
2 sources.

3 (B) Either by manual or automated means caused their
4 contrived listings to be entered into internet
5 **SEARCH ENGINES.**

6 (C) Either by manual or automated means caused
7 numerous and duplicitous fraudulent self-reviews to
8 be entered into various internet **CONSUMER SITES.**

9 27. Plaintiff is informed, and upon such information
10 believes and alleges that plaintiff has identified at least 10
11 (ten) telephone numbers associated with the **MILLER DEFENDANTS** as
12 well as more than 20 (twenty) separate and distinct addresses
13 and/or locations that the **MILLER DEFENDANTS** have caused to be
14 published where the defendants do not rent, lease, own, or
15 otherwise have any legal interest in the property nor do they
16 maintain any business at these addresses or pay for any
17 utilities at any of these addresses. A comprehensive document
18 describing how plaintiff discovered these addresses and cross-
19 referenced them using various internet resources and list of
20 these addresses, telephone numbers, and websites identified by
21 plaintiff is attached and marked "**EXHIBIT 008 - MILLER-DOC.pdf**"
22 for identification and is incorporated by reference as if fully
23 restated herein.

24 28. Plaintiff has extracted from **EXHIBIT 008 - MILLER-**
25 **DOC.pdf** the name, address, and telephone number data described
26 above and has entered it into an EXCEL spreadsheet containing
27 multiple worksheets identified as Phone#s, addresses, names, and
28 websites and has printed each worksheet contained in that
29 spreadsheet sequentially into a PDF file for easier reading.
30 This PDF file has been named "**EXHIBIT 009 - MILLER-XLS.pdf**" and
31 is attached hereto and incorporated herein by reference as if
32 fully restated herein.

1 29. Plaintiff is informed and upon such information
2 believes and alleges that **MILLER DEFENDANTS** have registered ZERO
3 various trade names with the State of Arizona. Plaintiff has
4 identified approximately 18 different names being advertised
5 with telephone numbers controlled by the **MILLER DEFENDANTS**. A
6 list of these business names identified by plaintiff is
7 contained in the attached "**EXHIBIT 009 - MILLER-XLS.pdf**" file.

8 30. Plaintiff is informed and upon such information
9 believes and alleges that defendant MILLER's website displays 3
10 (three) telephone numbers for defendant MILLER's company. Those
11 three telephone numbers are: (480) 584-5024, (623) 792-6119, and
12 (602) 772-3166. Of those three numbers, Plaintiff's research
13 indicates that as of 6/6/2010 the number (480) 584-5024 is only
14 referenced to defendant MILLER's company. The other two numbers
15 (623) 792-6119, and (602) 772-3166 are numbers that have been
16 and still are associated with defendant ATLAS and that when
17 searching and cross-referencing those numbers on the internet
18 plaintiff has discovered that there are multiple duplications of
19 BOGUS NAMES and PHONY ADDRESSES for those numbers.

20 31. Plaintiff alleges that since defendants ATLAS and
21 MILLER:
22 a. have the sole two common members / managers;
23 b. share the same business address;
24 c. share the same telephone numbers;
25 d. share the same websites;
26 e. share the same civilly and criminally unlawful business
27 model;

28 defendants ATLAS and MILLER, for the purposes of this action,
29 should be considered to be the same entity, with the same
30 purpose, assets, and liabilities.

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1 32. The actions of the **MILLER DEFENDANTS** and each of them,
2 were and are calculated to saturate all manner of publicly
3 accessed information sources, both printed and electronic, with
4 almost entirely **PHONY LISTINGS** is in violation of the spirit and
5 the letter of ARS §44-1221(A) which makes it illegal for anyone
6 to "deceive another person by misrepresenting the geographical
7 origin or location of the person's business in the conduct of
8 the person's business."

9 33. ARS §44-1221(C) states: "**An act or practice in**
10 **violation of this section is an unlawful practice under section**
11 **44-1522 and subject to enforcement through private action"**.
12 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
13 by ARS §44-1221(C).

14 34. The actions of the MILLER DEFENDANTS, and each of them,
15 are intentional, wanton, willful, malicious, and criminal
16 violations of Arizona law and as such defendants MILLER, RON,
17 and BURSHTTEIN are jointly and severally liable for each of these
18 actions.

19 35. Plaintiff has been damaged by the actions of defendants
20 MILLER, RON, and BURSHTTEIN, as their unlawful activities have
21 resulted in a massive saturation of almost all information
22 sources available to the public with so many telephone numbers
23 and phony addresses has made it nearly impossible for random
24 customers to locate Plaintiff's business listing. Plaintiffs
25 calls for service from new customers has substantially
26 diminished since the DEFENDANTS started this scheme and has
27 resulted in Plaintiff filing bankruptcy and the immediate threat
28 of the loss of plaintiff's home to foreclosure.

29 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **THIRD CAUSE OF ACTION - MILLENNIUM DEFENDANTS**
2 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL ORIGIN**
3 **OR LOCATION OF THE PERSON'S BUSINESS**

4 36. Plaintiff re-alleges all of the allegations contained
5 in paragraphs 1-35 above and incorporates them by reference as
6 if fully restated herein.

7 37. On or about 03/6/2007, defendant AVITAN filed or caused
8 to be filed in the office of the Arizona Corporation Commission
9 their ARTICLES OF ORGANIZATION establishing an Arizona LLC
10 corporation entitled MILLENNIUM LOCKSMITH LLC (hereinafter
11 referred to as "MILLENNIUM").

12 38. The most recent amendment to the corporation indicates
13 defendants AVITAN, COHEN, NAHMARA are the "MEMBERS" of the
14 corporation. The defendants have in his ARTICLES OF ORGANIZATION
15 checked the box indicating "Management of the corporation is
16 reserved to its members."

17 39. Since 2007 there have been several member/managers of
18 MILLENNIUM, including but not limited to: AURITAI COHEN, ROTEM
19 NAHMARA, NIR AVITAN, SARA BETH CORWIN, ILS DOE#21 who has an
20 indecipherable name filed with the corporations commission that
21 appears to be substantially similar to: "Shinnon Himeovich" of
22 2510 N. 85th Pl, Scottsdale, AZ.

23 40. Plaintiff alleges that each and every one of the
24 current and former member / managers of MILLENNIUM were at all
25 times herein mentioned instrumental in the design and execution
26 of defendant MILLENNIUM's civilly and criminally unlawful
27 activities and are therefore each individually responsible and
28 liable to plaintiff and the consumer victims of Arizona for
29 MILLENNIUM'S illegal activities.

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1 41. Plaintiff is attaching file **EXHIBIT 010 - MILLENNIUM-**
2 **LLC-FILINGS.pdf** depicting the MILLENNIUM DEFENDANTS' various
3 corporate filings and incorporates it by reference as if fully
4 restated herein.

5 42. As the members, and therefore managers, of defendant
6 MILLENNIUM defendants AVITAN, COHEN, CORWIN, ILS DOE21, and
7 NAHMARA did design and define the polices and procedures of
8 defendant MILLENNIUM and subsequently implement, manage,
9 operate, and supervise the day to day business activities and
10 operations of defendant MILLENNIUM, its employees and/or
11 independent contractors.

12 43. Defendants AVITAN, COHEN, CORWIN, ILS DOE21, and
13 NAHMARA, as managing members of defendant MILLENNIUM have
14 conspired together to engage in an illegal pattern of conduct
15 whereby they would:

16 (A) procure large numbers of telephone numbers for
17 their company;

18 (B) associate and assign to each of their procured
19 telephone numbers:

20 (1) a business name

21 (2) an address

22 (C) disseminate the collection of telephone numbers,
23 business names and addresses for public distribution
24 and publication in print and internet media.

25 44. The business names referenced in paragraph 43(B)(1)
26 were either business names that MILLENNIUM had actually
27 registered as trade names with the State of Arizona (hereinafter
28 referred to as "LEGITIMATE NAMES") or business names that
29 MILLENNIUM contrived from various combinations of letters,
30 numbers, and special characters or that actually belonged to
31 other companies that MILLENNIUM has no legitimate interest in
32 (hereinafter referred to as "BOGUS NAMES")

1 45. The addresses referenced in paragraph 43(B)(2) are
2 addresses that MILLENNIUM:

- 3 (1) actually occupies or has some legitimate legal
4 connection with, (hereinafter referred to as "REAL
5 ADDRESSES")
6 (2) randomly generated addresses (hereinafter referred
7 to as "PHONY ADDRESSES")
8 (3) contrived or compiled from listings of other types
9 of companies¹ (hereinafter referred to as "PHONY
10 ADDRESSES")

11 46. The dissemination referred to in paragraph 43(C)
12 consisted of defendant MILLENNIUM's actions consisting of

- 13 (A) furnishing their **COLLECTION** to the **TELCO**
14 **DEFENDANTS** providing them with telephone service
15 with the intent that said **TELCO DEFENDANTS** effect
16 transmission of their **COLLECTION** to the **DIRECTORY**
17 **DATABASES** which would ultimately inevitably result
18 in the massive publication and redistribution of
19 their **COLLECTION** of contrived **PHONY LISTINGS** to
20 consumers through (i) verbal 411 services; (ii)
21 printed directories; (iii) internet information
22 sources.
23 (B) Either by manual or automated means caused their
24 contrived listings to be entered into internet
25 **SEARCH ENGINES**.
26 (C) Either by manual or automated means caused
27 numerous and duplicitous fraudulent self-reviews to
28 be entered into various internet **CONSUMER SITES**.

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1 47. Plaintiff is informed, and upon such information
2 believes and alleges that plaintiff has identified at least 22
3 separate websites, 27 separate telephone numbers associated with
4 more than 30 different addresses that the MILLENNIUM DEFENDANTS
5 have caused to be published where the defendants do not rent,
6 lease, own, or otherwise have any legal interest in the property
7 nor do they maintain any business at these addresses or pay for
8 any utilities at any of these addresses. A comprehensive
9 document describing how plaintiff discovered these addresses and
10 cross-referenced them using various internet resources and list
11 of these addresses, telephone numbers, and websites identified
12 by plaintiff is attached and marked "**EXHIBIT 011 - Millennium.doc.pdf**"
13 for identification and is incorporated by reference as if fully
14 restated herein.

15 48. Plaintiff has extracted from **EXHIBIT 011 - Millennium.doc.pdf**
16 the name, address, and telephone number data described above and
17 has entered it into an EXCEL spreadsheet containing multiple
18 worksheets identified as Phone#s, addresses, names, and websites
19 and has printed each worksheet contained in that spreadsheet
20 sequentially into a PDF file for easier reading. This PDF file
21 has been named "**EXHIBIT 012 - MillenniumPhone#s.xls.pdf**" and is
22 attached hereto and incorporated herein by reference as if fully
23 restated herein.

24 49. Plaintiff is informed and upon such information
25 believes and alleges that **MILLENNIUM DEFENDANTS** have registered
26 7 various trade names with the State of Arizona. Plaintiff has
27 identified approximately 27 different names being advertised
28 with telephone numbers controlled by the **MILLENNIUM DEFENDANTS**.
29 A list of these business names identified by plaintiff is
30 contained in the attached
31 "**EXHIBIT 012 - MillenniumPhone#s.xls.pdf**" file which is
32 incorporated herein by reference as if fully restated herein.

1 50. The actions of the **MILLENNIUM DEFENDANTS** and each of
2 them, were and are calculated to saturate all manner of publicly
3 accessed information sources, both printed and electronic, with
4 almost entirely **PHONY LISTINGS** is in violation of the spirit and
5 the letter of ARS §44-1221(A) which makes it illegal for anyone
6 to "deceive another person by misrepresenting the geographical
7 origin or location of the person's business in the conduct of
8 the person's business."

9 51. ARS §44-1221(C) states: "**An act or practice in**
10 **violation of this section is an unlawful practice under section**
11 **44-1522 and subject to enforcement through private action"**.
12 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
13 by ARS §44-1221(C).

14 52. The actions of the MILLENNIUM DEFENDANTS, and each of
15 them, are intentional, wanton, willful, malicious, and criminal
16 violations of Arizona law and as such defendants MILLENNIUM,
17 AVITAN, COHEN, NAHMARA, and GARABIAN are jointly and severally
18 liable for each of these actions.

19 53. Plaintiff has been damaged by the actions of the
20 defendants MILLENNIUM LOCKSMITH LLC, NIR AVITAN, AURITAI COHEN, ROTEM
21 NAHMARA, ORON GARABIAN, as their unlawful activities have resulted
22 in a massive saturation of almost all information sources
23 available to the public with so many telephone numbers and phony
24 addresses has made it nearly impossible for random customers to
25 locate Plaintiff's business listing. Plaintiffs calls for
26 service from new customers has substantially diminished since
27 the DEFENDANTS started this scheme and has resulted in Plaintiff
28 filing bankruptcy and the immediate threat of the loss of
29 plaintiff's home to foreclosure.

30 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **FOURTH CAUSE OF ACTION - ORON GARABIAN**
2 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
3 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

4 54. Plaintiff re-alleges all of the allegations contained
5 in paragraphs 1-53 above and incorporates them by reference as
6 if fully restated herein.

7 55. On or about 6/14/2006 defendants ORON GARABIAN
8 (hereinafter referred to as GARABIAN) and defendant AVITAN filed
9 or caused to be filed with the Arizona Corporation Commission
10 documents establishing AAA LOCKSMITH 24/7, LLC, AZCC File#
11 L1291403-6, that was approved on 6/14/2006. A copy of the AZCC
12 electronic record is attached in file
13 **"EXHIBIT 013 - AAA_LOCKSMITH_24_7-corp.pdf"** and is incorporated
14 by reference as if fully restated herein.

15 56. Plaintiff alleges that defendant GARABIAN conspired
16 with defendant AVITAN to engage in all of the behaviors and
17 activities above described, specifically to acquire multiple
18 phone numbers and associate them with legitimate and BOGUS names
19 and legitimate and PHONY addresses, into collections which would
20 be provided to TELCO DEFENDANTS and which would be by either
21 automated or manual means submitted to SEARCH ENGINES and
22 CONSUMER SITES.

23 57. The Actions of defendant GARABIAN were and are
24 intentional, wanton, willful, malicious, and criminal violations
25 of Arizona law and as such defendant GARABIAN is jointly and
26 severally liable for each of these actions.

27 58. As a direct result of defendant GARABIAN's actions
28 Plaintiff has sustained damages as described in paragraph 18.
29 Wherefore plaintiff prays for judgment as hereinafter set forth.

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1 **FIFTH CAUSE OF ACTION - BASAD DEFENDANTS**
2 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
3 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

4 59. Plaintiff re-alleges all of the allegations contained
5 in paragraphs 1-58 above and incorporates them by reference as
6 if fully restated herein.

7 60. On or about 09/19/2005, defendants PELEG FORMAN,
8 (hereinafter referred to as "PELEG") BATIA "BELLI" FORMAN,
9 (hereinafter referred to as "BELLI"), SHARON BITON, (hereinafter
10 referred to as "SHARON") and MICHAEL BITON(hereinafter referred
11 to as "MICHAEL") filed or caused to be filed in the office of
12 the AZCC their APPLICATION FOR AUTHORITY TO CONDUCT BUSINESS IN
13 ARIZONA as a foreign (Colorado) corporation. This application
14 states their Arizona office address to be c/o National
15 Registered Agents, 638 N. 5th Ave., Phoenix, AZ 85003. AZCC
16 online records indicate that the application filed by defendant
17 AVITAN was approved on 11/18/2005. A copy of all of the Colorado
18 and Arizona records of BASAD's corporate filings is attached as
19 file "**EXHIBIT 014 - BASAD_CORP.pdf**" and is incorporated by
20 reference as if fully restated herein.

21 61. As the officers and members, and therefore managers, of
22 defendant BASAD, INC., defendants PELEG, "BELLI", SHARON, and
23 MICHAL did design and define the polices and procedures of
24 defendant BASAD, INC., and subsequently implement, manage,
25 operate, and supervise the day to day business activities and
26 operations of defendant BASAD, INC., its employees and/or
27 independent contractors.

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1 62. Defendants PELEG, "BELLI", SHARON, and MICHAEL, as
2 managing members of defendant BASAD have conspired together to
3 engage in an illegal pattern of conduct whereby they would:

4 (A) procure large numbers of telephone numbers for
5 their company;

6 (B) associate and assign to each of their procured
7 telephone numbers:

8 (1) a business name

9 (2) an address

10 (C) disseminate the collection of telephone numbers,
11 business names and addresses for public distribution
12 and publication in print and internet media.

13 63. The business names referenced in paragraph 62(B)(1)
14 were either business names that BASAD had actually registered as
15 trade names with the State of Arizona (hereinafter referred to
16 as "LEGITIMATE NAMES") or business names that BASAD contrived
17 from various combinations of letters, numbers, and special
18 characters or that actually belonged to other companies that
19 BASAD has no legitimate interest in (hereinafter referred to as
20 "BOGUS NAMES")

21 64. The addresses referenced in paragraph 62(B)(2) are
22 addresses that BASAD:

23 (1) actually occupies or has some legitimate legal
24 connection with, (hereinafter referred to as "REAL
25 ADDRESSES")

26 (2) randomly generated addresses (hereinafter referred
27 to as "PHONY ADDRESSES")

28 (3) contrived or compiled from listings of other types
29 of companies¹ (hereinafter referred to as "PHONY
30 ADDRESSES")

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1 65. The dissemination referred to in paragraph 62(C)
2 consisted of defendant BASAD's actions consisting of

3 (A) furnishing their **COLLECTION** to the **TELCO**
4 **DEFENDANTS** providing them with telephone service
5 with the intent that said **TELCO DEFENDANTS** effect
6 transmission of their **COLLECTION** to the **DIRECTORY**
7 **DATABASES** which would ultimately inevitably result
8 in the massive publication and redistribution of
9 their **COLLECTION** of contrived **PHONY LISTINGS** to
10 consumers through (i) verbal 411 services; (ii)
11 printed directories; (iii) internet information
12 sources.

13 (B) Either by manual or automated means caused their
14 contrived listings to be entered into internet
15 **SEARCH ENGINES**.

16 (C) Either by manual or automated means caused
17 numerous and duplicitous fraudulent self-reviews to
18 be entered into various internet **CONSUMER SITES**.

19 66. Plaintiff is informed, and upon such information
20 believes and alleges that plaintiff has identified several
21 telephone numbers associated with the **BASAD DEFENDANTS** as well
22 as several separate and distinct addresses and/or locations that
23 the **BASAD DEFENDANTS** have caused to be published where the
24 defendants do not rent, lease, own, or otherwise have any legal
25 interest in the property nor do they maintain any business at
26 these addresses or pay for any utilities at any of these
27 addresses. A comprehensive document describing how plaintiff
28 discovered these addresses and cross-referenced them using
29 various internet resources and list of these addresses,
30 telephone numbers, and websites identified by plaintiff is
31 attached as file "**EXHIBIT 015 - BASAD_DOC.pdf**" and is
32 incorporated by reference as if fully restated herein.

1 67. Plaintiff has extracted from
2 **EXHIBIT 015 - BASAD_DOC.pdf** the name, address, and telephone
3 number data described above and has entered it into an EXCEL
4 spreadsheet containing multiple worksheets identified as
5 Phone#s, addresses, names, and websites and has printed each
6 worksheet contained in that spreadsheet sequentially into a PDF
7 file for easier reading. This PDF file has been named
8 "**EXHIBIT 016 - BASAD_XLS.pdf**" and is attached hereto and
9 incorporated herein by reference as if fully restated herein.

10 68. Plaintiff is informed and upon such information
11 believes and alleges that **BASAD DEFENDANTS** have registered 6
12 various trade names with the State of Arizona. Plaintiff has
13 identified approximately 36 different names (including the 6
14 registered with the state of Arizona) being advertised with
15 telephone numbers controlled by the **BASAD DEFENDANTS**. A list of
16 these business names identified by plaintiff is contained in the
17 attached "**EXHIBIT 017 - BASAD_TRADE NAMES.pdf**" file.

