

1 Susan D. Fahringer, Bar No. 21567
SFahringer@perkinscoie.com
2 PERKINS COIE LLP
1201 Third Avenue, Suite 4900
3 Seattle, WA 98101-3099
Telephone: 206.359.8000
4 Facsimile: 206.359.9000

5 Gabriella Gallego, Bar No. 324226
GGallego@perkinscoie.com
6 PERKINS COIE LLP
3150 Porter Drive
7 Palo Alto, CA 94304-1212
Telephone: 650.838.4300
8 Facsimile: 650.838.4350

9 Attorneys for Defendant
10 Thomson Reuters Corporation

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF ALAMEDA**

14 CAT BROOKS and RASHEED
15 SHABAZZ, individually and on behalf of
all others similarly situated,

16 Plaintiffs,

17 v.

18 THOMSON REUTERS CORPORATION,

19 Defendant.
20

Case No. RG20082878

**DEFENDANT THOMSON REUTERS
CORPORATIONS' NOTICE OF FILING
OF NOTICE OF REMOVAL**

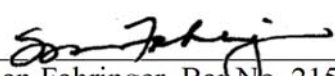
Complaint Filed: December 3, 2020

21 **PLEASE TAKE NOTICE THAT** on February 26, 2021, Defendant in the above-
22 captioned action removed this action to the United States District Court for the Northern District
23 of California, by filing a Notice of Removal in that Court. A copy of the Notice of Removal is
24 annexed hereto as Exhibit A. Accordingly, and pursuant to 28 U.S.C. § 1446(d), this Court may
25 proceed no further unless and until the case is remanded.
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DATED: February 26, 2021

PERKINS COIE LLP

By: 
Susan Fahringer, Bar No. 21567
SFahringer@perkinscoie.com

Attorneys for Defendant
Thomson Reuters Corporation

EXHIBIT A

1 Susan D. Fahringer, Bar No. 21567
SFahringer@perkinscoie.com
2 Nicola C. Menaldo, WA Bar No. 44459
(*pro hac vice* application forthcoming)
3 NMenaldo@perkinscoie.com
PERKINS COIE LLP
4 1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
5 Telephone: 206.359.8000
Facsimile: 206.359.9000

6 Gabriella Gallego, Bar No. 324226
7 GGallego@perkinscoie.com
PERKINS COIE LLP
8 3150 Porter Drive
Palo Alto, CA 94304-1212
9 Telephone: 650.838.4300
Facsimile: 650.838.4350

10
11 Attorneys for Defendant
Thomson Reuters Corporation

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **OAKLAND DIVISION**

16
17 CAT BROOKS and RASHEED
18 SHABAZZ, individually and on behalf of
all others similarly situated,

19 Plaintiffs,

20 v.

21 THOMSON REUTERS CORPORATION,

22 Defendant.

Case No. 4:21-cv-1418

**DEFENDANT THOMSON REUTERS
CORPORATION'S NOTICE OF FILING
OF REMOVAL AND REMOVAL TO
FEDERAL COURT**

[Removed from the Superior Court of the State
of California for the County of Alameda, Case
No. RG20082878]

Complaint Filed: December 3, 2020

1 **TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

2 **PLEASE TAKE NOTICE** that defendant Thomson Reuters Corporation (“Thomson
3 Reuters”) hereby removes this civil action from the Superior Court of the State of California,
4 County of Alameda, to the United States District Court for the Northern District of California
5 under 28 U.S.C. §§ 1332(d) and 1453. Thomson Reuters hereby provides a “short and plain
6 statement of the grounds for removal” pursuant to 28 U.S.C. §1446(a).
7

8 **BACKGROUND**

9 1. On December 3, 2020, plaintiffs Cat Brooks and Rasheed Shabazz (“Plaintiffs”)
10 commenced a civil action entitled *Cat Brooks and Rasheed Shabazz, individually and on behalf*
11 *of all others similarly situated v. Thomson Reuters Corporation* in the Superior Court of the
12 State of California, County of Alameda, Case No. RG20082878. A true and correct copy of the
13 complaint (“Complaint”) is attached hereto as Exhibit A.
14

15 2. The Complaint alleges that Thomson Reuters engages in the unlawful collection
16 and sale of Californians’ personal information through its online investigation software tool,
17 CLEAR, which provides access to “both public and non-public information” about individuals
18 in its internal database. Compl. ¶¶ 1-2.

19 3. The Complaint asserts claims for (1) violations of the common law “right to
20 publicity/misappropriation of likeness,” *Id.* ¶¶ 81-89; (2) monetary relief based on violations of
21 California’s Unfair Competition Law (“UCL”), Cal. Bus. & Prof. Code §§ 17200 *et. seq.*, *id.*
22 ¶¶ 90-104; (3) unjust enrichment, *id.* ¶¶ 105-110; and (4) injunctive relief based on violations of
23 California’s UCL, Cal. Bus. & Prof. Code §§ 17200 *et. seq.*, *id.* ¶¶ 111-118.
24

25 4. Plaintiffs purport to bring claims 1-3 on behalf of themselves and a proposed
26 class, defined as “[a]ll persons residing in the state of California whose name, photographs,
27 personal identifying information, or other personal data is or was included in the CLEAR
28

1 database during the limitation period.” Compl. ¶ 70. Plaintiffs seek compensatory damages,
2 declaratory relief, injunctive relief, restitution and disgorgement, public injunctive relief, costs,
3 and reasonable attorneys’ fees. *Id. Prayer for Relief* at p. 21.

4 5. On January 29, 2021, Plaintiffs effected service of process of the summons and
5 Complaint on Thomson Reuters America Corporation as the “general manager in this state” for
6 Thomson Reuters Corporation. *See Exhibit B*. On Feb. 12, 2021, Plaintiffs effected service of
7 process on Thomson Reuters America Corporation, again as the “general manager in this state”
8 for Thomson Reuters Corporation, of the Minutes and Order regarding a “complex
9 determination” for the action in California Superior Court. *See id.* No other “process,
10 pleadings, [or] orders” have been served upon Thomson Reuters in the Superior Court of
11 California. 28 U.S.C. § 1446(a).

12
13
14 **REMOVAL IS PROPER UNDER THE CLASS ACTION FAIRNESS ACT**

15 6. This action is removable under 28 U.S.C. § 1441(a) because this Court would
16 have had original jurisdiction under the Class Action Fairness Act of 2005 (“CAFA”) had
17 Plaintiffs initially filed this action in federal court. *See* 28 U.S.C. § 1332(d); *see also* 28 U.S.C.
18 § 1453(b) (setting procedure for removing class actions). CAFA gives federal courts original
19 jurisdiction over putative class actions in which: (1) the aggregate number of members in the
20 proposed class consists of at least 100 members; (2) the parties are minimally diverse, meaning
21 “any member of a class of plaintiffs is a citizen of a State different from any defendant”; and (3)
22 the aggregated amount in controversy “exceeds the sum or value of \$5,000,000, exclusive of
23 interests and costs.” 28 U.S.C. § 1332(d)(2), (d)(5)(B).

24
25 7. Based on the allegations as pled in the Complaint, which must be taken as true
26 for purposes of removal, and for the reasons set forth below, all requirements of CAFA are
27 satisfied.
28

The Proposed Class Consists Of At Least 100 Members

1
2 8. CAFA defines “class action” as “any civil action filed under rule 23 of the Federal
3 Rules of Civil Procedure or similar State statute or rule of judicial procedure authorizing an action
4 to be brought by 1 or more representative persons as a class action.” 28 U.S.C. § 1332(d)(1)(B).

5
6 9. Plaintiffs’ Complaint seeks to certify a class of “[a]ll persons residing in the state
7 of California whose name, photographs, personal identifying information, or other personal data
8 is or was included in the CLEAR database during the limitations period.” Compl. ¶ 70.

9
10 10. Additionally, Plaintiffs allege that the aggregate number of members in the
11 proposed class “includes nearly all Californians.” *Id.* ¶ 72.

12 11. Accordingly, this is a putative class action in which the aggregate number of
13 proposed class members is 100 or more for purposes of 28 U.S.C. § 1332(d)(5)(B).

Minimal Diversity Exists

14
15 12. Diversity under CAFA exists if “any member of a class of plaintiffs is a citizen
16 of a State and any defendant is a foreign state or a citizen or subject of a foreign state.”
17 28 U.S.C. § 1332(d)(2)(C). A corporation is deemed to be a citizen of every foreign state “by
18 which it has been incorporated and . . . where it has its principal place of business.” 28 U.S.C.
19 § 1332(c)(1).