18 69. The actions of the **BASAD DEFENDANTS** and each of them,
19 were and are calculated to saturate all manner of publicly
20 accessed information sources, both printed and electronic, with
21 almost entirely **PHONY LISTINGS** is in violation of the spirit and
22 the letter of ARS §44-1221(A) which makes it illegal for anyone
23 to "deceive another person by misrepresenting the geographical
24 origin or location of the person's business in the conduct of
25 the person's business."

26 70. ARS §44-1221(C) states: "**An act or practice in**
27 **violation of this section is an unlawful practice under section**
28 **44-1522 and subject to enforcement through private action ...**".
29 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
30 by ARS §44-1221(C).

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1 71. The actions of the BASAD DEFENDANTS, and each of them,
2 are intentional, wanton, willful, malicious, and criminal
3 violations of Arizona law and as such defendants BASAD, PELEG,
4 "BELLI", SHARON, and MICHAEL are jointly and severally liable
5 for each of these actions.

6 72. Plaintiff has been damaged by the actions of defendants
7 BASAD, PELEG, "BELLI", SHARON, and MICHAEL as their unlawful
8 activities have resulted in a massive saturation of almost all
9 information sources available to the public with so many
10 telephone numbers and phony addresses has made it nearly
11 impossible for random customers to locate Plaintiff's business
12 listing. Plaintiffs calls for service from new customers has
13 substantially diminished since the DEFENDANTS started this
14 scheme and has resulted in Plaintiff filing bankruptcy and the
15 immediate threat of the loss of plaintiff's home to foreclosure.
16 Wherefore plaintiff prays for judgment as hereinafter set forth:

17
18 **SIXTH CAUSE OF ACTION - DEPENDABLE DEFENDANTS**
19 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
20 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

21 73. Plaintiff re-alleges all of the allegations contained
22 in paragraphs 1-72 above and incorporates them by reference as
23 if fully restated herein.

24 74. On or about 7/17/2006, defendant PEER filed or caused to
25 be filed in the office of the AZCC their APPLICATION FOR
26 AUTHORITY TO CONDUCT BUSINESS IN ARIZONA as a foreign (New York)
27 corporation. This application states their Arizona office
28 address to be c/o Derrick Wiggins, 5006 E. Rovey Ave. Paradise
29 Valley, AZ 85253. A copy of the records available online from
30 Arizona and New York regarding DEPENDABLE are attached as file
31 "**EXHIBIT 018 - DEPENDABLE CORP.pdf**" and are incorporated by
32 reference as if fully restated herein.

1 75. AZCC online records indicate that the application filed
2 by defendant PEER was approved on 7/17/2006. The AZCC records
3 further indicate that on 4/8/2008 DEPENDABLE LOCKS INC. was
4 revoked for either failure to file an annual report or the fact
5 that it is documented that the agent mailing / physical address
6 is "UNDELIVERABLE AGENT ADDRESS". Plaintiff personally did a
7 field investigation on Rovey Ave. in Paradise Valley, AZ and
8 discovered that there exists single family homes with addresses
9 4850 and 5014 with nothing in between them.

10 76. As the sole officer, and therefore manager, of
11 defendant DEPENDABLE defendant PEER designs and defines the
12 policies and procedures of defendant DEPENDABLE and subsequently
13 implement, manage, operate, and supervise the day to day
14 business activities and operations of defendant DEPENDABLE, its
15 employees and/or independent contractors.

16 77. Defendants PEER, as the sole managing member of
17 defendant DEPENDABLE has contrived an illegal pattern of conduct
18 whereby he would:

- 19 (A) procure large numbers of telephone numbers for
20 their company;
- 21 (B) associate and assign to each of their procured
22 telephone numbers:
23 (1) a business name
24 (2) an address
- 25 (C) disseminate the collection of telephone numbers,
26 business names and addresses for public distribution
27 and publication in print and internet media.

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1 78. The business names referenced in paragraph 77(B)(1)
2 were either business names that DEPENDABLE had actually
3 registered as trade names with the State of Arizona (hereinafter
4 referred to as "LEGITIMATE NAMES") or business names that
5 DEPENDABLE contrived from various combinations of letters,
6 numbers, and special characters or that actually belonged to
7 other companies that ATLAS has no legitimate interest in
8 (hereinafter referred to as "BOGUS NAMES")

9 79. The addresses referenced in paragraph 77(B)(2) are
10 addresses that ATLAS:

11 (1) actually occupies or has some legitimate legal
12 connection with, (hereinafter referred to as "REAL
13 ADDRESSES")

14 (2) randomly generated addresses (hereinafter referred
15 to as "PHONY ADDRESSES")

16 (3) contrived or compiled from listings of other types
17 of companies¹ (hereinafter referred to as "PHONY
18 ADDRESSES")

19 80. The dissemination referred to in paragraph 77(C)
20 consisted of defendant DEPENDABLE's actions consisting of

21 (A) furnishing their **COLLECTION** to the **TELCO**
22 **DEFENDANTS** providing them with telephone service
23 with the intent that said **TELCO DEFENDANTS** effect
24 transmission of their **COLLECTION** to the **DIRECTORY**
25 **DATABASES** which would ultimately inevitably result
26 in the massive publication and redistribution of
27 their **COLLECTION** of contrived **PHONY LISTINGS** to
28 consumers through (i) verbal 411 services; (ii)
29 printed directories; (iii) internet information
30 sources.

1 (B) Either by manual or automated means caused their
2 contrived listings to be entered into internet
3 **SEARCH ENGINES.**

4 (C) Either by manual or automated means caused
5 numerous and duplicitous fraudulent self-reviews to
6 be entered into various internet **CONSUMER SITES.**

7 81. Plaintiff is informed, and upon such information
8 believes and alleges that plaintiff has identified several
9 telephone numbers associated with the **DEPENDABLE DEFENDANTS** as
10 well as several separate and distinct addresses and/or locations
11 that the **DEPENDABLE DEFENDANTS** have caused to be published
12 where the defendants do not rent, lease, own, or otherwise have
13 any legal interest in the property nor do they maintain any
14 business at these addresses or pay for any utilities at any of
15 these addresses. A comprehensive document describing how
16 plaintiff discovered these addresses and cross-referenced them
17 using various internet resources and list of these addresses,
18 telephone numbers, and websites identified by plaintiff is
19 contained in "**EXHIBIT 019 - DEPENDABLE_DOC.pdf**" and is
20 incorporated by reference as if fully restated herein.

21 82. Plaintiff has extracted from
22 **EXHIBIT 019 - DEPENDABLE_DOC.pdf** the name, address, and
23 telephone number data described above and has entered it into an
24 EXCEL spreadsheet containing multiple worksheets identified as
25 Phone#s, addresses, names, and websites and has printed each
26 worksheet contained in that spreadsheet sequentially into a PDF
27 file for easier reading. This PDF file has been named
28 "**EXHIBIT 020 - DEPENDABLE_XLS.pdf**" and is attached hereto and
29 incorporated herein by reference as if fully restated herein.

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1 83. Plaintiff is informed and upon such information
2 believes and alleges that **DEPENDABLE DEFENDANTS** have registered
3 12 various trade names with the State of Arizona. Plaintiff has
4 identified approximately 84 different names (including the 12
5 registered with the state of Arizona) being advertised with
6 telephone numbers controlled by the **DEPENDABLE DEFENDANTS**. A
7 list of these business names identified by plaintiff is
8 contained in the attached "**EXHIBIT 020 - DEPENDABLE_XLS.pdf**"
9 file.

10 84. The actions of the **DEPENDABLE DEFENDANTS** and each of
11 them, were and are calculated to saturate all manner of publicly
12 accessed information sources, both printed and electronic, with
13 almost entirely **PHONY LISTINGS** is in violation of the spirit and
14 the letter of ARS §44-1221(A) which makes it illegal for anyone
15 to "deceive another person by misrepresenting the geographical
16 origin or location of the person's business in the conduct of
17 the person's business."

18
19 85. ARS §44-1221(C) states: "**An act or practice in**
20 **violation of this section is an unlawful practice under section**
21 **44-1522 and subject to enforcement through private action"**.
22 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
23 by ARS §44-1221(C).

24 86. The actions of the **DEPENDABLE DEFENDANTS**, and each of
25 them are intentional, wanton, willful, malicious, and criminal
26 violations of Arizona law and as such defendants **DEPENDABLE** and
27 **PEER** are jointly and severally liable for each of these actions.

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1 87. Plaintiff has been damaged by the actions of defendants
2 **DEPENDABLE and PEER** as their unlawful activities have resulted
3 in a massive saturation of almost all information sources
4 available to the public with so many telephone numbers and phony
5 addresses has made it nearly impossible for random customers to
6 locate Plaintiff's business listing. Plaintiffs calls for
7 service from new customers has substantially diminished since
8 the **DEPENDABLE DEFENDANTS** started this scheme and has resulted
9 in Plaintiff filing bankruptcy and the immediate threat of the
10 loss of plaintiff's home to foreclosure.

11 Wherefore plaintiff prays for judgment as hereinafter set forth:
12

13 **SEVENTH CAUSE OF ACTION - GLOBAL DEFENDANTS**
14 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
15 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

16 88. Plaintiff re-alleges all of the allegations contained
17 in paragraphs 1-87 above and incorporates them by reference as
18 if fully restated herein.

19 89. On or about 8/15/2008, defendant **ILS DOES 1-20** filed or
20 caused to be filed in the State of New Jersey documents to
21 establish **GLOBAL LOCKSMITH LLC** (hereinafter referred to as
22 "**GLOBAL**")

23 90. The records of NJ reflect an address of 570 Maitland
24 Ave, Teaneck NJ 07666 as the address for the **GLOBAL's** agent.

25 91. Since the legal entity "**GLOBAL LOCKSMITH LLC**" has been
26 cancelled in New Jersey and to the best of plaintiff's knowledge
27 not been filed anywhere else for all intents and purposes
28 "**GLOBAL LOCKSMITH LLC**" does not exist and therefore is not
29 entitled to do business in Arizona in any way shape or form.

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1 92. Despite the apparent non-existence of "GLOBAL LOCKSMITH
2 LLC" and lacking any legal authority to do business in the state
3 of Arizona plaintiff has identified 14 (fourteen) separate
4 websites operated by GLOBAL that appear as if they are a
5 legitimate company authorized to do business in Arizona. Those
6 websites are: locks-and-keys-tempe-az.info, locks-and-keys-surprise-az.info, locks-and-keys-sun-city-az.info, locks-and-keys-scottsdale-az.info, locks-and-keys-phoenix-az.info, locks-and-keys-mesa-az.info,
7 locks-and-keys-goodyear-az.info, locks-and-keys-glendale-az.info, locks-and-keys-gilbert-az.info,
8 locks-and-keys-fountain-hills-az.info, locks-and-keys-fountain-hills-az.info, locks-and-keys-chandler-az.info,
9 locks-and-keys-apache-junction-az.info, locks-and-keys-avondale-az.info.

10 Each of these websites contains the text: "A Division Of Global
11 Locksmith LLC."
12

13 93. The true company name, legal status, entity type,
14 location, and identities of the principals of whatever company
15 or companies is/are operating the websites listed in paragraph
16 90 are unknown to plaintiff is at this time and this complaint
17 will be amended to reflect the true names and capacities of all
18 parties associated with GLOBAL when plaintiff discovers this
19 information.

20 94. ILS DOES 1-20 are the directors, officers, owners,
21 managers, employees, and independent contractors of GLOBAL. In
22 their respective capacities each of defendants ILS DOES 1-20
23 design and define the policies and procedures of defendant GLOBAL
24 and subsequently implement, manage, operate, and supervise the
25 day to day business activities and operations of defendant
26 GLOBAL, its employees and/or independent contractors.

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1 95. Defendants **ILS DOES 1-20**, in their respective
2 capacities within defendant GLOBAL have conspired together to
3 engage in an illegal pattern of conduct whereby they would:

4 (A) procure large numbers of telephone numbers for
5 their company;

6 (B) associate and assign to each of their procured
7 telephone numbers:

8 (1) a business name

9 (2) an address

10 (C) disseminate the collection of telephone numbers,
11 business names and addresses for public distribution
12 and publication in print and internet media.

13 96. The business names referenced in paragraph 95(B)(1)
14 were either business names that GLOBAL had actually registered
15 as trade names with the State of Arizona (hereinafter referred
16 to as "LEGITIMATE NAMES") or business names that GLOBAL
17 contrived from various combinations of letters, numbers, and
18 special characters or that actually belonged to other companies
19 that GLOBAL has no legitimate interest in (hereinafter referred
20 to as "BOGUS NAMES")

21 97. The addresses referenced in paragraph 95(B)(2) are
22 addresses that GLOBAL:

23 (1) actually occupies or has some legitimate legal
24 connection with, (hereinafter referred to as "REAL
25 ADDRESSES")

26 (2) randomly generated addresses (hereinafter referred
27 to as "PHONY ADDRESSES")

28 (3) contrived or compiled from listings of other types
29 of companies¹ (hereinafter referred to as "PHONY
30 ADDRESSES")

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1 98. The dissemination referred to in paragraph 95(C)
2 consisted of defendant GLOBAL's actions consisting of

3 (A) furnishing their **COLLECTION** to the **TELCO**
4 **DEFENDANTS** providing them with telephone service
5 with the intent that said **TELCO DEFENDANTS** effect
6 transmission of their **COLLECTION** to the **DIRECTORY**
7 **DATABASES** which would ultimately inevitably result
8 in the massive publication and redistribution of
9 their **COLLECTION** of contrived **PHONY LISTINGS** to
10 consumers through (i) verbal 411 services; (ii)
11 printed directories; (iii) internet information
12 sources.

13 (B) Either by manual or automated means caused their
14 contrived listings to be entered into internet
15 **SEARCH ENGINES**.

16 (C) Either by manual or automated means caused
17 numerous and duplicitous fraudulent self-reviews to
18 be entered into various **CONSUMER SITES**.

19 99. Plaintiff is informed, and upon such information
20 believes and alleges that plaintiff has identified several
21 telephone numbers associated with the GLOBAL DEFENDANTS as well
22 as several separate and distinct addresses and/or locations that
23 the GLOBAL DEFENDANTS have caused to be published where the
24 defendants do not rent, lease, own, or otherwise have any legal
25 interest in the property nor do they maintain any business at
26 these addresses or pay for any utilities at any of these
27 addresses.

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1 100. A comprehensive document describing how plaintiff
2 discovered these addresses and cross-referenced them using
3 various internet resources and list of these addresses,
4 telephone numbers, and websites identified by plaintiff is
5 attached and marked "**EXHIBIT 021 - GLOBAL_DOC.pdf**" for
6 identification and is incorporated by reference as if fully
7 restated herein.

8 101. Plaintiff has extracted from
9 **EXHIBIT 021 - GLOBAL_DOC.pdf** the name, address, and telephone
10 number data described above and has entered it into an EXCEL
11 spreadsheet containing multiple worksheets identified as
12 Phone#s, addresses, names, and websites and has printed each
13 worksheet contained in that spreadsheet sequentially into a PDF
14 file for easier reading. This PDF file has been named
15 "**EXHIBIT 022 - GLOBAL_XLS.pdf**" and is attached hereto and
16 incorporated herein by reference as if fully restated herein.

17 102. Plaintiff is informed and upon such information
18 believes and alleges that **GLOBAL DEFENDANTS** have registered no
19 corporate entities or trade names with the State of Arizona.

20 103. The actions of the **GLOBAL DEFENDANTS** and each of them,
21 were and are calculated to saturate all manner of publicly
22 accessed information sources, both printed and electronic, with
23 almost entirely **PHONY LISTINGS** is in violation of the spirit and
24 the letter of ARS §44-1221(A) which makes it illegal for anyone
25 to "deceive another person by misrepresenting the geographical
26 origin or location of the person's business in the conduct of
27 the person's business."

28 104. ARS §44-1221(C) states: "**An act or practice in**
29 **violation of this section is an unlawful practice under section**
30 **44-1522 and subject to enforcement through private action"**
31 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
32 by ARS §44-1221(C).

1 105. The actions of the GLOBAL DEFENDANTS, and each of
2 them, are intentional, wanton, willful, malicious, and criminal
3 violations of Arizona law and as such defendants GLOBAL, and ILS
4 DOES 1-20 are jointly and severally liable for each of these
5 actions.

6 106. Plaintiff has been damaged by the actions of
7 defendants GLOBAL, and ILS DOES 1-20 as their unlawful
8 activities have resulted in a massive saturation of almost all
9 information sources available to the public with so many
10 telephone numbers and phony addresses has made it nearly
11 impossible for random customers to locate Plaintiff's business
12 listing. Plaintiff's calls for service from new customers has
13 substantially diminished since the DEFENDANTS started this
14 scheme and has resulted in Plaintiff filing bankruptcy and the
15 immediate threat of the loss of plaintiff's home to foreclosure.

16
17 Wherefore plaintiff prays for judgment as hereinafter set
18 forth.

19
20 **EIGHTH CAUSE OF ACTION - TRUST DEFENDANTS**
21 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
22 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

23 107. Plaintiff re-alleges all of the allegations contained
24 in paragraphs 1-106 above and incorporates them by reference as
25 if fully restated herein.

26 108. On or about 11/12/2009, defendant ADAM AVIGDOR an
27 individual filed or caused to be filed in the office of the AZCC
28 ARTICLES OF ORGANIZATION to establish the corporate entity defendant
29 **APPLE CONTRACTING, LLC.**

30 109. On or about 11/12/2009, defendant **APPLE CONTRACTING, LLC**
31 filed or caused to be filed in the office of the Arizona Secretary of
32 State the trade name "TRUST LOCKSMITH". **APPLE CONTRACTING, LLC dba**
TRUST LOCKSMITH is hereinafter referenced as "**TRUST**".

1 110. Defendant ADAM AVIGDOR, an individual, as the sole
2 member/manager of defendant **APPLE CONTRACTING, LLC dba TRUST**
3 **LOCKSMITH** has engaged in an illegal pattern of conduct whereby
4 they would:

5 (A) procure large numbers of telephone numbers for
6 their company;

7 (B) associate and assign to each of their procured
8 telephone numbers:

9 (1) a business name

10 (2) an address

11 (C) disseminate the collection of telephone numbers,
12 business names and addresses for public distribution
13 and publication in print and internet media.

14 111. The business names referenced in paragraph 110(B)(1)
15 were either business names that TRUST had actually registered as
16 trade names with the State of Arizona (hereinafter referred to
17 as "LEGITIMATE NAMES") or business names that TRUST contrived
18 from various combinations of letters, numbers, and special
19 characters or that actually belonged to other companies that
20 TRUST has no legitimate interest in (hereinafter referred to as
21 "BOGUS NAMES")

22 112. The addresses referenced in paragraph 110(B)(2) are
23 addresses that TRUST:

24 (1) actually occupies or has some legitimate legal
25 connection with, (hereinafter referred to as "REAL
26 ADDRESSES")

27 (2) randomly generated addresses (hereinafter referred
28 to as "PHONY ADDRESSES")

29 (3) contrived or compiled from listings of other types
30 of companies¹ (hereinafter referred to as "PHONY
31 ADDRESSES")
32

1 113. The dissemination referred to in paragraph 110(C)
2 consisted of defendant TRUST's actions consisting of

3 (A) furnishing their **COLLECTION** to the **TELCO**
4 **DEFENDANTS** providing them with telephone service
5 with the intent that said **TELCO DEFENDANTS** effect
6 transmission of their **COLLECTION** to the **DIRECTORY**
7 **DATABASES** which would ultimately inevitably result
8 in the massive publication and redistribution of
9 their **COLLECTION** of contrived **PHONY LISTINGS** to
10 consumers through (i) verbal 411 services; (ii)
11 printed directories; (iii) internet information
12 sources.

13 (B) Either by manual or automated means caused their
14 contrived listings to be entered into internet
15 **SEARCH ENGINES**.

16 (C) Either by manual or automated means caused
17 numerous and duplicitous fraudulent self-reviews to
18 be entered into various **CONSUMER SITES**.

19 114. Plaintiff is informed, and upon such information
20 believes and alleges that plaintiff has identified several
21 telephone numbers associated with the TRUST DEFENDANTS as well
22 as several separate and distinct addresses and/or locations that
23 the TRUST DEFENDANTS have caused to be published where the
24 defendants do not rent, lease, own, or otherwise have any legal
25 interest in the property nor do they maintain any business at
26 these addresses or pay for any utilities at any of these
27 addresses.

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1 115. A comprehensive document describing how plaintiff
2 discovered these addresses and cross-referenced them using
3 various internet resources and list of these addresses,
4 telephone numbers, and websites identified by plaintiff is
5 attached and marked "**EXHIBIT 023 - TRUST_DOC.pdf**" for
6 identification and is incorporated by reference as if fully
7 restated herein.

8 116. Plaintiff has extracted from
9 **EXHIBIT 023 - TRUST_DOC.pdf** the name, address, and telephone
10 number data described above and has entered it into an EXCEL
11 spreadsheet containing multiple worksheets identified as
12 Phone#s, addresses, names, and websites and has printed each
13 worksheet contained in that spreadsheet sequentially into a PDF
14 file for easier reading. This PDF file has been named
15 "**EXHIBIT 024 - TRUST_XLS.pdf**" and is attached hereto and
16 incorporated herein by reference as if fully restated herein.

17 117. The actions of the **TRUST DEFENDANTS** and each of them,
18 were and are calculated to saturate all manner of publicly
19 accessed information sources, both printed and electronic, with
20 almost entirely **PHONY LISTINGS** is in violation of the spirit and
21 the letter of ARS §44-1221(A) which makes it illegal for anyone
22 to "**deceive another person by misrepresenting the geographical**
23 **origin or location of the person's business in the conduct of**
24 **the person's business.**"

25 118. ARS §44-1221(C) states: "**An act or practice in**
26 **violation of this section is an unlawful practice under section**
27 **44-1522 and subject to enforcement through private action"**.
28 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
29 by ARS §44-1221(C).

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1 119. The actions of the TRUST DEFENDANTS, and each of them,
2 are intentional, wanton, willful, malicious, and criminal
3 violations of Arizona law and as such defendants TRUST and ADAM
4 AVIGDOR are jointly and severally liable for each of these
5 actions.

6 120. Plaintiff has been damaged by the actions of
7 defendants TRUST and ADAM AVIGDOR as their unlawful activities
8 have resulted in a massive saturation of almost all information
9 sources available to the public with so many telephone numbers
10 and phony addresses has made it nearly impossible for random
11 customers to locate Plaintiff's business listing. Plaintiffs
12 calls for service from new customers has substantially
13 diminished since the DEFENDANTS started this scheme and has
14 resulted in Plaintiff filing bankruptcy and the immediate threat
15 of the loss of plaintiff's home to foreclosure.

16 Wherefore plaintiff prays for judgment as hereinafter set forth.
17

18 **NINTH CAUSE OF ACTION - SOS/AAA DEFENDANTS**
19 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
20 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

21 121. Plaintiff re-alleges all of the allegations contained
22 in paragraphs 1-120 above and incorporates them by reference as
23 if fully restated herein.

24 122. The true identity and entity type of defendant SOS
25 LOCKSMITH (hereinafter referred to as "SOS") is unknown to
26 plaintiff at this time. The true identity and entity type of
27 defendant AAA LOCKSMITH SERVICES (hereinafter referred to as
28 "AAA") is unknown to plaintiff at this time. The true names and
29 capacities of ILS DOES 22-40 are unknown to plaintiff and
30 plaintiff will amend this complaint to reflect the true names
31 and capacities of these defendants when they are ascertained.
32

1 123. The website of defendant SOS, **http://www.sos-**
2 **locksmith.com/** was created on 8/28/2008 through internet
3 registrar GODADDY.COM and the ownership information is hidden
4 from the public by GODADDY's "domains by proxy" service.

5 124. The website of defendant AAA, **http://www.aaa-**
6 **locksmiths.com/** was created on 8/28/2008 through internet
7 registrar GODADDY.COM and the ownership information is hidden
8 from the public by GODADDY's "domains by proxy" service.

9 125. Plaintiff is informed and upon such information
10 believes and alleges that defendants SOS and AAA are in fact the
11 same company being run by ILS DOES 22-40. Plaintiff therefore
12 will collectively refer to defendants SOS, AAA, and ILS DOES 22-
13 40 as the "SOS DEFENDANTS" hereinafter.

14 126. Plaintiff has done extensive research on the internet
15 and has discovered that the SOS DEFENDANTS have and are
16 advertising locksmith services in Arizona.

17 127. Plaintiff is informed and upon such information
18 believes and alleges that the records of the AZCC and AZSOS
19 contain no filings for SOS LOCKSMITH or AAA LOCKSMITH.

20 128. Despite the apparent non-existence of any legal entity
21 for the SOS defendants in the state of Arizona plaintiff has
22 identified two websites operated by **SOS DEFENDANTS** that appear
23 as if they are a legitimate company authorized to do business in
24 Arizona. Those websites are: aaa-locksmiths.com and sos-locksmith.com.

25 129. The true company name, legal status, entity type,
26 location, and identities of the principals of whatever company
27 or companies is/are operating the websites listed in paragraph
28 140 are unknown to plaintiff is at this time and this complaint
29 will be amended to reflect the true names and capacities of all
30 parties associated with SOS DEFENDANTS when plaintiff discovers
31 this information.

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1 130. **ILS DOES 22-40** are the directors, officers, owners,
2 mangers, employees, and independent contractors of **SOS**
3 **DEFENDANTS**. In their respective capacities each of defendants
4 **ILS DOES 22-40** design and define the polices and procedures of
5 defendant **SOS DEFENDANTS** and subsequently implement, manage,
6 operate, and supervise the day to day business activities and
7 operations of defendant **SOS DEFENDANTS**, its employees and/or
8 independent contractors.

9 131. Defendants **ILS DOES 22-40**, in their respective
10 capacities within defendant **SOS DEFENDANTS** have conspired
11 together to engage in an illegal pattern of conduct whereby they
12 would:

13 (A) procure large numbers of telephone numbers for
14 their company;

15 (B) associate and assign to each of their procured
16 telephone numbers:

17 (1) a business name

18 (2) an address

19 (C) disseminate the collection of telephone numbers,
20 business names and addresses for public distribution
21 and publication in print and internet media.

22 132. The business names referenced in paragraph 131(B)(1)
23 were either business names that **SOS DEFENDANTS** had actually
24 registered as trade names with the State of Arizona (hereinafter
25 referred to as "LEGITIMATE NAMES") or business names that **SOS**
26 **DEFENDANS** contrived from various combinations of letters,
27 numbers, and special characters or that actually belonged to
28 other companies that **SOS DEFENDANTS** has no legitimate interest
29 in (hereinafter referred to as "BOGUS NAMES")

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1 133. The addresses referenced in paragraph 131(B)(2) are
2 addresses that **SOS DEFENDANTS**:

- 3 (1) actually occupies or has some legitimate legal
4 connection with, (hereinafter referred to as "REAL
5 ADDRESSES")
- 6 (2) randomly generated addresses (hereinafter referred
7 to as "PHONY ADDRESSES")
- 8 (3) contrived or compiled from listings of other types
9 of companies¹ (hereinafter referred to as "PHONY
10 ADDRESSES")

11 134. The dissemination referred to in paragraph 131(C)
12 consisted of defendant **SOS DEFENDANTS**'s actions consisting of

- 13 (A) furnishing their **COLLECTION** to the **TELCO**
14 **DEFENDANTS** providing them with telephone service
15 with the intent that said **TELCO DEFENDANTS** effect
16 transmission of their **COLLECTION** to the **DIRECTORY**
17 **DATABASES** which would ultimately inevitably result
18 in the massive publication and redistribution of
19 their **COLLECTION** of contrived **PHONY LISTINGS** to
20 consumers through (i) verbal 411 services; (ii)
21 printed directories; (iii) internet information
22 sources.
- 23 (B) Either by manual or automated means caused their
24 contrived listings to be entered into internet
25 **SEARCH ENGINES**.
- 26 (C) Either by manual or automated means caused
27 numerous and duplicitous fraudulent self-reviews to
28 be entered into various internet **CONSUMER SITES**.

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1 135. Plaintiff is informed, and upon such information
2 believes and alleges that plaintiff has identified several
3 telephone numbers associated with the **SOS DEFENDANTS** as well as
4 several separate and distinct addresses and/or locations that
5 the **SOS DEFENDANTS** have caused to be published where the
6 defendants do not rent, lease, own, or otherwise have any legal
7 interest in the property nor do they maintain any business at
8 these addresses or pay for any utilities at any of these
9 addresses.

10 136. A comprehensive document describing how plaintiff
11 discovered these addresses and cross-referenced them using
12 various internet resources and list of these addresses,
13 telephone numbers, and websites identified by plaintiff is
14 contained in "**EXHIBIT 027 - SOS_DOC.pdf**" and is incorporated by
15 reference as if fully restated herein.

16 137. Plaintiff has extracted from **EXHIBIT 028 - SOS_DOC.pdf**
17 the name, address, and telephone number data described above and
18 has entered it into an EXCEL spreadsheet containing multiple
19 worksheets identified as Phone#s, addresses, names, and websites
20 and has printed each worksheet contained in that spreadsheet
21 sequentially into a PDF file for easier reading. This PDF file
22 has been named "**EXHIBIT 026 - SOS_XLS.pdf**" and is attached
23 hereto and incorporated herein by reference as if fully restated
24 herein.

25 138. Plaintiff is informed and upon such information
26 believes and alleges that **SOS DEFENDANTS** have registered no
27 corporate entities or trade names with the State of Arizona.

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1 139. The actions of the **SOS DEFENDANTS** and each of them,
2 were and are calculated to saturate all manner of publicly
3 accessed information sources, both printed and electronic, with
4 almost entirely **PHONY LISTINGS** is in violation of the spirit and
5 the letter of ARS §44-1221(A) which makes it illegal for anyone
6 to "deceive another person by misrepresenting the geographical
7 origin or location of the person's business in the conduct of
8 the person's business."

9 140. ARS §44-1221(C) states: "**An act or practice in**
10 **violation of this section is an unlawful practice under section**
11 **44-1522 and subject to enforcement through private action"**.
12 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
13 by ARS §44-1221(C).

14 141. The actions of the SOS DEFENDANTS, and each of them,
15 are intentional, wanton, willful, malicious, and criminal
16 violations of Arizona law and as such defendants SOS, AAA, and
17 ILS DOES 22-40 are jointly and severally liable for each of
18 these actions.

19 142. Plaintiff has been damaged by the actions of
20 defendants SOS, AAA, and ILS DOES 22-40 as their unlawful
21 activities have resulted in a massive saturation of almost all
22 information sources available to the public with so many
23 telephone numbers and phony addresses has made it nearly
24 impossible for random customers to locate Plaintiff's business
25 listing. Plaintiffs calls for service from new customers has
26 substantially diminished since the DEFENDANTS started this
27 scheme and has resulted in Plaintiff filing bankruptcy and the
28 immediate threat of the loss of plaintiff's home to foreclosure.
29 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1
2 **TENTH CAUSE OF ACTION - COMPLETE DEFENDANTS**

3 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
4 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

5 143. Plaintiff re-alleges all of the allegations contained
6 in paragraphs 1-142 above and incorporates them by reference as
7 if fully restated herein.

8 144. On or about 1/17/2006 defendant YIGAL LAMPERT
9 (hereinafter referred to as "LAMPERT") filed or caused to be
10 filed in the office of AZCC the Articles of Organization that
11 created defendant COMPLETE SERVICES, LLC (hereinafter referred to as
12 "COMPLETE"). The AZCC file number is **L-1255643-5**.

13 145. Defendant LAMPERT, an individual, as the sole
14 member/manager of defendant **COMPLETE** has engaged in an illegal
15 pattern of conduct whereby they would:

16 (A) procure large numbers of telephone numbers for
17 their company;

18 (B) associate and assign to each of their procured
19 telephone numbers:

20 (1) a business name

21 (2) an address

22 (C) disseminate the collection of telephone numbers,
23 business names and addresses for public distribution
24 and publication in print and internet media.

25 146. The business names referenced in paragraph 145(B)(1)
26 were either business names that **COMPLETE** had actually registered
27 as trade names with the State of Arizona (hereinafter referred
28 to as "LEGITIMATE NAMES") or business names that **COMPLETE**
29 contrived from various combinations of letters, numbers, and
30 special characters or that actually belonged to other companies
31 that **COMPLETE** has no legitimate interest in (hereinafter referred
32 to as "BOGUS NAMES").

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1 Arizona Public records indicate that some of the LEGITIMATE
2 NAMES used by defendant COMPLETE are: 01 LOCKSMITH, EMERGENCY
3 LOCKSMITH, A 01 LOCKSMITH, A & A LOCKSMITH, O LOCKSMITH, A
4 EMERGENCY LOCKSMITH, 0 LOCKSMITH, 0101 LOCKSMITH, AAAA
5 LOCKSMITH, A 001 LOCKSMITH, 24 7 A LOCKSMITH, AAAA 01 LOCKSMITH,
6 001 24 HOUR LOCKSMITH, EMERGENCY 00 LOCKSMITH, 0 # 01 24 HOUR
7 LOCKSMITH, and A 01 EMERGENCY LOCKSMITH.

8 147. The addresses referenced in paragraph 145(B)(2) are
9 addresses that **COMPLETE**:

- 10 (1) actually occupies or has some legitimate legal
11 connection with, (hereinafter referred to as "REAL
12 ADDRESSES")
13 (2) randomly generated addresses (hereinafter referred
14 to as "PHONY ADDRESSES")
15 (3) contrived or compiled from listings of other types
16 of companies¹ (hereinafter referred to as "PHONY
17 ADDRESSES")

18 148. The dissemination referred to in paragraph 145(C)
19 consisted of defendant **COMPLETE**'s actions consisting of

- 20 (A) furnishing their **COLLECTION** to the **TELCO**
21 **DEFENDANTS** providing them with telephone service
22 with the intent that said **TELCO DEFENDANTS** effect
23 transmission of their **COLLECTION** to the **DIRECTORY**
24 **DATABASES** which would ultimately inevitably result
25 in the massive publication and redistribution of
26 their **COLLECTION** of contrived **PHONY LISTINGS** to
27 consumers through (i) verbal 411 services; (ii)
28 printed directories; (iii) internet information
29 sources.
30 (B) Either by manual or automated means caused their
31 contrived listings to be entered into internet
32 **SEARCH ENGINES**.

1 (C) Either by manual or automated means caused
2 numerous and duplicitous fraudulent self-reviews to
3 be entered into various internet CONSUMER SITES.
4

5 149. Plaintiff is informed, and upon such information believes
6 and alleges that plaintiff has identified several telephone
7 numbers associated with the **COMPLETE** DEFENDANTS as well as
8 several separate and distinct addresses and/or locations that
9 the **COMPLETE** DEFENDANTS have caused to be published where the
10 defendants do not rent, lease, own, or otherwise have any legal
11 interest in the property nor do they maintain any business at
12 these addresses or pay for any utilities at any of these
13 addresses.

14 150. A comprehensive document describing how plaintiff
15 discovered these addresses and cross-referenced them using
16 various internet resources and list of these addresses,
17 telephone numbers, and websites identified by plaintiff is
18 attached and marked "**EXHIBIT 029 - COMPLETE_DOC.pdf**" for
19 identification and is incorporated by reference as if fully
20 restated herein.

21 151. Plaintiff has extracted from **EXHIBIT 029 -**
22 **COMPLETE_DOC.pdf** the name, address, and telephone number data
23 described above and has entered it into an EXCEL spreadsheet
24 containing multiple worksheets identified as Phone#s, addresses,
25 names, and websites and has printed each worksheet contained in
26 that spreadsheet sequentially into a PDF file for easier
27 reading. This PDF file has been named "**EXHIBIT 030 -**
28 **COMPLETE_XLS.pdf**" and is attached hereto and incorporated herein
29 by reference as if fully restated herein.

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1 152. The actions of the **COMPLETE DEFENDANTS** and each of
2 them, were and are calculated to saturate all manner of publicly
3 accessed information sources, both printed and electronic, with
4 almost entirely **PHONY LISTINGS** is in violation of the spirit and
5 the letter of ARS §44-1221(A) which makes it illegal for anyone
6 to "deceive another person by misrepresenting the geographical
7 origin or location of the person's business in the conduct of
8 the person's business."

9 153. ARS §44-1221(C) states: "**An act or practice in**
10 **violation of this section is an unlawful practice under section**
11 **44-1522 and subject to enforcement through private action"**.
12 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
13 by ARS §44-1221(C).

14 154. The actions of the **COMPLETE DEFENDANTS**, and each of
15 them, are intentional, wanton, willful, malicious, and criminal
16 violations of Arizona law and as such defendants **COMPLETE** and
17 **LAMPERT** are jointly and severally liable for each of these
18 actions.

19 155. Plaintiff has been damaged by the actions of
20 defendants **COMPLETE** and **LAMPERT** as their unlawful activities
21 have resulted in a massive saturation of almost all information
22 sources available to the public with so many telephone numbers
23 and phony addresses has made it nearly impossible for random
24 customers to locate Plaintiff's business listing. Plaintiffs
25 calls for service from new customers has substantially
26 diminished since the **DEFENDANTS** started this scheme and has
27 resulted in Plaintiff filing bankruptcy and the immediate threat
28 of the loss of plaintiff's home to foreclosure.

29 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **ELEVENTH CAUSE OF ACTION - 24-7 DEFENDANTS**
2 **VIOLATION OF ARS§44-1221 MISREPRESENTING THE GEOGRAPHICAL**
3 **ORIGIN OR LOCATION OF THE PERSON'S BUSINESS**

4 156. Plaintiff re-alleges all of the allegations contained
5 in paragraphs 1-155 above and incorporates them by reference as
6 if fully restated herein.

7 157. The true identity and entity type of defendant 24/7
8 LOCKSMITH (hereinafter referred to as "24/7") is unknown to
9 plaintiff at this time. The true names and capacities of ILS
10 DOES 41-60 are unknown to plaintiff and plaintiff will amend
11 this complaint to reflect the true names and capacities of these
12 defendants when they are ascertained.

13 158. Defendants ILS DOES 41-60 are the members, managers,
14 owners, employees and independent contractors of Defendant **24/7**.

15 159. Plaintiff has done extensive research on the internet
16 and has discovered that the **24/7 DEFENDANTS** have and are
17 advertising locksmith services in Arizona.

18 160. Plaintiff is informed and upon such information
19 believes and alleges that the records of the AZCC and AZSOS
20 contain no filings for defendant **24/7** although there are several
21 variants that are close, one belonging to defendant **BASAD (24/7**
22 **LOCKSMITH)** and one belonging to defendant **ATLAS (24/7 LOCKSMITHS**
23 **AZ)**.

24 161. Despite the apparent non-existence of any discernable
25 legal entity for the **24/7 defendants** in the state of Arizona
26 plaintiff has identified two websites operated by **24/7**
27 **DEFENDANTS** that appear as if they are a legitimate company
28 authorized to do business in Arizona. Those websites are:
29 arizonalocksmithpro.com and mikeslocksmithaz.com. There is one
30 additional site that plaintiff suspects is connected to **24/7** but is at
31 present unable to prove it and that website is:
32 <http://www.locksmith-superior.com/>

1 162. The true company name, legal status, entity type, location,
2 and identities of the principals of whatever company or
3 companies is/are operating the websites listed in paragraph 160
4 are unknown to plaintiff is at this time and this complaint will
5 be amended to reflect the true names and capacities of all
6 parties associated with 24/7 DEFENDANTS when plaintiff discovers
7 this information.

8 163. **ILS DOES 22-40** are the directors, officers, owners,
9 mangers, employees, and independent contractors of **24/7**
10 **DEFENDANTS**. In their respective capacities each of defendants
11 **ILS DOES 22-40** design and define the polices and procedures of
12 defendant **24/7 DEFENDANTS** and subsequently implement, manage,
13 operate, and supervise the day to day business activities and
14 operations of defendant **24/7 DEFENDANTS**, its employees and/or
15 independent contractors.