20
21 13. Plaintiffs allege that they are citizens of California. Compl. ¶ 6-7. In addition,
22 the putative class in this case is limited to individuals who are California residents. *Id.* ¶ 70.

23 14. Thomson Reuters is the sole defendant. Thomson Reuters is a multinational
24 corporation incorporated in Ontario, Canada with its principal place of business in Toronto,
25 Canada. *Id.* ¶ 8. Thomson Reuters is therefore a citizen of Ontario, Canada, and Toronto,
26 Canada, for purposes of determining diversity jurisdiction. *See* 28 U.S.C. § 1332(c)(1); *See*
27 *Nike, Inc. v. Comercial Iberica De Exclusivas Deportivas, S.A.*, 20 F.3d 987, 990 (9th Cir.
28

1 1994) (“We draw no distinction between corporations incorporated in a state of the United
2 States and those incorporated in a foreign country when determining the corporation's
3 citizenship for purposes of diversity jurisdiction. In each instance, the corporation is deemed a
4 citizen of its place of incorporation and the location of its principal place of business.” (citation
5 omitted)); *Bailey v. Grand Trunk Lines New England*, 805 F.2d 1097, 1101 (2d Cir. 1986) (“An
6 alien corporation's *worldwide* principal place of business, and not its principal place of business
7 in the United States, is controlling.”).

9 15. Accordingly, because all proposed class members are citizens of California, and
10 Thomson Reuters, which is the only named defendant, is a citizen of Ontario, Canada, and
11 Toronto, Canada, CAFA’s minimal diversity requirement is satisfied.

12 ***The Amount in Controversy Exceeds \$5,000,000***

13
14 16. To remove a case from state court, the defendant must plead only “a short and
15 plain statement of the grounds for removal” setting forth “a plausible allegation that the amount
16 in controversy exceeds the jurisdictional threshold.” *Dart Cherokee Basin Operating Co., LLC*
17 *v. Owens*, 574 U.S. 81, 89 (2014); *Fritsch v. Swift Transportation Co. of Arizona, LLC*, 899
18 F.3d 785, 788 (9th Cir. 2018). This standard is satisfied when it is “facially apparent” from the
19 complaint that the claims likely exceed \$5,000,000. *Dart Cherokee Basin Operating Co., LLC*,
20 574 U.S. at 89. Moreover, “[t]he amount in controversy is simply an estimate of the total
21 amount in dispute, not a prospective assessment of defendant’s liability.” *Lewis v. Verizon*
22 *Comm’ns, Inc.*, 627 F.3d 395, 400 (9th Cir. 2010). It includes claims for monetary damages,
23 restitution, penalties, attorneys’ fees if recoverable by statute or contract, and punitive damages.
24 *Guglielmino v. McKee Foods Corp.*, 506 F.3d 696, 700 (9th Cir. 2007).

25
26 17. Here, Plaintiff’s Complaint plausibly alleges an amount in controversy in excess
27 of \$5,000,000, exclusive of interest and costs.
28

1 18. In addition to claiming actual and statutory damages, compensatory damages,
2 declaratory relief, restitution, attorneys’ fees and injunctive relief, Compl., *Prayer for Relief* at
3 p. 21, Plaintiffs seek “disgorgement of all revenues, earnings, and profits that Thomson Reuters
4 obtained as a result of its unlawful and wrongful conduct.” *Id.* ¶ 110.

5 19. Plaintiffs contend that “collecting, aggregating, and selling” putative class
6 members’ “names, images, likenesses, and other personal identifying information through
7 products linked to its CLEAR database” constitutes unlawful and wrongful conduct. *Id.* ¶¶ 83,
8 93-94, 102, 114-115. Therefore, Plaintiffs have alleged that *all* of Thomson Reuters’ revenues,
9 earnings, and profits obtained as a result of collecting, aggregating, and selling putative class
10 members’ personal information in connection with its CLEAR database are at issue in this
11 action.