16 164. Defendants **ILS DOES 41-60**, in their respective
17 capacities within defendant **24/7 DEFENDANTS** have conspired
18 together to engage in an illegal pattern of conduct whereby they
19 would:

20 (A) procure large numbers of telephone numbers for
21 their company;

22 (B) associate and assign to each of their procured
23 telephone numbers:

24 (1) a business name

25 (2) an address

26 (C) disseminate the collection of telephone numbers,
27 business names and addresses for public distribution
28 and publication in print and internet media.

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1 165. The business names referenced in paragraph 164(B)(1) were
2 either business names that **24/7 DEFENDANTS** had actually
3 registered as trade names with the State of Arizona (hereinafter
4 referred to as "LEGITIMATE NAMES") or business names that 24/7
5 contrived from various combinations of letters, numbers, and
6 special characters or that actually belonged to other companies
7 that **24/7 DEFENDANTS** has no legitimate interest in (hereinafter
8 referred to as "BOGUS NAMES")

9 166. The addresses referenced in paragraph 164(B)(2) are
10 addresses that **24/7 DEFENDANTS**:

- 11 (1) actually occupies or has some legitimate legal
12 connection with, (hereinafter referred to as "REAL
13 ADDRESSES")
- 14 (2) randomly generated addresses (hereinafter referred
15 to as "PHONY ADDRESSES")
- 16 (3) contrived or compiled from listings of other types
17 of companies¹ (hereinafter referred to as "PHONY
18 ADDRESSES")

19 167. The dissemination referred to in paragraph 164(C)
20 consisted of defendant **24/7 DEFENDANTS**'s actions consisting of

- 21 (A) furnishing their **COLLECTION** to the **TELCO**
22 **DEFENDANTS** providing them with telephone service
23 with the intent that said **TELCO DEFENDANTS** effect
24 transmission of their **COLLECTION** to the **DIRECTORY**
25 **DATABASES** which would ultimately inevitably result
26 in the massive publication and redistribution of
27 their **COLLECTION** of contrived **PHONY LISTINGS** to
28 consumers through (i) verbal 411 services; (ii)
29 printed directories; (iii) internet information
30 sources.

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1 (B) Either by manual or automated means caused their
2 contrived listings to be entered into internet
3 SEARCH ENGINES.

4 (C) Either by manual or automated means caused
5 numerous and duplicitous fraudulent self-reviews to
6 be entered into various internet CONSUMER SITES.

7 168. Plaintiff is informed, and upon such information
8 believes and alleges that plaintiff has identified several
9 telephone numbers associated with the **24/7 DEFENDANTS** as well as
10 several separate and distinct addresses and/or locations that
11 the **24/7 DEFENDANTS** have caused to be published where the
12 defendants do not rent, lease, own, or otherwise have any legal
13 interest in the property nor do they maintain any business at
14 these addresses or pay for any utilities at any of these
15 addresses.

16 169. A comprehensive document describing how plaintiff
17 discovered these addresses and cross-referenced them using
18 various internet resources and list of these addresses,
19 telephone numbers, and websites identified by plaintiff is
20 attached and marked "**EXHIBIT 025 - 247_DOC.pdf**" for
21 identification and is incorporated by reference as if fully
22 restated herein.

23 170. Plaintiff has extracted from **EXHIBIT 025 - 247_DOC.pdf**
24 the name, address, and telephone number data described above and
25 has entered it into an EXCEL spreadsheet containing multiple
26 worksheets identified as Phone#, addresses, names, and websites
27 and has printed each worksheet contained in that spreadsheet
28 sequentially into a PDF file for easier reading. This PDF file
29 has been named "**EXHIBIT 026 - 247_XLS.pdf**" and is attached
30 hereto and incorporated herein by reference as if fully restated
31 herein.

32 ///

1 171. Plaintiff is informed and upon such information
2 believes and alleges that **SOS DEFENDANTS** have registered no
3 corporate entities or trade names with the State of Arizona.

4 172. The actions of the **SOS DEFENDANTS** and each of them,
5 were and are calculated to saturate all manner of publicly
6 accessed information sources, both printed and electronic, with
7 almost entirely **PHONY LISTINGS** is in violation of the spirit and
8 the letter of ARS §44-1221(A) which makes it illegal for anyone
9 to "deceive another person by misrepresenting the geographical
10 origin or location of the person's business in the conduct of
11 the person's business."

12 173. ARS §44-1221(C) states: "**An act or practice in**
13 **violation of this section is an unlawful practice under section**
14 **44-1522 and subject to enforcement through private action ...".**
15 Plaintiff is prosecuting this as a PRIVATE ACTION as authorized
16 by ARS §44-1221(C).

17 174. The actions of the **SOS DEFENDANTS**, and each of them,
18 are intentional, wanton, willful, malicious, and criminal
19 violations of Arizona law and as such defendants **SOS, AAA, and**
20 **ILS DOES 22-40** are jointly and severally liable for each of
21 these actions.

22 175. Plaintiff has been damaged by the actions of
23 defendants **SOS, AAA, and ILS DOES 22-40** as their unlawful
24 activities have resulted in a massive saturation of almost all
25 information sources available to the public with so many
26 telephone numbers and phony addresses has made it nearly
27 impossible for random customers to locate Plaintiff's business
28 listing. Plaintiff's calls for service from new customers has
29 substantially diminished since the **DEFENDANTS** started this
30 scheme and has resulted in Plaintiff filing bankruptcy and the
31 immediate threat of the loss of plaintiff's home to foreclosure.
32 Wherefore plaintiff prays for judgment as hereinafter set forth:

1 **TWELFTH CAUSE OF ACTION - OWNER OF 866-992-4545 and RUSSELL KUTSENKO**
2 **COMPUTER TAMPERING - IDENTITY THEFT - UNFAIR AND UNLAWFUL**
3 **BUSINESS PRACTICES - UNLAWFUL DIVERSION OF BUSINESS**

4 176. Plaintiff re-alleges all of the allegations contained
5 in paragraphs 1-175 above and incorporates them by reference as
6 if fully restated herein.

7 177. The true names and capacities of defendant **OWNER OF 866-**
8 **992-4545** are unknown to plaintiff at this time and plaintiff will
9 amend this complaint to reflect the true names and capacities when
10 they are ascertained.

11 178. The defendant **OWNER OF 866-992-4545** is an owner, agent,
12 or employee of a company involved in some way in the locksmith
13 business or is masquerading as a locksmith in the conduct of its
14 criminal consumer fraud activities.

15 179. On or about December 5, 2008, Plaintiff's friend, Bob
16 DeWeese, owner of Bear Lock & Safe in the Baltimore Maryland
17 area posted a message on a "locksmith only" website
18 www.ClearStar.com which stated that some locksmith scammers had
19 accessed the servers owned and operated by GOOGLE.COM and
20 changed the "GOOGLE MAPS" listing for his company. Mr. DeWeese's
21 post stated that his telephone numbers had been removed from his
22 listing and had been replaced with 866- toll free telephone
23 numbers belonging to unknown locksmith scammers and that the URL
24 for his website had been replaced with the URL for
25 www.locksmithdepot.com.

26 180. Plaintiff has done a whois search for the domain
27 "locksmithdepot.com" and has discovered that the domain is
28 registered through GoDaddy.com and that the owner is listed as

29 **Administrative Contact:**

30 Kutsenko, Russell onlpage@gmail.com 650 SE 12 St Dania, Florida 33004
31 United States (954) 200-3603

32 A true and correct copy of the whois record as of 9/4/2010 is
contained in **EXHIBIT 031 - Locksmith Depot Whois.pdf** and is
incorporated herein by reference as if fully restated herein.

1 181. On or about December 5, 2008, because of the information
2 contained in Mr. DeWeese's posting plaintiff accessed the GOOGLE MAPS
3 website and did a search for "Locksmith Charley" in Phoenix AZ.
4 Plaintiff discovered that he was a victim of the same type of attach
5 suffered by Mr. DeWeese in that plaintiff's telephone number had been
6 replaced with the toll free number **866-992-4545**.

7 182. At some time prior to 12/8/2008 defendant **OWNER OF 866-**
8 **992-4545** either himself or through an agent, employee, or sub-
9 contractor tampered with the computer system(s) owned and
10 maintained by defendant GOOGLE, accessed the record pertaining
11 to plaintiff's business "Locksmith Charley", somehow gained
12 ability to edit that record, and ultimately substituted the
13 telephone number 866-992-4545 in place of plaintiff's telephone
14 number 602-717-5397.

15 183. Defendant **OWNER OF 866-992-4545** performed or caused to
16 be performed said computer tampering with the intention that
17 consumers attempting to obtain the services of "Locksmith
18 Charley" be diverted to his company by means of fraud.

19 184. Plaintiff is informed, and upon such information
20 believes and alleges that defendant **OWNER OF 866-992-4545** has
21 also tampered with the computer systems and records of GOOGLE
22 related to other businesses including but not limited to BEAR
23 LOCK & SAFE in the Baltimore MD area.

24 185. Plaintiff is informed, and upon such information
25 believes and alleges that defendant **OWNER OF 866-992-4545**, his
26 employees, agents, and independent contractors continue to
27 engage in these illegal computer activities in an ongoing
28 fashion to the detriment of plaintiff, consumers who are
29 ultimately defrauded and EXISTING LOCKSMITHS whose business is
30 being stolen from them by diverting their customers to defendant
31 **OWNER OF 866-992-4545**.

32 ///

1 186. Plaintiff subsequently called **866-992-4545** and told the
2 person answering that he was locked out of his residence and asked
3 that a locksmith be dispatched.

4 187. Some time later a guy showed up who was not connected with
5 "Locksmith Charley" in any way.

6 188. At some time before December 5, 2008 defendants **OWNER OF**
7 **866-992-4545** and **RUSSELL KUTSENKO** either themselves tampered with or
8 caused others to tamper with the records contained on the GOOGLE MAPS
9 website to illegally and unfairly divert customers desiring to contact
10 plaintiff for locksmith services to themselves or their own call
11 center.

12 189. The diversion of calls from plaintiff to defendants **OWNER**
13 **OF 866-992-4545** and **RUSSELL KUTSENKO** constitutes theft of plaintiff's
14 business identity because people accessing GOOGLE and viewing
15 plaintiff's listing and subsequently calling the displayed number
16 ultimately resulting in it being answered by defendants **OWNER OF 866-**
17 **992-4545** and **RUSSELL KUTSENKO** or their representatives mislead
18 consumers into thinking they were calling plaintiff.

19 190. The actions of defendants **OWNER OF 866-992-4545** and **RUSSELL**
20 **KUTSENKO** were intentional, willful, wanton, and malicious in nature
21 and were designed to harm plaintiff.

22 191. Plaintiff has been damaged in substantial amounts presently
23 unknown to plaintiff by virtue of the loss of income from countless
24 calls that were illegally diverted to defendants **OWNER OF 866-992-4545**
25 **and RUSSELL KUTSENKO.**

26 Wherefore plaintiff prays for judgment as hereinafter set forth.

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1 **THIRTEENTH CAUSE OF ACTION - ILS DEFENDANTS - TELCO DEFENDANTS**
2 **CONSPIRACY AND BREACH OF FIDUCIARY DUTY**

3 192. Plaintiff re-alleges all of the allegations contained
4 in paragraphs 1-191 above and incorporates them by reference as
5 if fully restated herein.

6 193. By virtue of being licensed by the State of Arizona as
7 **PUBLIC UTILITIES** the **TELCO DEFENDANTS**, and each of them, have a
8 fiduciary duty to the people of the State of Arizona to conduct
9 their business in a legal, moral, and ethical fashion,
10 including, but not limited to ensuring that any and all
11 information that they cause to be disseminated to the public by
12 and through **DIRECTORY LISTINGS** and **DIRECTORY DATABASES** be
13 factual and accurate.

14 194. **TELCO DEFENDANTS**, and each of them, have breached the
15 fiduciary duty owed to the people of the State of Arizona by
16 either gross negligence, or as a result of an ongoing conspiracy
17 within their individual companies and/or with the **ILS**
18 **DEFENDANTS**, provided to 411 directory assistance providers,
19 telephone directory publishers, and internet information
20 providers/publishers, the contents of their internal "DIRECTORY
21 DATABASES that contained vast quantities of listings that the
22 **TELCO DEFENDANTS** knew, or should have known, contained phony
23 business names, phony addresses, or both.

24 195. The **ILS DEFENDANTS** and each of them have conspired
25 among themselves and with others to operate this scheme under so
26 many various unregistered names and addresses and involving so
27 many other parties and websites so as to make it extremely
28 difficult to effectively impossible to fix the ownership of
29 some of the PHONY LISTINGS to a particular defendant.

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1 196. Plaintiff is informed, and upon such information
2 believes and alleges that the **ATLAS DEFENDANTS, MILLER**
3 **DEFENDANTS, and MILLENNIUM DEFENDANTS** are operating out of a
4 single office located at 1402 N. Miller Rd., Scottsdale, AZ.

5 197. The **ILS DEFENDANTS** and each of them, jointly and
6 severally, have conspired with **TELCO DEFENDANTS** and each of
7 them, jointly and severally, to (A) procure large numbers of
8 telephone numbers for their company; (B) associate their
9 contrived **PHONY LISTINGS** to each of the telephone numbers that
10 they have been assigned by the assorted **TELCO DEFENDANTS** above,
11 and (C) provide this collection to **TELCO DEFENDANTS** with the
12 intent that said **TELCO DEFENDANTS** effect transmission of their
13 **COLLECTION** to the **DIRECTORY DATABASES** which would inevitably
14 result in the massive publication and redistribution of their
15 contrived **PHONY LISTINGS** to consumers through (i) verbal 411
16 services; (ii) printed directories; (iii) internet information
17 sources.

18 198. **TELCO DEFENDANTS** and each of them, jointly and
19 severally, did in fact accept from **ILS DEFENDANTS** and each of
20 them, jointly and severally, their contrived **COLLECTION** of
21 listings.

22 199. **TELCO DEFENDANTS** and each of them, jointly and
23 severally, did in fact subsequently cause the **COLLECTIONS** of
24 contrived listings from the various **ILS DEFENDANTS** to be
25 populated into their respective **DIRECTORY DATABASES** at the
26 request and/or demand of **ILS DEFENDANTS** and each of them,
27 jointly and severally.

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1 200. **TELCO DEFENDANTS** and each of them knew, or should have
2 known, that the **ILS DEFENDANTS** and each of them, jointly and
3 severally, were asking the Telco defendants to effect
4 publication of their contrived **COLLECTION** of numerous **DIRECTORY**
5 **LISTINGS** that contained (a) names not registered with the state
6 of Arizona; and (b) **PHONY ADDRESSES** that had no connection to
7 the **ILS DEFENDANTS**.

8 201. At all times herein mentioned **TELCO DEFENDANTS** and
9 each of them, jointly and severally, by virtue of their status
10 of a state sanctioned "PUBLIC UTILITY" had and continue to have
11 a fiduciary duty to the general public to insure that the
12 information that they have acquired from presumably "TRUSTED
13 SOURCES" that they ultimately intended to provide to the general
14 public was in fact accurate and correct.

15 202. **TELCO DEFENDANTS** and each of them, jointly and
16 severally, could and can make a reasonable inference that any
17 physical location where they actually installed telephone
18 service was in fact a valid address to be listed in **DIRECTORY**
19 **DATABASES** for the end-user customer in question.

20 203. **TELCO DEFENDANTS** and each of them, jointly and
21 severally, knew, should have known, or should have suspected
22 that **LISTINGS** and **COLLECTIONS** provided to them by the various
23 **ILS DEFENDANTS** or anyone else that specified any address(es)
24 where said **TELCO DEFENDANTS** had not actually installed any hard-
25 wired services were likely **PHONY LISTINGS** and because of their
26 fiduciary duty to the public at large they should have performed
27 their "**DUE DILIGENCE**" to ascertain that the **LISTINGS** being
28 provided to them accurately reflected a truthful representation
29 of an actual physical presence at the address in question.

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1 204. It would have been easy for **TELCO DEFENDANTS** and each
2 of them, jointly and severally, to have established a policy and
3 procedure to perform their "DUE DILIGENCE" to verify the
4 accuracy (or lack thereof) of the PHONY LISTINGS by simply
5 requiring that the various **ILS DEFENDANTS** and each of them, or
6 anyone else that specified any address(es) where said **TELCO**
7 **DEFENDANTS** had not actually installed any hard-wired services,
8 to provide them with documentation in the form of (A) a
9 verifiable rental or lease agreement or (B) Title Deed to the
10 property in that end user's name. This would put the burden
11 squarely upon the ILS DEFENDANTS or other end-user customer to
12 affirmatively prove they had some right to use those addresses.

13 205. **TELCO DEFENDANTS** and each of them, jointly and
14 severally, routinely failed in their fiduciary duty to the
15 public to insure that the listings being accepted by them from
16 various sources, including but not limited to the various **ILS**
17 **DEFENDANTS**, were in fact accurately reflecting the "geographical
18 origin or location" of the business in question.

19 206. The failure of **TELCO DEFENDANTS** and each of them,
20 jointly and severally, to verify the accuracy of the listings
21 provided to them by the various **ILS DEFENDANTS**, and others, and
22 subsequently utilizing their "**TRUSTED SOURCE**" status has caused
23 damage to plaintiff, every other **EXISTING LOCKSMITH** within
24 Arizona and throughout the nation, and countless consumers. The
25 failure of **TELCO DEFENDANTS** and each of them, jointly and
26 severally, to secure any rudimentary confirmation that the
27 various **ILS DEFENDANTS** or other customers, have some actual
28 physical presence or demonstrable legal interest at any of the
29 **PHONY ADDRESSES** that they intended to populate into DIRECTORY
30 DATABASES demonstrates their reckless disregard for the best
31 interests of consumers and the established locksmith businesses,
32

1 and other businesses, that have been serving their community for
2 years as well as ARS 44-1221.

3 207. **TELCO DEFENDANTS** and each of them, jointly and
4 severally, knew, should have known, or should have suspected
5 that **LISTINGS** and **COLLECTIONS** provided to them by the various
6 **ILS DEFENDANTS** or anyone else that specified many different
7 company names were likely **PHONY LISTINGS** and because of their
8 fiduciary duty to the public at large they should have performed
9 their "DUE DILIGENCE" to ascertain that the **LISTINGS** being
10 provided to them accurately reflected a truthful representation
11 of the exact legal name, or an authorized registered trade name
12 that the **ILS DEFENDANTS** actually had a right to use.

13 208. It would have been easy for **TELCO DEFENDANTS** and each
14 of them, jointly and severally, to have established a policy and
15 procedure to perform their "DUE DILIGENCE" to verify the
16 accuracy (or lack thereof) of the **PHONY LISTINGS** by simply
17 requiring that the various **ILS DEFENDANTS**, or anyone else that
18 specified numerous different names to provide them with
19 documentation in the form of (A) a copy of their articles of
20 incorporation under that name; (B) a copy of their authorization
21 to do business in the state of Arizona under that name; (C) a
22 copy of a trade name filing showing that name; or (D) a business
23 license to conduct business under that name. This would put the
24 burden squarely upon the **ILS DEFENDANTS** or other end-user
25 customer to affirmatively prove they had some right to use those
26 names.

27 209. The actions of **ILS DEFENDANTS** and each of them,
28 jointly and severally, together with the actions of **TELCO**
29 **DEFENDANTS** and each of them, jointly and severally, were, are,
30 and continue to be willful, wanton, malicious, and oppressive
31 and detrimental to the interests of the plaintiff, **EXISTING**
32 **LOCKSMITHS** and consumers generally.

1 210. The **TELCO DEFENDANTS** and each of them, jointly and
2 severally, were, are, and continue to be engaged and complicit
3 in their conspiracy with the various **ILS DEFENDANTS** and each of
4 them as well as other scammer type companies.

5 211. Plaintiff has been damaged by the actions of **TELCO**
6 **DEFENDANTS** and each of them, jointly and severally, and the **ILS**
7 **DEFENDANTS** and each of them, jointly and severally,.

8 212. The exact extent of plaintiff's damages are unknown at
9 this time but are substantial as plaintiff has had to file
10 bankruptcy and is likely to lose his home to foreclosure very
11 shortly.

12 Wherefore plaintiff prays for judgment as hereinafter set forth.

13
14 **FOURTEENTH CAUSE OF ACTION - TELCO DEFENDANTS**
15 **NEGLIGENCE / GROSS NEGLIGENCE**

16 213. Plaintiff re-alleges all of the allegations contained
17 in paragraphs 1-212 above and incorporates them by reference as
18 if fully restated herein.

19 214. **TELCO DEFENDANTS** and each of them, jointly and
20 severally, routinely accepted and ultimately populated into
21 **DIRECTORY DATABASE(s)** the contrived **COLLECTION(s)** provided to
22 them by the various **ILS DEFENDANTS** and other customers.

23 215. **TELCO DEFENDANTS** and each of them, jointly and severally,
24 had and have a fiduciary duty to the public to ensure that the
25 information that they cause to be populated into **DIRECTORY**
26 **DATABASE(s)** is in fact accurate information.

27 216. The policies and procedures, if any, employed by **TELCO**
28 **DEFENDANTS** and each of them, jointly and severally, to insure
29 the integrity and accuracy of the information that they cause to
30 be populated into **DIRECTORY DATABASE(s)** are ineffective in
31 stopping the **PHONY LISTINGS** from reaching the public.

32 ///

1 217. **TELCO DEFENDANTS** and each of them, jointly and
2 severally, have been and are grossly negligent in their
3 implementation of any policies and procedures, to insure the
4 integrity and accuracy of the information that they cause to be
5 populated into **DIRECTORY DATABASE(s)**.

6 218. **TELCO DEFENDANTS** and each of them, jointly and
7 severally, are grossly negligent in their management and
8 supervision of their employees and independent contractors
9 involved with the procurement of name and address information
10 from **ILS DEFENDANTS** and their other end-users.

11 219. **TELCO DEFENDANTS** and each of them, jointly and
12 severally, are grossly negligent in their fiduciary duty to the
13 public and **EXISTING LOCKSMITHS** to factually determine that the
14 business names being provided to them by **ILS DEFENDANTS** and each
15 of them and their other end-user customers are in fact names
16 that the **ILS DEFENDANTS** and each of them and their other end-
17 user customers have registered and are entitled by law to use.

18 220. The failure of **TELCO DEFENDANTS** and each of them,
19 jointly and severally, to secure any rudimentary confirmation
20 that the **ILS DEFENDANTS** and each of them actually have some
21 actual physical presence or demonstrable legal interest at the
22 **PHONY ADDRESSES** that they intended and ultimately caused to
23 populate into the **DIRECTORY DATABASES** demonstrates their
24 reckless disregard for the best interests of consumers and the
25 **EXISTING LOCKSMITHS**, and other companies, that have been serving
26 their community for years as well as ARS 44-1221.

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1 221. **TELCO DEFENDANTS** and each of them, jointly and
2 severally, are grossly negligent in their fiduciary duty to the
3 public and **EXISTING LOCKSMITHS** to factually determine that the
4 addresses being provided to them by the various **ILS DEFENDANTS**
5 and their other end-user customers are in fact addresses that
6 the respective **ILS DEFENDANTS** and their other end-user customers
7 are (a) entitled by law to use and/or (b) that **ILS DEFENDANTS**
8 and their other end-user customers have rented, leased, or own.

9 222. **TELCO DEFENDANTS** and each of them, jointly and
10 severally, knew or should have known or suspected that the vast
11 quantity of **LISTINGS** they received from the **ILS DEFENDANTS** and
12 each of them would result in the complete saturation of print
13 and internet information sources to the detriment of their other
14 **EXISTING LOCKSMITH** customers and the public generally.

15 223. Because of the negligence, gross negligence, and
16 reckless disregard for integrity of the information contained in
17 the vast quantity of **LISTINGS** that **TELCO DEFENDANTS** and each of
18 them, jointly and severally, ultimately intend and intended to
19 be distributed in print, through 411 directory assistance
20 operators, and through internet **SEARCH ENGINES** plaintiff has
21 suffered substantial damages that has ultimately led to
22 plaintiff's bankruptcy and the impending loss of plaintiff's
23 home.

24
25 Wherefore plaintiff prays for judgment as hereinafter set forth;

26 ///

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1 **FIFTEENTH CAUSE OF ACTION - ILS DEFENDANTS - TELCO DEFENDANTS**
2 **UNFAIR BUSINESS PRACTICES / FRAUD / CONSUMER FRAUD**

3 224. Plaintiff re-alleges all of the allegations contained
4 in paragraphs 1-223 above and incorporates them by reference as
5 if fully restated herein.

6 225. The **ILS DEFENDANTS** and each of them, jointly and
7 severally, contrived, executed, and continue to execute this
8 artifice or scheme of hundreds or thousands of **PHONY LISTINGS**
9 with a two pronged intent. The first prong is to mislead
10 consumers into thinking that they are in very close proximity to
11 the consumer and by extension that the consumer would expect a
12 very short response time if they called this number in an
13 emergency or urgent situation. The second prong of this scheme
14 is that by saturating the printed telephone directories and the
15 internet directories and search engines with massive numbers of
16 listings the consumers would ultimately be calling them instead
17 of local long time established **EXISTING LOCKSMITHS**.

18 226. Plaintiff, consumers and **EXISTING LOCKSMITHS** have
19 been, and continue to be, damaged and are continuing to sustain
20 irreparable harm by the egregious fraudulent and criminal
21 behavior of the **ILS DEFENDANTS** and each of them, jointly and
22 severally, which is being facilitated by the **TELCO DEFENDANTS**
23 and each of them, jointly and severally.

24 227. Plaintiff has no plain speedy or adequate remedy
25 available other than this action.

26 228. Because the **TELCO DEFENDANTS** and each of them, jointly
27 and severally, negligently or intentionally freely participated
28 in the **PHONY LISTINGS** artifice or scheme of the various **ILS**
29 **DEFENDANTS** and each of them, and others the **TELCO DEFENDANTS** and
30 each of them, jointly and severally, are equally responsible for
31 the past, present, and future damages to plaintiff, consumers
32 and **EXISTING LOCKSMITHS**.

1 229. Because Plaintiff, consumers, and other existing
2 locksmiths continue to suffer irreparable harm with no other
3 remedy plaintiff is entitled to seek the following injunctive
4 relief:

5 A. That the **ILS DEFENDANTS** and each of them, jointly and
6 severally, be restrained and enjoined from receiving
7 telephone calls on any number that is associated with
8 any **PHONY ADDRESS**.

9 B. That the **TELCO DEFENDANTS** and each of them, jointly and
10 severally, be restrained and enjoined from providing
11 telephone service to any telephone number that has been
12 associated with any **PHONY ADDRESS**.

13 C. That the **ILS DEFENDANTS** and each of them, jointly and
14 severally, and the **TELCO DEFENDANTS** and each of them,
15 jointly and severally, be restrained and enjoined from
16 causing or permitting any telephone number that is
17 associated with any **PHONY ADDRESS** to be moved to
18 another carrier through the local number portability
19 mechanism.

20 Wherefore plaintiff prays for judgment as hereinafter set forth;
21

22 **SIXTEENTH CAUSE OF ACTION - GOOGLE**

23 **NEGLIGENCE / GROSS NEGLIGENCE / BREACH OF FIDUCIARY DUTY**

24 230. Plaintiff re-alleges all of the allegations contained
25 in paragraphs 1-229 above and incorporates them by reference as
26 if fully restated herein.

27 231. Defendant GOOGLE operates an internet company that
28 among other things provides the general public with the ability
29 to perform searches on a variety of topics in a variety of
30 fashions. These operations are carried out through their website
31 WWW.GOOGLE.COM.

32 ///

1 232. Defendant GOOGLE makes it a point to acquire vast
2 amounts of information about people and businesses from a
3 variety of sources and makes all of that information public
4 without notifying any particular person or business that they
5 are doing so.

6 233. Defendant GOOGLE specifically failed in the past and
7 presently fails to notify businesses that they maintain, and to
8 provide to the public, business listings acquired from third
9 party sources.

10 234. Defendant GOOGLE maintains a staff of computer
11 programmers and engineers and is, or should be, capable of
12 engineering a system that is secure from attack by malicious
13 third parties intent on compromising the integrity of the
14 information they have acquired about any particular person or
15 business.

16 235. Google has been and is grossly negligent in
17 maintaining the security and integrity of the business listings
18 that they maintain in their internet servers. Specifically, on
19 or about 1/16/2009 they permitted some unknown "ANTHONY" who has
20 to this date not created a profile to enter into their system
21 and modify the listing for [Springbok Bar & Grille](#) 423 Shoreline
22 Village Dr # A Long Beach, CA 90802. The record of this transaction is displayed
23 on their website at URL:

24 <http://maps.google.com/maps/user?uid=112372882917481276591&hl=en&gl=us&ptab=3>

25 and lists the changes "Anthony" made as follows: Changed name
26 to Locksmith (562) 252-7803 from Springbok Bar & Grille; Added
27 category locksmith; Added category locksmith long beach; Removed
28 category Bar & Grill; Removed category Grills; Removed category
29 Restaurant; Changed address to 553 E Shoreline Dr, Long Beach,
30 CA 90802, USA from 423 Shoreline Village Dr # A Long Beach, CA
31 90802; Changed phone number to (562) 252-7803 from (562) 437-
32 3734.

1 Neither the owner nor the management of SPRINGBOK BAR & GRILL
2 gave anyone permission for any of these edits to take place and
3 they were surprised to learn of it when Plaintiff notified them.
4 A true and correct representation of the EDIT information as
5 well as some "REVIEW SCAM" documentation is contained in
6 **EXHIBIT 032 - ANTHONY REVIEWS AND EDIT.pdf** which is incorporated
7 herein by reference as if fully restated herein.

8 236. On or about December 5, 2008 Plaintiff read a posting
9 from BOB DeWeese, the owner of Bear Locks & Safe in Baltimore
10 MD, (and a member of the board of directors of the **ASSOCIATED**
11 **LOCKSMITHS OF AMERICA**) on a locksmith only website called
12 "CLEARSTAR". Mr. DeWeese was very irate because he had
13 discovered that someone, likely defendants **OWNER OF 866-992-4545**
14 and **KUTSENKO**, without his knowledge or consent, had modified the
15 business listing of Bear Lock & Safe maintained on defendant
16 GOOGLE's internet server computer(s). A screenshot of Mr.
17 DeWeese's posting may be seen at
18 <http://locksmithcharley.com/SCAMS/SCAMS.14.jpg>. A screenshot of
19 the hacked Bear Lock business listing may be seen at
20 <http://locksmithcharley.com/SCAMS/bearlock1.jpg>.

21 237. Plaintiff fails to recall the exact date that he read
22 Mr. DeWeese's posting, however it was within a few days of
23 December 5, 2008. Upon plaintiff's digestion of the import of
24 Mr. DeWeese's posting, plaintiff did an internet search on
25 GOOGLE MAPS for plaintiff's business "Locksmith Charley".
26 Plaintiff was exceptionally annoyed to discover that while the
27 majority of his business listing was intact, plaintiff's
28 telephone number had been replaced with the telephone number
29 (866) 992-4545. A screenshot of Plaintiff's listing on GOOGLE
30 may be seen at: [http://locksmithcharley.com/SCAMS/GOOGLE-](http://locksmithcharley.com/SCAMS/GOOGLE-LC2a.jpg)
31 [LC2a.jpg](http://locksmithcharley.com/SCAMS/GOOGLE-LC2a.jpg).

32 ///

1 A copy of Mr. DeWeese's post, a photo of his listing that was
2 tampered with and photos of plaintiff's listings that were
3 tampered with is contained in

4 **EXHIBIT 033 - GOOGLE TAMPERED LISTINGS.pdf** which is incorporated
5 herein by reference as if fully restated herein. An additional
6 example of listing tampering may be found in an article entitled
7 "Gypsies, Tramps & Thieves" published and copyrighted by the
8 Associated Locksmiths of America. A true and correct copy of
9 this article is contained in

10 **EXHIBIT 038 - GOOGLE-Gypsies_Tramps_Thieves.pdf** and is
11 incorporated herein by reference as if fully restated herein.

12 238. On 12/8/2008 Plaintiff authored and transmitted by FAX
13 to Defendant GOOGLE's corporate offices a letter, marked
14 attention to their Chief Legal Counsel, informing them of this
15 pseudo identity theft / locksmith SCAMMER issue and requesting
16 that they join me in a legal action against the perpetrators of
17 this fraud. A true and correct copy of this letter is contained
18 in **EXHIBIT 034 - GOOGLE LETTER-2008-12-08.pdf** which is
19 incorporated herein by reference as if fully restated herein.


20 239. Despite transmitting this letter to Defendant Google
21 at least twice Plaintiff never received any answer to this FAX.

22 240. Defendant GOOGLE is either intentionally callous and
23 with malicious, oppressive, and reckless disregard of the rights
24 of any person or entity violated in the manner that plaintiff
25 was violated or alternatively grossly negligent by virtue of the
26 policy and procedure mechanisms that they have installed in
27 their low-level telephone operator / customer service staff who
28 have apparently been indoctrinated into a practice of informing
29 callers with significant legal issues that they "can't" connect
30 them to anyone without the caller providing them a name. They
31 also inform callers that a physical visit to their offices would
32 be fruitless without an appointment and that without already


1 being in contact with someone within defendant GOOGLE's
2 organization that it was IMPOSSIBLE to secure an appointment.

3 241. When Defendant Google acquires information about a new
4 business listing that it intends to publicize on its servers
5 GOOGLE should notify that business by letter or postcard either
6 in advance of, or simultaneously with their publication and in
7 that letter or postcard they should provide a pin number or
8 password to the business so that no random hacker or scammer
9 would be able to edit that business's listings without their
10 permission. Below are examples of ILS type of operations
11 hijacking the listings of legitimate businesses:

12 Feb 14, 2009

13  [Hotel Monaco Washington DC](#)
14 700 F St NW, Washington, DC 20004
15 Edited

16 Changed name to locksmith dc from Hotel Monaco Washington DC
17 Added category Key Duplication Service
18 Added category Locksmith
19 Added category Mailbox Supplier
20 Removed category Travel - Hotels
21 Changed phone number to (202)536-5711 from (202) 628-7177
22 Changed website to <http://www.united-locksmith.net> from <http://www.monaco-dc.com/>

23  [Hotel Monaco Denver](#)
24 1717 Champa St, Denver, CO 80202
25 Edited

26 Removal requested (Duplicate place)
27 "move to different location"

28 12348257529



29 Moved location 29 ft from 

30 12348257164

31 Moved location 21 ft from 

1 Changed name to denver locksmith Call Now (303) 225-7909 from Hotel Monaco Denver
2 Changed address to 1715 Champa St, Denver, CO 80202, USA from 1717 Champa St, Denver,
3 CO 80202, USA

12348256837

4 Added category Key Duplication Service
5 Added category Locksmith
6 Added category Mailbox Supplier
7 Added category denver locksmith , locksmith in denver

8 Feb 16, 2009



9 [Hotel Le Jolie](#)

10 235 Meeker Ave, Brooklyn, NY 11211

11 Edited

12 Changed name to Brooklyn Locksmith (347) 403-9274 from Hotel Le Jolie

13 Added category Key Duplication Service
14 Added category Locksmith
15 Added category Locksmith Brooklyn , Brooklyn Locksmith
16 Removed category Hotel
17 Removed category Motel

18 Changed phone number to (347) 403-9274 from (718) 625-2100

19 Changed website to <http://www.statelocksmith.com> from <http://www.hotellejolie.com/>

20 Feb 16, 2009



21 [Radisson Plaza-Warwick Hotel Philadelphia](#)

22 1701 Locust St, Philadelphia, PA 19103

23 Removal requested

24 Changed name to Philadelphia Locksmith (215) 867-7017 from Radisson Plaza-Warwick Hotel
25 Philadelphia

26 Added category Key Duplication Service
27 Added category Locksmith
28 Added category Locksmith Philadelphia , Philadelphia Locksmith
29 Removed category Caterers
30 Removed category Hotels & Motels Radisson

31 Changed phone number to (215) 867-7017 from (215) 735-6000

32 Changed website to <http://www.statelocksmith.com> from
<http://www.radisson.com/philadelphiapa>

Feb 16, 2009



[Doubletree Club Suites](#)

455 Washington Blvd, Jersey City, NJ 07310

1 Edited

2
3 Changed name to Jersey City Locksmith (201) 839-4903 from Doubletree Club Suites

4 Added category Jersey City Locksmith

5 Added category Key Duplication Service

6 Added category Locksmith Jersey City

7 Removed category Hotel

8 Removed category Hotel & Motel Management

9 Changed phone number to (201) 839-4903 from (201) 499-2700

10 Changed name to Jersey City Locksmith from Doubletree Club Suites

11 Added category Jersey City Locksmith

12 Added category Key Duplication Service

13 Added category Locksmith

14 Removed category Hotel

15 Removed category Hotel & Motel Management

16 Changed website to www.statelocksmith.com from

17 http://doubletree1.hilton.com/en_US/dt/hotel/EWRWTD-Doubletree-Hotel-Jersey-City-New-Jersey/index.do

18 The document that these examples were extracted from is attached
19 and marked **EXHIBIT 035 - GOOGLE - Robert Edits-Hotels.pdf** and is
20 incorporated herein by reference as if fully restated herein.

21 242. At all times herein mentioned Defendant GOOGLE had a
22 fiduciary duty to (a) the businesses whose listings they chose
23 to publish and (b) to the users of the Defendant GOOGLE's
24 internet website to insure that the information being presented
25 by Defendant GOOGLE was in fact accurate and not compromised by
26 the malicious actions of criminals, hackers, or scammers.

27 243. Plaintiff alleges that defendant GOOGLE's business
28 model that permits just anyone to go and edit the record of a
29 business totally unrelated to the person / entity doing the
30 editing is against public policy, a clear violation of Defendant
31 GOOGLE's fiduciary duty to the businesses whose listings they
32 are broadcasting as well as a their fiduciary duty to the public
in general who, while accessing the Google website expect to
procure information that is accurate and unadulterated by
criminals.

1 244. Plaintiff has been damaged in amounts unknown to
2 plaintiff by virtue of defendant **GOOGLE**'s negligence in allowing
3 defendant **OWNER OF 866-992-4545** to compromise plaintiff's
4 listing and divert plaintiff's customers away from plaintiff to
5 **OWNER OF 866-992-4545's** business.

6 Wherefore Plaintiff prays for judgment as hereinafter set forth:
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8 **SEVENTEENTH CAUSE OF ACTION - ILS DEFENDANTS - TELCO DEFENDANTS**
9 **INJUNCTIVE RELIEF**

10 245. Plaintiff re-alleges all of the allegations contained
11 in paragraphs 1-244 above and incorporates them by reference as
12 if fully restated herein.

13 246. Because of the criminal actions of the **ILS DEFENDANTS**
14 and the assistance rendered to them by the **TELCO DEFENDANTS**
15 plaintiff's locksmith business income has dropped off
16 dramatically over the past 2-4 years. Plaintiff is informed and
17 believes and upon such information and belief alleges that many
18 other **EXISTING LOCKSMITHS** in Maricopa County and indeed
19 throughout the nation have lost a great deal of valuable
20 business and income as a direct result of the **ILS style**
21 activities nationwide.

22 247. Plaintiff is informed and believes and upon such
23 information alleges that this problem has become so vast
24 nationwide that the Colorado Attorney General has filed suit and
25 moved for a preliminary injunction against the **BASAD DEFENDANTS**;
26 the Missouri Attorney General has filed suit against "**DEPENDABLE**
27 **LOCKS, INC.** and according to the official website says:

28 "According to the Attorney General, Dependable Locks, Inc., violated Missouri law by
29 fraudulently advertising itself by at least 16 different names that all led consumers to one
30 company. In addition, company workers charged consumers 2-3 times more than the price
31 quoted them to unlock their cars." And "Koster said investigators in the Attorney General's
32 office also found that **addresses listed for the different business names were bogus, and led to vacant lots and even homes of individuals not associated with the company.** In addition,

1 this locksmith company operated under business names that were not registered with the
2 Missouri Secretary of State as required to conduct business in Missouri.”