12 20. As explained above, Plaintiffs allege that the putative class consists of “nearly all
13 Californians.” Compl. ¶ 72. California’s population is approximately 39.5 million people,
14 which is approximately 12% of the country’s total population (330.1 million people). *See* U.S.
15 Census Bureau, California Quick Facts (July 1, 2019),
16 <https://www.census.gov/quickfacts/fact/table/CA/AFN120212>; U.S. Census Bureau, U.S. and
17 [World Population Clock \(Feb. 26, 2021\), https://www.census.gov/popclock/](https://www.census.gov/popclock/).

18 21. Plaintiffs allege that Thomson Reuters has signed \$54 million in contracts with
19 the U.S. Immigration and Customs Enforcement (“ICE”). *Id.* ¶ 63. Plaintiffs seek
20 disgorgement of this revenue. *Id.* ¶ 110. Approximately 12% of \$54 million—representing the
21 rough proportion of that contract attributable to Californians’ personal information, according
22 to the contract, is attributable to Californians’ personal information, according
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1 to Plaintiffs—is \$6.48 million, which satisfies the minimum amount in controversy for purposes
2 of CAFA jurisdiction.¹

3 22. The Complaint also alleges that Thomson Reuters offers both flat rate and “pay-
4 as-you-go” pricing models for access to information made available in CLEAR. Compl. ¶ 59.
5 In the “pay-as-you-go” model, person searches cost at least \$5.00 per report. *Id.* ¶ 60.
6 Plaintiffs allege that Thomson Reuters would have paid Plaintiffs for their consent to sell their
7 information but for its alleged violations. *Id.* ¶ 117. As such, if Thomson Reuters had paid
8 every putative class member \$5 for their personal information, or even a fraction of that
9 amount, the amount in controversy would well exceed \$5,000,000 for “nearly all” 39.5 million
10 Californians. *Id.* ¶ 72.

11 23. Given the number of liability theories pursued and the nature and extent of the
12 damages requested, it is facially apparent that the amount in controversy exceeds \$5,000,000
13 and therefore meets the amount in controversy requirement. Adding attorneys’ fees and valuing
14 the injunctive relief sought by Plaintiffs would only serve to increase the amount in controversy
15 further above the \$5 million threshold. *See Guglielmino*, 506 F.3d at 700 (attorneys’ fees
16 included in determining amount in controversy); *Hunt v. Washington State Apple Advert.*
17 *Comm’n*, 432 U.S. 333, 347 (1977) (declaratory or injunctive relief relevant in determining
18 amount in controversy). Thus, Thomson Reuters has satisfied its burden to establish that the
19 amount in controversy exceeds \$5,000,000.
20
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25 ¹ The total contracts alleged in the complaint exceed \$54 million because the Complaint alleges
26 that Thomson Reuters sells access to CLEAR to many entities, beyond the U.S. Immigration and
27 Customs Enforcement. *See* Compl. ¶ 11 n.2 (incorporating a website by reference that describes
28 use cases for the CLEAR product, including anti-money laundering, child and family services,
healthcare fraud, insurance fraud, tax fraud prevention, and others). Accordingly, the amount in
controversy that Plaintiffs contend is attributable to the collection, aggregation, and sale of
putative class members’ information likewise exceeds the amount attributable to the ICE
contracts.

1 **PROCEDURAL STATEMENT**

2 ***All Defendants Consent to Removal***

3 28. Only Thomson Reuters has been served as of the filing of this Notice of
4 Removal.

5 ***This Filing is Timely***

6
7 29. Plaintiffs purport to have served Thomson Reuters on January 29, 2021, by
8 personally serving Thomson Reuters America Corporation, as the “general manager in this
9 state” for Thomson Reuters Corporation. This Notice of Removal is therefore timely under 28
10 U.S.C. § 1446(b) because Thomson Reuters filed this Notice of Removal within 30 days after it
11 was purportedly served. *See Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344,
12 47-48 (1999) (30-day removal period is not triggered until formal service); *Destfino v. Reiswig*,
13 630 F.3d 952, 956 (9th Cir. 2011).

14 ***Venue of Removed Action***

15
16 30. Venue properly lies in the United States District Court for the Northern District of California,
17 pursuant to 28 U.S.C. §§ 84(a) and 1441(a), because this “district and division embrac[e]”
18 Alameda County, where the Complaint was initially filed.