3 248. Plaintiff is informed and believes and upon such
4 information alleges that:

5 A. The US Postal Inspectors have raided the offices of
6 Defendant **DEPENDABLE** in Florida and arrested two of the
7 owners, Moshe Aharoni and David Peer as well as one of their
8 workers in Missouri Eliyahu Barhanun. The postal inspector’s
9 affidavit is contained in **EXHIBIT 037 - POSTAL INSPECTOR.pdf** and
10 is incorporated herein by reference as if fully restated
11 herein.

12 B. The Arizona Attorney General’s office obtained a
13 default judgment against **DEPENDABLE** in Tucson. Copies of
14 this suit and default judgment are contained in
15 **EXHIBIT 036 - AZ-AG-DEPENDABLE.pdf** and are incorporated
16 herein by reference as if fully restated herein.

17 C. Wake County, N.C., Superior Court Judge Robert Hobgood
18 entered a permanent injunction against several locksmith firms
19 accused of ripping off the public. Under the judgments issued by
20 the court, the defendants also have been ordered to pay a total
21 of \$1.24 million in various civil penalties. The ruling
22 permanently bars the companies from doing business in North
23 Carolina. A story about this from the North Carolina Attorney
24 General’s office is contained in **EXHIBIT 039 - NORTH CAROLINA AG**
25 **ACTION.pdf** and is incorporated herein by reference as if
26 fully restated herein.

27 D. Another similar case exists in Wisconsin where the
28 state Attorney General’s office has filed both a civil suit
29 and criminal complaints. A copy of these complaints are
30 contained in **EXHIBIT 040 - WISCONSON-DANE COUNTY.pdf** and
31 are incorporated herein by reference as if fully restated
32 herein.

1 249. The examples plaintiff provided in paragraph 242
2 demonstrate that the patterns of (a) bait and switch, (b)
3 reviewer scam, and (c) phony business names and addresses are
4 part of a nationwide epidemic by the ILS CRIMINALS.

5 250. Over the past 12 months or so Plaintiff has had to
6 discontinue making any payments on all unsecured debts and has
7 had one vehicle repossessed. As of the writing of this complaint
8 Plaintiff is 13 months behind on the mortgage of his residence
9 and has filed a bankruptcy petition on April 20th, 2010.
10 Plaintiff is informed and upon such information believes and
11 alleges that plaintiff's home will be sold at foreclosure
12 auction around November 20th, 2010.

13 251. Plaintiff has no other plain, speedy or adequate
14 remedy available to him.

15 252. **ILS DEFENDANTS** and each of them and **TELCO DEFENDANTS**
16 and each of them will suffer no undue hardship by the entry of a
17 temporary restraining order or a preliminary injunction since
18 those defendants have no right to continue to engage in unlawful
19 and deceptive trade practices, or to collect money from
20 consumers as a result of such unlawful and deceptive conduct in
21 violation of the ARS. Further Defendants have no right to
22 unjustly benefit from such deceptive trade practices. Plaintiff
23 will be unable to adequately protect himself, other EXISTING
24 LOCKSMITHS, or unsuspecting consumers from Defendants' ongoing
25 unlawful activities.

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1 253. The **TELCO DEFENDANTS** should be enjoined from providing
2 the ILS defendants any and all telephone services until the
3 trial in this matter is concluded. The **TELCO DEFENDANTS** should
4 be further ordered to put a freeze on the telephone numbers of
5 the ILS defendants so that the **ILS DEFENDANTS** cannot circumvent
6 the court's order by moving their telephone services for the
7 numbers associated with PHONY ADDRESSES to another carrier by
8 utilizing the LOCAL NUMBER PORTABILITY mechanism.

9 254. The **ILS DEFENDANTS** should be enjoined from promoting
10 their business activities by the use of PHONY ADDRESSES and
11 should be enjoined from attempting to utilize LOCAL NUMBER
12 PORTABILITY mechanism to move their numbers to a new carrier to
13 circumvent the court's order(s).

14 255. The **ILS DEFENDANTS** and the **TELCO DEFENDANTS** should be
15 restrained and enjoined from entering into any new orders or
16 contracts that would result in the **TELCO DEFENDANTS** providing
17 the **ILS DEFENDANTS** any new telephone numbers pending the outcome
18 of this action.

19 256. Plaintiff, consumers, and **EXISTING LOCKSMITHS** have and
20 continue to suffer irreparable harm because of the acts of the
21 **ILS DEFENDANTS** and the **TELCO DEFENDANTS**.

22 257. Plaintiff, consumers and **EXISTING LOCKSMITHS** have no
23 plain, speedy, or adequate remedy short of a restraining order
24 or injunction.

25 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **EIGHTEENTH CAUSE OF ACTION - QWEST**

2 **BREACH OF CONTRACT - NEGLIGENCE - BREACH OF FIDUCIARY DUTY**

3 258. Plaintiff re-alleges all of the allegations contained
4 in paragraphs 1-257 above and incorporates them by reference as
5 if fully restated herein.

6 259. Defendant **QWEST** is the LEC for the Phoenix
7 metropolitan area. **QWEST** provides various telecommunications
8 services to individuals, small businesses, large businesses, and
9 various governmental agencies.

10 260. While investigating the issues involved in this
11 litigation plaintiff placed two orders with defendant **QWEST** for
12 "Market Expansion Numbers" also known as "remote call
13 forwarding" (hereinafter referred to as "RCF NUMBERS") numbers.
14 The first order was verbal and plaintiff has no evidence of what
15 was said. Plaintiff believes that defendant **QWEST** may possess a
16 recording of the conversation(s). Plaintiff placed these orders
17 solely for the purpose of establishing how defendant **QWEST** deals
18 with orders for market expansion numbers and the directory
19 listings relative thereto and for obtaining evidence of these
20 practices. At no time did plaintiff intend to mislead anyone as
21 to plaintiff's geographic location in violation of ARS 44-
22 1221(a).

23 261. On or about December 11, 2008 plaintiff utilized the i711
24 service commonly used by deaf people to place his second order with
25 defendant **QWEST** for a market expansion number. Defendant **QWEST'S** agent
26 "Scott" assigned order number n28262999 for new telephone number
27 **623-374-5772** to that transaction. During the order placing process
28 as an essential term and condition of my orders I specifically
29 required defendant **QWEST** to list this new number to an addresses
30 in downtown Phoenix that I had no connection with whatsoever.

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1 262. Defendant **QWEST's** representative Scott while taking my
2 order for service did in fact agree to cause a directory listing
3 for "**40 E. Thomas Rd., Phoenix, AZ**" to occur. A transcript of the
4 placement of this order is contained in

5 **EXHIBIT 042 - QWEST-MARKET EXPANSION-ORDER TRANSCRIPT.pdf** and
6 is incorporated herein by reference as if fully restated herein.

7 263. Defendant **QWEST's** representatives including Scott
8 knew, or should have known that defendant **QWEST's** policy and
9 procedure with regard to RCF NUMBERS is that defendant QWEST
10 will always cause the address of the central office switch
11 associated with RCF NUMBERS to be published into their DIRECTORY
12 DATABASE.

13 264. Despite defendant **QWEST's** contractual agreement to
14 list plaintiff's new telephone number **623-374-5772** to "**40 E. Thomas**
15 **Rd., Phoenix, AZ**" in the directory listings, defendant **QWEST**
16 ultimately caused the directory listing for **623-374-5772** to be
17 listed in **Black Canyon City, AZ**, which is the location of the switch
18 for the 623-374 prefix. On 9/4/2010 plaintiff executed a GOOGLE
19 search for telephone number **623-374-5772** and located two references
20 for that number. One reference was on www.AllPages.com and one was on
21 www.Yodle.com. Plaintiff has never had an account with either of those
22 websites and has not contributed information for publication to either
23 of those websites. The results displayed by those websites for
24 telephone number **623-374-5772** is contained in
25 **EXHIBIT 042 - MARKET EXPANSION-BLACKCANYON CITY.pdf** and is
26 incorporated herein by reference as if fully restated herein.

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1 265. TELCODATA.COM is a website run by Paul Timmins who is
2 employed by a CLEC [Clear Rate Communications](#) and it contains data
3 about every telephone company central office or "switch" in the
4 country. The report for area code 623 prefix 374 indicates that the
5 owner of that switch is QWEST and that the name of the switch
6 servicing that block of numbers is "BLACK CANYON". A copy of that
7 report is contained in

8 **EXHIBIT 043 - TELCODATA-BLACKCANYON CITY.pdf** and is incorporated
9 herein by reference as if fully restated herein.

10 266. Defendant **QWEST** is negligent in the training and
11 supervision of defendant **QWEST's** telephone order taking
12 representatives.

13 267. Had defendant **QWEST's** telephone representatives
14 informed plaintiff of the above policy plaintiff would have
15 never agreed to the completion of the placement of the orders.

16 268. Had defendant **QWEST's** telephone representatives
17 informed plaintiff that telephone number **623-374-5772** was going
18 to be listed in the directory listings as being in Black Canyon
19 City, AZ plaintiff would have never agreed to the completion of
20 the placement of the order.

21 269. Plaintiff learned later, after the RCF NUMBERS were
22 activated, that defendant **QWEST's** policy was to cause the
23 address of the central office switch to be published as if it
24 were the actual physical location of the person or business to
25 which the RCF NUMBERS were assigned.

26 270. The failure of defendant **QWEST** to list in its
27 DIRECTORY DATABASE the addresses that plaintiff actually
28 specified when plaintiff placed his orders for service are a
29 material breach of the contract that defendant **QWEST** entered
30 into with Plaintiff.

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1 271. Since defendant QWEST never intended to perform the
2 portion of the contract with plaintiff, specifically to list the
3 specific addresses that plaintiff required to be published there
4 never existed between plaintiff and defendant QWEST a "meeting
5 of the minds" relative to the services being contracted for and
6 therefore the contract for both orders is legally null and void.

7 272. As stated previously in the complaint, defendant
8 QWEST, by virtue of its status as a public utility, has a
9 fiduciary duty to the public to ensure that the information that
10 it causes to be placed into its DIRECTORY DATABASE is factually
11 accurate and correct so that the public will not be misled by
12 people or business entities that desire to commit fraud upon the
13 public.

14 273. By maintaining a policy that Defendant QWEST will
15 automatically populate the physical address of the defendant's
16 central office switch into the DIRECTORY DATABASE when customers
17 contract with defendant QWEST for RCF NUMBERS, defendant QWEST
18 is voluntarily violating its fiduciary duty to the public to
19 provide factually correct information as to the real geographic
20 location of the business the number belongs to.

21 274. By maintaining a policy that Defendant QWEST will
22 automatically populate the physical address of the defendant's
23 central office switch into the DIRECTORY DATABASE when customers
24 contract with defendant QWEST for RCF NUMBERS, defendant QWEST
25 is voluntarily, if unwittingly, acting as a co-conspirator with
26 the ILS DEFENDANTS and any other entity that may procure RCF
27 NUMBERS from QWEST.

28 275. Because of defendant QWEST's misrepresentation and
29 breach of contract plaintiff has been damaged at least in the
30 amount of the sum total that plaintiff has paid defendant QWEST
31 for the two market expansion numbers during the time they were
32 active.

1 276. Defendant QWEST has and continues to provide telephone
2 services to some or all of the ILS DEFENDANTS.

3 277. Defendant QWEST knows, or should know or suspect that
4 some or all of the business name and address information
5 provided to defendant QWEST by the ILS defendants contains BOGUS
6 NAMES and PHONY ADDRESSES.

7 278. Defendant QWEST has a fiduciary duty to the public to
8 ensure that all data it causes or permits to be entered into its
9 directory listing database for ultimate publication to the
10 public is factually accurate.

11 279. It would be easy for defendant QWEST to require its
12 customers to provide (a) documentation of authority to use
13 business names and (b) a title deed or verifiable rental or
14 lease agreement for each address that its customers desire to be
15 listed in the directory listings.

16 280. Defendant QWEST chooses not to require any of the
17 documents described in paragraph 271(a) and 271(b).

18 281. Defendant QWEST's conduct, allowing the ILS DEFENDANTS
19 to provide any business names and addresses they want to have
20 listed in the directory listings for ultimate publication in
21 print, through 411 directory assistance, and in internet SEARCH
22 ENGINES is a clear breach of their fiduciary duty to the public
23 and has caused, and continues to cause plaintiff massive
24 incalculable damages resulting in plaintiff's bankruptcy filing
25 and the imminent loss of his home.

26 282. Plaintiff has no plain speedy or adequate remedy other
27 than a restraining order or injunction requiring QWEST to stop
28 providing telephone service to the ILS DEFENDANTS.

29 283. Plaintiff will suffer irreparable harm if the
30 restraining order or injunction is not granted.

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1 284. Defendant QWEST's conduct is wanton, willful,
2 malicious, oppressive, and grossly negligent.

3 285. Defendant QWEST should be restrained and enjoined from
4 the following activities:

5 A. Causing or permitting directory listings of market
6 expansion numbers to indicate a geographical
7 location consistent with the address of their
8 switch unless the customer has an actual physical
9 presence at that location.

10 B. Causing or permitting directory listings to contain
11 any BOGUS NAME or PHONY ADDRESS.

12 C. Providing telephone service to any of the telephone
13 numbers contained in plaintiff's exhibits that have
14 been demonstrated to be connected with any PHONY
15 ADDRESS

16 D. Providing telephone service to any other numbers
17 belonging to any ILS DEFENDANT that has, or has
18 had, any association with any BOGUS NAME or PHONY
19 ADDRESS that plaintiff is not yet aware of.

20 E. Taking any new service orders from any ILS
21 DEFENDANT until such time as this action is
22 concluded.

23 286. Plaintiff and every other established legitimate
24 locksmith and the general public has been damaged and continues
25 to be damaged on a daily basis by QWEST'S activities as
26 described in this cause of action.

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28 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **NINETEENTH CAUSE OF ACTION - SUPERMEDIA**

2 **BREACH OF CONTRACT - NEGLIGENCE - BREACH OF FIDUCIARY DUTY**

3 287. Plaintiff re-alleges all of the allegations contained
4 in paragraphs 1-276 above and incorporates them by reference as
5 if fully restated herein.

6 288. Defendant SUPERMEDIA publishes printed telephone
7 directories and one or more internet websites including but not
8 limited to "SUPERPAGES.COM".

9 289. For the past several years of printed directory cycles
10 plaintiff and many other EXISTING LOCKSMITHS have notified the
11 sales and managerial staff of SUPERMEDIA that both their printed
12 telephone directories and their "SUPERPAGES.COM" internet
13 website had become saturated with large numbers of PHONY
14 LISTINGS.

15 290. SUPERMEDIA has a fiduciary duty to its advertisers and
16 the general public to ensure that the data they print in their
17 printed directories and the data they expose internet users to
18 are factually accurate.

19 291. By virtue of the notifications to SUPERMEDIA staff and
20 management by plaintiff and many other EXISTING LOCKSMITHS,
21 SUPERMEDIA knew, or should have known that their printed
22 directories and internet website(s) were and continue to be
23 horribly polluted with vast quantities of PHONY LISTINGS.

24 292. When Defendant SUPERMEDIA's representative JOHN SCOTT
25 WRIGHT met with plaintiff to discuss plaintiff's purchase of
26 advertising from defendant SUPERMEDIA, when the subject of the
27 "SCAMMERS" and PHONY LISTINGS came up Mr. WRIGHT assured
28 plaintiff that SUPERMEDIA had a specific plan to take all of the
29 PHONY LISTINGS out of the category of LOCKS & LOCKSMITHS and
30 place them into a new category farther back in the book entitled
31 LOCKS & LOCKSMITHS - INFORMATION & REFERRAL SERVICES instead.

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1 293. While defendant SUPERMEDIA has in fact moved 8 pages
2 of PHONY LISTINGS into their new category in their "GREATER
3 PHOENIX 2009-2010 AZ 103230" yellow page telephone directory,
4 there are still many, if not hundreds, of the PHONY LISTINGS
5 still existing under the category of LOCKS & LOCKSMITHS.

6 294. Plaintiff, to his detriment, relied on the
7 representations made by defendant SUPERMEDIA's representative
8 JOHN SCOTT WRIGHT when making his decision to participate in a
9 plan of directory advertising with defendant SUPERMEDIA.

10 295. Had defendant SUPERMEDIA's representative JOHN SCOTT
11 WRIGHT been able to show plaintiff a preview of the in-column
12 listings in the LOCKS & LOCKSMITHS category plaintiff would have
13 seen that there were still very many PHONY LISTINGS in their
14 printed publication and may have opted to not execute the
15 advertising agreement.

16 296. In an unsigned letter to plaintiff dated June 5, 2009,
17 defendant SUPERMEDIA states, in pertinent part:

18 **"... We are aware of the issues surrounding locksmith
19 listings. However, as the publisher of telco listings,
20 SUPERMEDIA Media can not unilaterally remove listings without
21 proper consideration.**

22 Please understand that it is our practice to require every
23 advertiser who signs written contracts with SUPERMEDIA to
24 represent that (i) the statements contained in the Advertising
25 Copy are truthful and not misleading; (ii) they are authorized
26 to provide the services and products advertised; (iii) the
27 Advertising Copy complies with all applicable laws and
28 regulations; and (iv) they have all of the applicable licenses
29 and permits required to provide the goods and services. As it is
30 simply not physically and economically possible for us to check
31 all advertising copy submitted to us for any potential misuse,
32 we rely primarily on such representations from our customers in
determining, in the first instance, the acceptability of the
advertising copy that we receive.

 SUPERMEDIA relies on the advertiser's local exchange
carrier or competitive local exchange carrier to provide
accurate information if the advertiser's listing is a service
regular listing (SRL) and regular free listing (RLF). ..."

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1 297. Plaintiff is informed, and upon such information
2 believes and alleges that Defendant SUPERMEDIA has at its
3 disposal a veritable army of sales and support staff that travel
4 extensively throughout the markets within which they publish
5 telephone directories for and specifically within Maricopa
6 County Arizona.

7 298. Plaintiff is informed, and upon such information
8 believes and alleges that Defendant SUPERMEDIA has at its
9 disposal a virtual plethora of computers and IT personnel
10 capable of programming their computer systems to, among other
11 things, cross reference the addresses contained in their
12 listings against public records and other widely available
13 public databases including but not limited to those available on
14 the internet.

15 299. It would not be either physically impossible or
16 economically impossible for defendant SUPERMEDIA to give a list
17 of suspected PHONY ADDRESSES to their army of traveling sales
18 staff and request that they report back to headquarters any
19 address that they happen to pass by that is not in fact a
20 locksmith business and to then delete that listing from their
21 print and internet publications.

22 300. It would not be either physically impossible or
23 economically impossible for defendant SUPERMEDIA to task their
24 IT personnel to write some code to cross reference the addresses
25 that they are about to publish against publicly available
26 databases as I have done manually.

27 301. Defendant SUPERMEDIA's contention that they are free
28 to simply publish everything it has from its customers or that
29 SUPERMEDIA is given from TELCO DEFENDANTS with absolutely no
30 regard for the factual accuracy of the data flies in the face of
31 public policy and leaves them derelict in their fiduciary duty
32 to the public to ensure that they provide accurate information.

1 302. To the extent that any of the ILS defendants are
2 contracting with defendant SUPERMEDIA directly for advertising
3 SUPERMEDIA's contention that **"we rely primarily on such**
4 **representations from our customers in determining, in the first**
5 **instance, the acceptability of the advertising copy that we**
6 **receive."** they are grossly negligent in ascertaining (typically
7 by requesting a DBA) that all of the names the ILS companies are
8 advertising through SUPERMEDIA are in fact legally the ILS
9 companies' to use and by failing to ask to see a title deed,
10 rental agreement, or lease agreement for each address the ILS
11 companies desire to publish.

12 303. Since defendant SUPERMEDIA admits that "we are aware
13 of the issues surrounding the locksmith listings" and since they
14 apparently consider it so significant that they would move 8
15 pages of listings into a newly created category they are making
16 a de-facto admission that they know the companies in the new
17 category are essentially committing consumer fraud violations of
18 ARS 44-1221 and ARS 44-1522 et. seq. By reason of this knowledge
19 of the illegal acts of the ILS defendants and the lack of
20 veracity of the PHONY LISTINGS defendant SUPERMEDIA should
21 simply delete all of these PHONY LISTINGS instead of publishing
22 them at all.