19 ***Notice to The State Court and Plaintiffs***

20
21 31. Pursuant to 28 U.S.C. § 1446(d), Thomson Reuters is filing a copy of this Notice
22 of Removal with the Superior Court of the State of California, County of Alameda, where this
23 case was originally filed, and providing written notice of this removal to Plaintiffs by serving
24 Plaintiffs’ counsel with a Notice of Removal.

25 ***Pleadings in The State Court***

26
27 32. In accordance with 28 U.S.C. § 1446(a), copies of all processes, pleadings,
28 minutes, and orders served upon Thomson Reuters in this action are attached as Exhibit B. A

1 true and correct copy of the Alameda Superior Court docket for this action is attached as
2 Exhibit C.

3 **NON-WAIVER OF DEFENSES**

4 33. Thomson Reuters expressly reserves all its defenses. By removing the action to
5 this Court, Thomson Reuters does not waive any rights or defenses available under federal or
6 state law. *See, e.g., Maplebrook Townhomes LLC v. Greenbank*, No. 10–CV–03688–LHK,
7 2010 WL 4704472, at *4 (N.D. Cal. Nov. 12, 2010) (“[R]emoval to federal court counts as a
8 special appearance and does not waive the right to object to personal jurisdiction.” (citing
9 *Wabash W. Ry. v. Brow*, 164 U.S. 271, 278–79 (1896))). Nothing in this Notice of Removal
10 should be taken as an admission that Plaintiffs’ allegations are sufficient to state a claim or have
11 any substantive merit. In addition, Thomson Reuters does not concede that Plaintiffs state any
12 claim upon which relief can be granted, or that Plaintiffs or the putative class are entitled to any
13 relief of any kind or nature. *See Lewis*, 627 F.3d at 400 (“The amount in controversy is simply
14 an estimate of the total amount in dispute, not a prospective assessment of defendant's
15 liability.”); *LaCross v. Knight Transp. Inc.*, 775 F.3d 1200, 1203 (9th Cir. 2015) (plaintiffs
16 should not “conflat[e] the amount in controversy with the amount of damages actually
17 recoverable.”). If any questions arise as to the propriety of the removal of this action, Thomson
18 Reuters respectfully requests the opportunity to submit additional papers and to present oral
19 argument.
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23 WHEREFORE, Thomson Reuters hereby removes the above-entitled case to this Court.
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DATED: February 26, 2021

PERKINS COIE LLP

By :/s/Susan D. Faringher

Susan D. Faringher, Bar No. 21567
SFaringher@perkinscoie.com

Attorneys for Defendant
Thomson Reuters Corporation

EXHIBIT A

GIBBS LAW GROUP
L L P

January 29, 2021

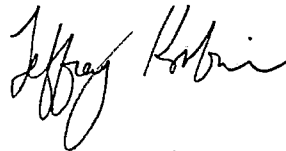
Thomson Reuters America Corporation
c/o Corporation Service Company
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

Re: Thomson Reuters Litigation

To the attention of Thomson Reuters America Corporation:

Please find enclosed the complaint and associated documents in *Brooks v. Thomson Reuters Corporation*. We are serving the complaint on Thomson Reuters America Corporation as the “general manager in this state” for Thomson Reuters Corporation. See Cal. Corp. Code § 2110; *Yamaha Motor Co. Ltd. v. Super. Ct.*, 174 Cal. App. 4th 264, 274-75 (2009).

Yours truly,



Jeff Kosbie

COPY

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO): THOMSON REUTERS CORPORATION

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE): CAT BROOKS and RASHEED SHABAZZ individually and on behalf of all others similarly situated

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE) ENDORSED FILED ALAMEDA COUNTY DEC 03 2020 CLERK OF THE SUPERIOR COURT

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro.