23 304. Defendant SUPERMEDIA's representative JOHN SCOTT
24 WRIGHT asked plaintiff for permission to put into plaintiff's
25 advertising "Mention this ad for 10% off.". Plaintiff denied
26 said request and yet Defendant SUPERMEDIA did in fact infect
27 plaintiff's advertising with "Mention this ad for 10% off."
28 causing plaintiff to lose approximately 10% of his income from
29 all of the calls generated from plaintiff's advertising with
30 SUPERMEDIA.

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1 305. Defendant SUPERMEDIA's representative JOHN SCOTT
2 WRIGHT provided plaintiff with one proof for an in column
3 display ad (in the form of a power point file) that has a red
4 triangle on the bottom right corner of the ad. Plaintiff was not
5 happy with that layout, edited the power point file, and
6 returned to Mr. WRIGHT several variations that plaintiff liked
7 better with the specific intent that he use the last one
8 provided to him by plaintiff. Defendant SUPERMEDIA's
9 representative JOHN SCOTT WRIGHT apparently ignored plaintiff's
10 desires and intentions because the original ad that he
11 transmitted to plaintiff was actually used in the printed
12 directory.

13 306. Defendant SUPERMEDIA's representative JOHN SCOTT
14 WRIGHT failed completely to provide plaintiff with any other
15 proofs of the several ads that he and defendant SUPERMEDIA
16 caused to be scattered about the "GREATER PHOENIX 2009-2010 AZ
17 103230" yellow page telephone directory. While the ads are
18 "pretty" and look "professional" they contain inaccurate content
19 in that, inter. alia. Plaintiff does NOT hang doors as stated
20 under the "RESIDENTIAL" bullet, plaintiff does not provide
21 "Perimeter & Interior Doors" as stated under the "COMMERCIAL"
22 bullet, and no where in the ad is their any mention of
23 Plaintiff's services of (a) servicing safes, (b) repairing
24 safes, (c) opening of locked up safes, or (d) upgrading safes
25 from mechanical locks to electronic locks.

26 307. Had defendant SUPERMEDIA caused plaintiff to be
27 provided with proofs of the large display ads the 10% problem
28 and all these other problems harmful to plaintiff would have
29 been addressed and corrected by plaintiff.

30 308. The delivery of a proof to a customer and securing the
31 customer's approval of such proof prior to publication is an
32 industry standard activity in the advertising industry.

1 309. The failure of defendant SUPERMEDIA to (a) remove all
2 of the PHONY LISTINGS from the LOCKS & LOCKSMITHS category as
3 promised by defendant's representative and (b) provide plaintiff
4 with proofs of the intended advertising and secure plaintiff's
5 approval of said proofs constitutes a material breach of the
6 advertising contract between plaintiff and defendant SUPERMEDIA.
7 Wherefore plaintiff prays for judgment as hereinafter set forth:
8

9 **TWENTIETH CAUSE OF ACTION - various defendants**
10 **DECLARATORY RELIEF**

11 310. Plaintiff re-alleges all of the allegations contained
12 in paragraphs 1-309 above and incorporates them by reference as
13 if fully restated herein.

14 311. The State of Arizona permits "foreign corporations" to
15 register with the AZCC and secure authority to conduct business
16 in Arizona. The **ATLAS DEFENDANTS** have done just that claiming a
17 Georgia corporation as its "parent" company.

18 312. On or about 5/16/2008 the State of Georgia
19 "administratively dissolved" the entity "ATLAS LOCKSMITH
20 SOLUTIONS LLC" because of its failure to file annual reports
21 and/or annual renewal documents and pay the appropriate fees.

22 313. Since the underlying corporation no longer exists
23 Plaintiff asserts that the court should make the following
24 judicial declarations:

25 A. Defendants RON, BURSHTEIN, and TAMIR did not enjoy
26 any corporate shield from personal liability for their actions
27 between 5/16/2008 when Georgia revoked their corporation through
28 1/14/2010 when their domestic corporation was approved.

29 B. The Authority to Operate within the State of
30 Arizona issued to the foreign ATLAS LOCKSMITH SOLUTIONS, LLC by
31 the AZCC should be declared null and void based on the fact that
32 the underlying Georgia corporation no longer exists.

1 C. All assets in the name of "ATLAS LOCKSMITH
2 SOLUTIONS, LLC" or any of its 12 listed trade names should be
3 ordered seized by a receiver pending the ultimate outcome of
4 this action.

5 314. The TELCO DEFENDANTS are, by the nature of their
6 business and the nature of the processes of the AZCC, able to
7 write most of the rules and regulations that govern their
8 activities and they essentially get "rubber stamped" by the
9 AZCC.

10 315. Defendants INTEGRA and ESCHELON have jointly filed
11 with the AZCC a tariff that includes the following sections that
12 they wish to limit their liability:

- 13 A. 2.5.1 limiting the company's liability to "any other
14 person or entity with respect to any other liability"
- 15 B. 2.5.2.G as it relates to providing listing
16 information to any LEC,
- 17 C. 2.5.2.L "any act or omission of: (1) the Customer..."
- 18 D. 2.5.2.M Any errors omissions, whether arising through
19 negligence or otherwise, in the information provided
20 to Directory Assistance...
- 21 E. 2.5.2.N Any unlawful or unauthorized use of the
22 Company's facilities and services
- 23 F. 2.5.2.W Any and all other claims arising out of any
24 act or omission of the Customer in connection with
25 any service provided by Company

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1 316. Plaintiff alleges that in this instance where the
2 **TELCO DEFENDANTS** and each of them, jointly and severally are
3 clearly either grossly negligent or deliberately acting in
4 concert with the criminal and consumer fraud activities of the
5 **ILS DEFENDANTS** and each of them. Permitting any of the **TELCO**
6 **DEFENDANTS** to, by means of some tariff they have filed, shield
7 themselves from liability to the plaintiff or, any **EXISTING**
8 **LOCKSMITH**, or any other member of the general public who has
9 been a victim of the criminal activities of the various **ILS**
10 **DEFENDANTS** is against public policy. Plaintiff therefore
11 requests a judicial declaration that would be something along
12 the lines of "**TELCO DEFENDANTS liability limitations expressed**
13 **in their respective tariffs are not applicable to this action**
14 **and the general statutory and case law for the State of Arizona**
15 **shall apply.**"

16 Copies of the pages of the relevant INTEGRA / ESCHELON tariffs
17 are contained in file:

18 **EXHIBIT 046 - ELECTRIC LIGHTWAVE-INTEGRA TARIFFS.pdf** and
19 incorporated herein by reference as if fully restated herein.
20 Wherefore plaintiff prays for judgment as hereinafter set forth:

21 317. Defendant GOOGLE has a very simple screen when you
22 first arrive on their website. There is no notification on that
23 screen that there are ANY terms and conditions for the
24 utilization of the GOOGLE website, nor any option to accept or
25 reject their alleged "Terms of Service". After doing some
26 searching, plaintiff was able to discover that Google's intent,
27 which is not displayed anywhere without someone actually hunting
28 for their terms of service, includes the following language:

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1 "2.2 You can accept the Terms by:

2 (A) clicking to accept or agree to the Terms, where this option
3 is made available to you by Google in the user interface for any
4 Service; or

5 (B) by actually using the Services. In this case, you understand
6 and agree that Google will treat your use of the Services as
7 acceptance of the Terms from that point onwards.

8 2.3 You may not use the Services and may not accept the Terms if
9 (a) you are not of legal age to form a binding contract with
10 Google..."

11 Plaintiff finds fault with these concepts for two reasons: (1) a
12 contract is a meeting of the minds and that if the contract is
13 not disclosed to all parties in advance and agreement reached in
14 advance there can be no meeting of the minds; and (2) The Google
15 search engine is routinely utilized by minor school children to
16 do their schoolwork and homework. Minor children are legally
17 incapable of entering into a contract. The notion that no one
18 under 18 going to school can use Defendant GOOGLE's search
19 engines is somewhere between STUPID and PREPOSTEROUS.

20 318. Plaintiff asserts that the statement made in the
21 following term is demonstrably false, at least as far as people
22 randomly editing the business records of others: "4.2 Google is
23 constantly innovating in order to provide the best possible experience for
24 its users."

25 319. The term or condition "14.2 YOU EXPRESSLY UNDERSTAND AND
26 AGREE THAT YOUR USE OF THE SERVICES IS AT YOUR SOLE RISK AND THAT THE
27 SERVICES ARE PROVIDED "AS IS" AND "AS AVAILABLE."" seems to plaintiff to
28 be fundamentally flawed. In the case of a business (such as the
29 above mentioned Radisson Plaza-Warwick Hotel Philadelphia) that does nothing
30 more than exist, to be subject to having its listing summarily
31 changed by some hacker, scammer, or computer criminal to
32 "Philadelphia Locksmith (215) 867-7017" is unconscionable.

1 Technically that business (Radisson Plaza-Warwick Hotel Philadelphia) isn't
2 using defendant GOOGLE's service at all. That business should be
3 confident that Defendant GOOGLE would safeguard their business
4 listing whether they (Radisson Plaza-Warwick Hotel Philadelphia) are aware
5 that it even exists, let alone stakes a claim on it, adds to it,
6 or otherwise modifies it. Therefore the "SOLE RISK" and "AS IS"
7 disclaimers should be declared to be against public policy.

8 320. Plaintiff asserts that the following portions of
9 defendant GOOGLE's terms and conditions are also against public
10 policy and should be stricken:

11 **"14.3 IN PARTICULAR, GOOGLE, ITS SUBSIDIARIES AND AFFILIATES, AND ITS**
12 **LICENSORS DO NOT REPRESENT OR WARRANT TO YOU THAT:**
13 **(A) YOUR USE OF THE SERVICES WILL MEET YOUR REQUIREMENTS,**
14 **(B) YOUR USE OF THE SERVICES WILL BE UNINTERRUPTED, TIMELY, SECURE**
15 **OR FREE FROM ERROR,**
16 **(C) ANY INFORMATION OBTAINED BY YOU AS A RESULT OF YOUR USE OF THE**
17 **SERVICES WILL BE ACCURATE OR RELIABLE, AND**
18 **(D) THAT DEFECTS IN THE OPERATION OR FUNCTIONALITY OF ANY**
19 **SOFTWARE PROVIDED TO YOU AS PART OF THE SERVICES WILL BE**
20 **CORRECTED."**

21 If Google procures, lets say the LOCKSMITH CHARLEY telephone
22 listing from the DIRECTORY DATABASE users of Defendant GOOGLE's
23 system should feel comfortable that the listed telephone number
24 is not going to be changed by ILS type entities, hackers,
25 scammers, or other criminals intent on stealing the service
26 calls of consumers who desire LOCKSMITH CHARLEY's services and
27 rely on GOOGLE as a medium to quickly locate LOCKSMITH CHARLEY's
28 phone number rather than fussing with a ten pound telephone
29 book. Indeed, if Defendant Google is permitted to wave the term
30 14.3(C) flag in front of everyone that they give inaccurate
31 information to in order to escape liability there would be no
32 reason for anyone to go to Google's website for anything because
it would be wholly unreliable on its face.

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1 321. Plaintiff would therefore request that the court make
2 a judicial declaration that none of these so-called terms and
3 conditions that are simply disclaimers of liability for bogus
4 and inaccurate information be held to be against public policy
5 and therefore invalid.

6 322. Defendant DEPENDABLE's authority to do business in
7 Arizona has been revoked for more than a year. Defendant PEER
8 presumably intends to exert some manner of corporate protection
9 of his activities within the State of Arizona.

10 323. Plaintiff contends and would therefore requests a
11 judicial declaration that Defendant PEER is not entitled to the
12 protection of any corporate veil as he has not maintained his
13 corporation filings in the State of Arizona in good standing.

14 324. Plaintiff requests a judicial declaration that
15 defendant QWEST's policy and procedure of associating the
16 physical address of a QWEST central office switch with the
17 company name and telephone number and subsequently causing that
18 combined "company name, Qwest switch address, and telephone
19 number" data set to be populated to the DIRECTORY DATABASE and
20 ultimately to directory publishing companies and directory
21 assistance providers would by definition mislead the general
22 public as to the location of the "company" in question and since
23 that would be a violation of ARS 44-1221 for the company itself
24 to do, Qwest is not entitled to do it either.

25 Wherefore plaintiff prays for judgment as hereinafter set forth:

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1 **TWENTY-FIRST CAUSE OF ACTION - GOOGLE / YAHOO!**

2 **GROSS NEGLIGENCE / CONSPIRACY / FRAUD / "REVIEW SCAM"**

3 325. Plaintiff re-alleges all of the allegations contained
4 in paragraphs 1-324 above and incorporates them by reference as
5 if fully restated herein.

6 326. Defendants GOOGLE, INC, and YAHOO! INC. (hereinafter
7 referred to collectively as "**GY**") operate internet websites that
8 provide, among other things, the capability for users of their
9 websites to search for businesses that provide desirable
10 services, otherwise known as "search engines".

11 327. **GY**, in their search engines provide to consumers a
12 valuable tool that they designate as "reviews" which provide
13 legitimate consumers with the ability to apply a notation to the
14 record about a *supposedly* legitimate company that would reflect
15 their positive, negative, or neutral experience with that
16 particular company.

17 328. The implementation of this otherwise valuable consumer
18 tool by **GY** permits the **ILS DEFENDANTS** and other similarly minded
19 scammers to randomly create a new profile and then access the **GY**
20 records of listings of so-called businesses that the **ILS**
21 **DEFENDANTS** have control of and "cut and paste" the text of their
22 desired "review" into each of those listings.

23 329. This implementation of the "review" scheme enables the
24 **ILS DEFENDANTS** and other similarly minded scammers to exploit
25 **GY's** systems and in the case of the locksmith trade, **GY's**
26 systems will allow any random user who creates a new profile to
27 create new reviews for many different locksmith listings in many
28 different cities on the same day with the same text.

29 330. The **GY** companies hold themselves out to be leaders in
30 computer science and the ultimate experts in search engine
31 technology.
32

1 331. The **GY** companies do absolutely nothing to ensure that
2 anyone creating a new profile is in fact a separate and distinct
3 consumer.

4 332. The **GY** companies do absolutely nothing to ensure that
5 any specific profile cannot submit multiple "reviews" of
6 **supposedly** different companies, all in the same trade or type of
7 business, in different geographical locations, on the same day
8 or within a short time period.

9 333. The failure of the **GY** companies to install in their
10 systems sufficient safeguards to prevent one "profile" from
11 submitting multiple reviews about the same type of company (i.e.
12 Locksmiths) on the same day in several geographical locations is
13 grossly negligent.

14 334. The activities of the ILS DEFENDANTS and each of them
15 that are engaged in creating new randomly named profiles to
16 submit for publication numerous "reviews" of listings for
17 "companies" whose telephone numbers are ultimately directed to
18 an ILS DEFENDANT's call center is tantamount to consumer fraud
19 because legitimate unsuspecting consumers are lured into
20 believing that (a) it is a consumer making the review, (b) the
21 content of the "review" is factually correct and accurate, and
22 (c) that it is not some hoax perpetrated by the business in
23 question.

24 335. **GY's** behavior of permitting one profile to submit
25 multiple reviews about the same type of company (i.e.
26 Locksmiths) on the same day in several geographical locations
27 appears to be either a conspiracy between **GY** and the various **ILS**
28 **SCAMMER** defendants or gross negligence on **GY's** part.

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1 336. **GY**'s behavior of permitting one profile to submit
2 multiple reviews about the same type of company (i.e.
3 Locksmiths) on the same day in several geographical locations is
4 tantamount to consumer fraud. Most consumers are simply not
5 astute enough to read a review, then click on the reviewer's
6 profile name, then click on "ALL REVIEWS" from that profile to
7 see that the "reviewer" in question has actually got 114 reviews
8 to their credit and that **all 114 reviews** are for locksmiths in
9 many geographical locations across the United States. Most
10 consumers are in a hurry, see a review, and take it as gospel
11 with no further investigation.

12 338. **GY**'s behavior is willful, wanton, malicious, and with
13 reckless disregard of the truth.

14 339. **GY**'s behavior is either a willful conspiracy or
15 unwitting negligence to further the goals of the ILS DEFENDANTS.

16 340. Examples of the **GY**'s "REVIEWER SCAM" behavior are
17 contained in **EXHIBIT 044 - REVIEW SCAM-Google-Yahoo.pdf** which is
18 incorporated herein by reference as if fully restated herein.

19 341. Plaintiff, consumers, and EXISTING LOCKSMITHS have and
20 continue to suffer irreparable injury as a result of defendant
21 GOOGLE's and defendant YAHOO!'s apparent policy of permitting
22 people to randomly create profiles and write multiple identical
23 reviews for multiple companies in the same industry on the same
24 day.

25 342. Plaintiff has no plain, speedy, and adequate remedy
26 other than a restraining order or injunction.

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1 343. Plaintiff requests immediate issuance of a temporary
2 restraining order or preliminary injunction prohibiting
3 defendants GOOGLE and YAHOO! from:

4 a. continuing to display these obviously contrived
5 reviews

6 b. continuing to permit rogue random users from posting
7 multiple identical reviews about the same type of
8 companies in multiple geographic areas on the same day.

9 344. Plaintiff requests immediate issuance of a temporary
10 restraining order or preliminary injunction requiring defendants
11 GOOGLE and YAHOO! to act in a responsible and reasonable manner
12 such as other sites like ANGIES LIST which has, inter alia, "NO
13 ANONYMOUS REVIEWS". Such Temporary restraining order or
14 preliminary injunction should require **GY**, and each of them to :

15 a. secure some manner of positive identification from the
16 individual or company creating a profile and limiting the number
17 of profiles that one individual or company can have.

18 b. establish policy, procedure, and mechanism to insure
19 that the listings on their respective websites are secure from
20 the general public, hackers, ILS DEFENDANTS, and other
21 criminals, specifically that they provide all companies that
22 they maintain listings for a unique user name and password to
23 control their listing, to provide this information to them by
24 mail, and permanently lock their "open editing" system so that
25 only business owners who have received their credentials by mail
26 may make changes to the listings involving their company. Doing
27 so by mail will eliminate the possibility of maintaining
28 listings for **BOGUS ADDRESSES**.

29 c. provide a hotline for businesses to report tampering of
30 their business listings;

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1 d. monitor the facsimile machine / system and to respond to
2 business owners sending FAX transmissions addressed to their
3 company's legal department within 24 hours.

4 345. Plaintiff requests immediate issuance preliminary
5 injunction prohibiting the **ILS DEFENDANTS** and each of them from
6 permitting or causing any owner, manager, employee, or
7 independent contractor to contrive these obviously phony reviews
8 and post them to GOOGLE, YAHOO, or any other internet website.
9 Wherefore plaintiff prays for judgment as hereinafter set forth:

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11 **TWENTY-SECOND CAUSE OF ACTION - ARIZONA ATTORNEY GENERAL GODDARD**
12 **APPLICATION FOR AN ALTERNATIVE WRIT OF MANDAMUS REQUIRING THE**
13 **ARIZONA ATTORNEY GENERAL TO TAKE OVER THE CRIMINAL AND CONSUMER**
14 **FRAUD ISSUES OF THIS CASE**

15 345. Plaintiff re-alleges all of the allegations contained
16 in paragraphs 1-344 above and incorporates them by reference as
17 if fully restated herein.

18 ARS 44-1221 states:

- 19 A. It is unlawful for a person to deceive another person by misrepresenting the geographical
20 origin or location of the person's business in the conduct of the person's business.
21 B. A person who intentionally or knowingly violates subsection A of this section is guilty of a
22 class 2 misdemeanor.
23 C. An act or practice in violation of this section is an unlawful practice under section 44-1522
24 and **subject to enforcement through private action** and prosecution by the attorney general.
The attorney general may investigate and take appropriate action as prescribed by chapter 10,
article 7 of this title.

25
26 346. Plaintiff has contacted the office of the Arizona
27 Attorney General by telephone and has sent several e-mails
28 attempting to gain the assistance of the Attorney General in
29 enforcing these matters. Plaintiff's telephone call plea was
30 refused and there have been no answer to any of the e-mails sent
31 by plaintiff.

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1 347. As stated above plaintiff attended an event in Sun
2 City where Attorney General Terry Goddard appeared personally.
3 Plaintiff had a relatively extended conversation with AG Goddard
4 and among other things offered AG Goddard plaintiff's services
5 as an investigator or paralegal to assist the AG's office since
6 Plaintiff has done extensive research and having 20 years
7 experience as a locksmith and safe-cracker Plaintiff considers
8 himself somewhat of an expert in the locksmith field. AG Goddard
9 refused plaintiff's offer. During this meeting plaintiff handed
10 AG Goddard a document consisting of about 80 pages relative to
11 the locksmith scammers and the "reviewer scam" outlined above.

12 348. Plaintiff is informed and believes and therefore
13 alleges that other people in the form of consumer victims (Lisa
14 Mendez, among others) and television and print media
15 representatives have all approached the office of the Arizona
16 Attorney General in an effort to halt this pattern of criminal
17 and civil consumer fraud activity and in every instance the
18 Arizona Attorney General has failed to act in any way shape or
19 form.

20 349. While ARS 44-1221 seemingly authorize a "private
21 action" such as this one to enforce its provisions and
22 explicitly states that the PHONY ADDRESS section is also an
23 "unfair practice under 44-1522" it remains unclear to plaintiff
24 whether ARS 44-1221(C) explicitly authorizes a private party
25 plaintiff to:

26 (a) file misdemeanor criminal charges against parties
27 violating ARS 44-1221(a);

28 (b) seek the appointment of a receiver for the companies
29 involved. Indeed ARS 44-1522 et. seq. all seem to
30 require the involvement of the Attorney General.

31 Plaintiff therefore requests a judicial determination and
32 declaratory relief as to the exact rights and responsibilities

1 of both the plaintiff or any similarly situated business person
2 or consumer, and the attorney general.

3 350. ARS 44-1221(c) makes 44-1221(a) and (b) "...enforceable
4 by private action and the attorney general...". Plaintiff believes
5 that this section very specifically states the legislature's
6 intent that the attorney general of the state of Arizona is
7 empowered to file an information or a complaint for misdemeanor
8 charges of violation of this section. Plaintiff asserts that
9 since the various ILS DEFENDANTS are publishing or causing to be
10 published PHONY ADDRESSES in various municipalities,
11 unincorporated areas of the county, and in various markets
12 throughout the state that the attorney general is in the unique
13 position of having the ability to file multiple counts across
14 several jurisdictions in one action. Of course plaintiff also
15 believes that the vast extent of the many addresses, telephone
16 numbers, websites, and business names are "artifices, schemes,
17 and devices" under ARS 13-2310 and should therefore be
18 prosecuted as a felony.

19 351. Plaintiff therefore requests a judicial declaration
20 that: **"By virtue of 44-1221(c) the attorney general, as the**
21 **chief law enforcement officer in the state is empowered and duty**
22 **bound to either file multiple misdemeanor counts of violations**
23 **of ARS 44-1221(a) and (b) or in the alternative commence felony**
24 **prosecutions under ARS 13-2310."**

25 352. Plaintiff has identified at least 250 phony addresses
26 utilized by the ATLAS DEFENDANTS alone. Plaintiff tried to
27 explain to the A.G.'s office that 250 counts multiplied by the
28 \$10,000.00 maximum civil penalty for each count comes out to
29 more than **TWO AND ONE HALF MILLION DOLLARS**. Plaintiff was told
30 by one of AG Goddard's minions on the telephone: **"Well the**
31 **attorney general's office doesn't go after companies simply**
32 **because it would be economically beneficial to the state."**

1 If the criminal matter was taken to a consumer friendly judge
2 inclined to run the 4 month class 2 misdemeanor sentences
3 concurrently the **ATLAS** defendants alone could be looking at more
4 than 80 years in Sheriff Joe's Tents.

5 353. Plaintiff believes that, as evidenced by the actions
6 of the Attorney's General of Arizona (only against Dependable)
7 Ohio, Missouri, North Carolina, Illinois and Colorado and the
8 arrests made by the US POSTAL INSPECTORS in the ongoing federal
9 money laundering case against dependable, that this is an
10 ongoing international and nationwide criminal consumer fraud
11 conspiracy of epidemic proportions and is important enough that
12 this court should grant the extraordinary **ALTERNATIVE WRIT OF**
13 **MANDAMUS** requiring the Arizona Attorney General Terry Goddard to
14 appear and show cause why he should not be compelled to, at the
15 very least, take responsibility for the criminal prosecutions
16 and the appointment of receivers for the various **ILS DEFENDANTS**,
17 and each of them, and the subsequent distribution of their
18 assets to parties entitled by law.

19 Wherefore plaintiff prays for judgment as hereinafter set forth:
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21
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23 **TWENTY-THIRD CAUSE OF ACTION - ARIZONA ATTORNEY GENERAL GODDARD**
24 **RELEASE OF CONSUMER COMPLAINTS TO ATTORNEY GENERAL ABOUT**
25 **LOCKSMITHS AND CRIMINALS MISREPRESENTING THEMSELVES AS**
26 **LOCKSMITHS**

27 354. Plaintiff re-alleges all of the allegations contained
28 in paragraphs 1-353 above and incorporates them by reference as
29 if fully restated herein.

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1 355. Plaintiff is informed, and upon such information
2 believes and alleges that several consumers, including but not
3 limited to LISA MENDEZ, have filed formal complaints with the
4 Arizona Attorney General's office regarding instances where they
5 have been "ripped-off" or taken advantage of by criminals
6 masquerading as locksmiths.

7 356. The Arizona Attorney General's office has done
8 absolutely nothing to protect the consumers of the state of
9 Arizona against the rampant consumer fraud being perpetrated
10 upon them by the ILS DEFENDANTS, with the exception of one
11 recent case where Arizona Attorney General went after defendant
12 DEPENDABLE only after they were raided and the owners arrested
13 by the US Postal Inspectors.

14 357. Despite the **AZ-AG's** office finally going after
15 **DEPENDABLE** they are, at least to the casual interested observer,
16 doing absolutely nothing relative to defendants **ATLAS, MILLER,**
17 **MILLENNIUM, BASAD, GLOBAL, TRUST, AAA, SOS, 24/7** and **COMPLETE,**
18 all of which were relatively easy for plaintiff to identify and
19 compile information on.

20 358. Plaintiff has sent an e-mail to the Attorney General's
21 office in the form of a public records request seeking
22 information on all complaints about locksmiths and locksmith
23 scammers and as plaintiff suspected would occur his request was
24 immediately rejected on the basis of ARS 44-1525.

25 ARS 44-1525. Confidentiality of information or evidence All
26 information or evidence provided to the attorney general shall be
27 confidential and shall not be made public unless in the judgment
28 of the attorney general the ends of justice and the public
29 interest will be served by the publication thereof, provided that
the names of the interested parties shall not be made public.

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1 359. Plaintiff fails to comprehend why the attorney general
2 apparently doesn't believe that sharing information about locksmith
3 scammers with established local locksmiths for informational purposes
4 or to elicit the assistance of local locksmiths would be consistent
5 with "serving the ends of justice and the public interest".

6 360. Plaintiff believes that the legislative intent was to
7 safeguard the identities of people filing complaints as a measure of
8 protection against retaliation by the parties being complained about. A
9 laudable goal indeed. It is well established that crime reports filed
10 with police departments will have certain victim information redacted
11 when such report is requested by a suspect or perpetrator. In this
12 instance, 44-1525 effectively prohibits any member of the public who
13 wishes to do an effective audit of the Attorney General's performance
14 from accomplishing that goal.

15 361. As a resident citizen of the State of Arizona plaintiff
16 believes that he is entitled to ascertain:

- 17 (1) the number of consumer fraud complaints filed by consumers
18 of locksmith services in Arizona over the past many years;
19 (2) The action, if any, taken by the Attorney General on each
20 of the complaints filed;
21 (3) The ultimate disposition of said complaints; and
22 (4) Have a means of initiating contact with the person or
23 company filing the complaint for the purposes of follow-up
24 and ultimately to identify them as potential witnesses
25 against the various **ILS DEFENDANTS** in this matter.

26 362. Plaintiff requires the information described in paragraph
27 363 above in order to ascertain the identities and contact information
28 for what plaintiff believes is a massive number of victims of the **ILS**
29 **DEFENDANTS** over the past several years.

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1 2. The Court, after trial in this matter, issue a PERMANENT
2 INJUNCTION against the ILS DEFENDANTS and each of them
3 prohibiting them from:

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

6 (B) Receiving and/or answering any telephone calls on any
7 telephone number that is associated with any
8 address(es) advertised either in print or internet
9 media in which they cannot demonstrate that they
10 either own, rent, or lease the address in question.;

11 (C) Attempting to utilize "Local Number Portability" to
12 move any telephone numbers from one carrier to
13 another until further order of this Court or the
14 termination of this action.

15 (D) Accessing the any online records of any EXISTING
16 LOCKSMITH on such services as GOOGLE, YAHOO, or any
17 other online service and attempting to modify the
18 name, address, telephone number, website URL or any
19 other information relating to any EXISTING LOCKSMITH.

20 3. The Court issue a PRELIMINARY INJUNCTION against the
21 **TELCO DEFENDANTS** and each of them prohibiting them from:

22 (A) Providing or continuing to provide telephone services
23 to the **ILS DEFENDANTS** and each of them for any
24 telephone number assigned to such **ILS DEFENDANT** that
25 is associated with any address where the **TELCO**
26 **DEFENDANT** has not actually physically installed
27 telephone service or has seen documentary evidence in
28 the form of a title deed or a verifiable rental or
29 lease agreement showing that the **ILS DEFENDANT** in
30 question is legally entitled to possession of the
31 premises address associated with that telephone
32 number.

1 (B) Accepting from any customer any order involving the
2 ability of the end-user customer or their
3 representative or agent to supply business names that
4 are not registered with the State of Arizona or
5 addresses that they do not own, rent, or lease and
6 provide backup documentation demonstrating said
7 ownership or a verifiable rental or lease agreement.

8 (C) Permitting any of the various **ILS DEFENDANTS** to
9 exercise their rights to utilize the "Local Number
10 Portability" mechanism to move any affected telephone
11 number to another carrier until further order of this
12 Court or until this action is terminated or resolved.

13 (D) Accepting and implementing any orders for new
14 service from the **ILS DEFENDANTS** pending the outcome
15 of this action.

16 4. The Court, after trial in this matter, issue a
17 PERMANENT INJUNCTION against the **TELCO DEFENDANTS** and each of
18 them prohibiting them from:

19 (A) Providing or continuing to provide telephone services
20 to the **ILS DEFENDANTS** and each of them for any
21 telephone number assigned to such **ILS DEFENDANT** that
22 is associated with any address where the **TELCO**
23 **DEFENDANT** has not actually physically installed
24 telephone service or has seen documentary evidence in
25 the form of a title deed or rental or lease agreement
26 showing that the **ILS DEFENDANT** in question is legally
27 entitled to possession of the premises address
28 associated with that telephone number.

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1 (B) Accepting from any customer any order involving the
2 ability of the end-user customer or their
3 representative or agent to supply business names that
4 are not registered with the State of Arizona or
5 addresses that they do not own, rent, or lease and
6 provide backup documentation demonstrating said
7 ownership or rental or lease agreement.

8 5. The court issue a PRELIMINARY INJUNCTION prohibiting
9 defendant GOOGLE from permitting anyone to access GOOGLE's
10 computers in any manner that would enable them to edit a listing
11 for a business that they are unrelated to.

12 6. That after trial the court issue a PERMANENT INJUNCTION
13 requiring GOOGLE to install safeguards sufficient to ensure that
14 unrelated third parties will never again be able to edit,
15 modify, or otherwise tamper with listings for businesses that
16 they are unrelated to.

17 7. The court issue a PRELIMINARY INJUNCTION requiring **OWNER**
18 **OF 866-992-4545** to cease and desist with all computer tampering
19 activities and all activities consistent with attempting to
20 divert business away from legitimate businesses by fraud,
21 deceit, scheme, artifice or device.

22 8. The court issue the following judicial declarations:

23 A. Defendants RON, BURSHEIN, and TAMIR did not enjoy
24 any corporate shield from personal liability for their
25 actions between 5/16/2008 when Georgia revoked their
26 corporation through 1/14/2010 when their domestic
27 corporation was approved;

28 B. The Authority to Operate within the State of
29 Arizona issued to the foreign ATLAS LOCKSMITH SOLUTIONS,
30 LLC by the AZCC should be declared null and void based on
31 the fact that the underlying Georgia corporation no longer
32 exists;

1 C. **TELCO DEFENDANTS** liability limitations expressed in
2 their respective tariffs are not applicable to this action
3 and the general statutory and case law for the State of
4 Arizona shall apply;

5 D. Defendant **PEER** is not entitled to the protection of
6 any corporate veil as he has not maintained his corporation
7 filings for defendant **DEPENDABLE** in the State of Arizona in
8 good standing;

9 E. QWEST's policy and procedure of associating the
10 physical address of a QWEST central office switch with the
11 company name and telephone number and subsequently causing
12 that combined "company name, Qwest switch address, and
13 telephone number" data set to be populated to the DIRECTORY
14 DATABASE and ultimately to directory publishing companies
15 and directory assistance providers would by definition
16 mislead the general public as to the location of the
17 "company" in question and since that would be a violation
18 of ARS 44-1221 for the company itself to do, Qwest is not
19 entitled to do it either;

20
21 9. The court issue an ALTERNATIVE WRIT OF MANDAMUS
22 directing Arizona Attorney General Terry Goddard to take over
23 the civil and criminal prosecution of the defendants in this
24 action for their unfair business practices and criminal
25 activities and to take over the consumer fraud aspect of this
26 case including but not limited to appointing one or more
27 receivers to take over the assets and operations of the ILS
28 DEFENDANTS or alternatively show good cause to this court why he
29 should not do so;

30 10. That plaintiff recover money damages in an equitable
31 amounts from the various defendants;
32

1 11. That plaintiff recover punitive and exemplary damages
2 from the various defendants;

3 13. Attorney's Fees;

4 14. Costs of suit and expenses incurred herein;

5 15. Such other and further relief as the court may deem
6 just and proper.

7 Dated this the 20th day of September, 2010

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9 Charles Eastwood, CRL
10 Member of Associated Locksmiths of America
11 Plaintiff in Pro. Per.
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2 VERIFICATION

3 I am the plaintiff in the above captioned matter.

4 I have read the foregoing complaint and I know the contents
5 thereof; and the matters set forth in this complaint are true
6 and correct of my own knowledge, except as to matters stated to
7 be on information and belief, and as to those matters I believe
8 them to be true and correct.

9 I declare under penalty of perjury that the foregoing is true
10 and correct and that this declaration is executed on this the
11 20th day of September, 2010 at Phoenix, Arizona.

12 _____
13 Charles Eastwood, CRL
14 Member of Associated Locksmiths of America
15 Plaintiff in Pro. Per.

16 **Footnotes:**

17 1. Plaintiff's research has determined that the defendants are
18 apparently very fond of contriving their phony addresses by very
19 frequently using the addresses of SUBWAY sandwich shops, UPS
20 stores, apartment buildings, and chain hotels among other types
21 of businesses.
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1 **TABLE OF “DOE” Defendants**

2 ILS DOES 1-20 = **GLOBAL LLC** owners, managers, employees, and independent contractors.

3 ILS DOE 1 – individual filing **GLOBAL LLC** documents – incorporator

4 ILS DOE 21 - “Shinnon Himeovich” of 2510 N. 85th Pl, Scottsdale, AZ

5 **MILLENNIUM** member / associate

6 ILS DOES 22-40 = **SOS** aka **AAA** owners, managers, employees, and independent contractors.

7 ILS DOES 41-60 = **24/7** owners, managers, employees, and independent contractors

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10 **TABLE OF EXHIBITS:**

11	EXHIBIT 001 - Atlas-Georgia.pdf	(3 pages)
12	EXHIBIT 002 - Atlas-Georgia-Dissolution.pdf	(1 page)
13	EXHIBIT 003 - Atlas-Arizona-Foreign.pdf	(3 pages)
14	EXHIBIT 004 - Atlas-Arizona-Domestic.pdf	(3 pages)
15	EXHIBIT 005 - ATLAS.DOC.pdf	(32 pages)
16	EXHIBIT 006 - AtlasPhone#s.xls.pdf	(18 pages)
17	EXHIBIT 007 - MillerLockLLC.pdf	(5 pages)
18	EXHIBIT 008 - MILLER-DOC.pdf	(17 pages)
19	EXHIBIT 009 - MILLER-XLS.pdf	(5 pages)
20	EXHIBIT 010 - MILLENNIUM-LLC-FILINGS.pdf	(20 pages)
21	EXHIBIT 011 - Millennium.doc.pdf	(76 pages)
22	EXHIBIT 012 - MillenniumPhone#s.xls.pdf	(19 pages)
23	EXHIBIT 013 - AAA_LOCKSMITH_24_7-corp.pdf	(3 pages)
24	EXHIBIT 014 - BASAD_CORP.pdf	(13 pages)
25	EXHIBIT 015 - BASAD_DOC.pdf	(8 pages)
26	EXHIBIT 016 - BASAD_XLS.pdf	(5 pages)
27	EXHIBIT 017 - BASAD_TRADE NAMES.pdf	(4 pages)
28	EXHIBIT 018 - DEPENDABLE CORP.pdf	(6 pages)
29	EXHIBIT 019 - DEPENDABLE_DOC.pdf	(3 pages)
30	EXHIBIT 020 - DEPENDABLE_XLS.pdf	(5 pages)
31	EXHIBIT 021 - GLOBAL_DOC.pdf	(41 pages)
32	EXHIBIT 022 - GLOBAL_XLS.pdf	(4 pages)

1 EXHIBIT 023 - TRUST_DOC.pdf (15 pages)
2 EXHIBIT 024 - TRUST_XLS.pdf (5 pages)
3 EXHIBIT 025 - 247_DOC.pdf (25 pages)
4 EXHIBIT 026 - 247_XLS.pdf (5 pages)
5 EXHIBIT 027 - SOS_DOC.pdf (19 pages)
6 EXHIBIT 028 - SOS_XLS.pdf (3 pages)
7 EXHIBIT 029 - COMPLETE_DOC.pdf (8 pages)
8 EXHIBIT 030 - COMPLETE_XLS.pdf (4 pages)
9 EXHIBIT 031 - Locksmith Depot Whois.pdf (1 page)
10 EXHIBIT 032 - ANTHONY REVIEWS AND EDIT.pdf (6 pages)
11 EXHIBIT 033 - GOOGLE TAMPERED LISTINGS.pdf (4 pages)
12 EXHIBIT 034 - GOOGLE LETTER-2008-12-08.pdf (12 pages)
13 EXHIBIT 035 - GOOGLE - Robert Edits-Hotels.pdf (16 pages)
14 EXHIBIT 036 - AZ-AG-DEPENDABLE.pdf (30 pages)
15 EXHIBIT 037 - POSTAL INSPECTOR.pdf (10 pages)
16 EXHIBIT 038 - GOOGLE-Gypsies_Tramps_Thieves.pdf (5 pages)
17 EXHIBIT 039 - NORTH CAROLINA AG ACTION.pdf (2 pages)
18 EXHIBIT 040 - WISCONSON-DANE COUNTY.pdf (46 pages)
19 EXHIBIT 041 - QWEST-MARKET EXPANSION-ORDER TRANSCRIPT.pdf (4 pgs)
20 EXHIBIT 042 - MARKET EXPANSION-BLACKCANYON CITY.pdf (2 pages)
21 EXHIBIT 043 - TELCODATA-BLACKCANYON CITY.pdf (1 page)
22 EXHIBIT 044 - REVIEW SCAM-Google-Yahoo.pdf (80 pages)
23 EXHIBIT 045 - AllPages locksmith listings.pdf (24 pages)
24 EXHIBIT 046 - ELECTRIC LIGHTWAVE-INTEGRA TARIFFS.pdf (159 pages)

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