The name and address of the court is: (El nombre y dirección de la corte es): Alameda County Superior Court 1225 Fallon Street Oakland, California 94612

CASE NUMBER: (Número del Caso): Rg20082848

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Andre M. Mura, GIBBS LAW GROUP LLP, 505 14th St., Ste 1110, Oakland, CA 94612, (510) 350-9700

DATE: (Fecha) DEC 03 2020 Chad Finke Clerk, by (Secretario) TARA PILRCE, Deputy (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).) (Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

(SEAL)

NOTICE TO THE PERSON SERVED: You are served

- 1. as an individual defendant.
2. as the person sued under the fictitious name of (specify): Thomson Reuters America Corporation on
3. [XX] on behalf of (specify): behalf of the Thomson Reuters Corporation
under: [XX] CCP 416.10 (corporation) CCP 416.80 (minor)
CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
other (specify):
4. by personal delivery on (date)

DEC 4 REC'D

COPY

CM-010

FILE BY FAX

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Andre M. Mura (SBN 298541)
Gibbs Law Group LLP
 505 14th Street, Suite 1110, Oakland, California 94612

TELEPHONE NO.: (510) 350-9700 FAX NO.: (510) 350-9701
 ATTORNEY FOR (Name): **Plaintiffs Cat Brooks and Rasheed Shabazz**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **Alameda**
 STREET ADDRESS: **1225 Fallon Street**
 MAILING ADDRESS:
 CITY AND ZIP CODE: **Oakland, California 94612**
 BRANCH NAME: **René C. Davidson Courthouse**

CASE NAME:
Cat Brooks and Rasheed Shabazz v. Thomson Reuters Corporation

CIVIL CASE COVER SHEET

Unlimited (Amount demanded exceeds \$25,000) **Limited** (Amount demanded is \$25,000 or less)

Counter **Joinder**

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

FOR COURT USE ONLY

ENDORSED
 FILED
 ALAMEDA COUNTY
 DEC 03 2020
 CLERK OF THE SUPERIOR COURT
 TAMIA JEFFERSON
 By **BANIA PILLAY**

CASE NUMBER: **Rg2082848** Deputy:
 JUDGE:
 DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<p>Auto Tort</p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <p>Non-PI/PD/WD (Other) Tort</p> <input checked="" type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <p>Employment</p> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <p>Real Property</p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20) <p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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DEC 4 2020

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. Large number of separately represented parties d. Large number of witnesses
 b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. Substantial amount of documentary evidence f. Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify):

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: December 3, 2020
 Andre M. Mura

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES**Auto Tort**

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

F. ADDENDUM TO CIVIL CASE COVER SHEET

Short Title: Brooks v. Thompson Reuters Corporation	Case Number:
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CIVIL CASE COVER SHEET ADDENDUM

THIS FORM IS REQUIRED IN ALL NEW UNLIMITED CIVIL CASE FILINGS IN THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA			
		<input type="checkbox"/> Hayward Hall of Justice (447)	
<input checked="" type="checkbox"/> Oakland, Rene C. Davidson Alameda County Courthouse (446)		<input type="checkbox"/> Pleasanton, Gale-Schenone Hall of Justice (448)	
Civil Case Cover Sheet Category	Civil Case Cover Sheet Case Type	Alameda County Case Type (check only one)	
Auto Tort	Auto tort (22)	<input type="checkbox"/> 34 Auto tort (G) Is this an uninsured motorist case? <input type="checkbox"/> yes <input type="checkbox"/> no	
Other PI /PD / WD Tort	Asbestos (04) Product liability (24) Medical malpractice (45) Other PI/PD/WD tort (23)	<input type="checkbox"/> 75 Asbestos (D) <input type="checkbox"/> 89 Product liability (not asbestos or toxic tort/environmental) (G) <input type="checkbox"/> 97 Medical malpractice (G) <input type="checkbox"/> 33 Other PI/PD/WD tort (G)	
Non - PI /PD / WD Tort	Bus tort / unfair bus. practice (07) Civil rights (08) Defamation (13) Fraud (16) Intellectual property (19) Professional negligence (25) Other non-PI/PD/WD tort (35)	<input checked="" type="checkbox"/> 79 Bus tort / unfair bus. practice (G) <input type="checkbox"/> 80 Civil rights (G) <input type="checkbox"/> 84 Defamation (G) <input type="checkbox"/> 24 Fraud (G) <input type="checkbox"/> 87 Intellectual property (G) <input type="checkbox"/> 59 Professional negligence - non-medical (G) <input type="checkbox"/> 03 Other non-PI/PD/WD tort (G)	
Employment	Wrongful termination (36) Other employment (15)	<input type="checkbox"/> 38 Wrongful termination (G) <input type="checkbox"/> 85 Other employment (G) <input type="checkbox"/> 53 Labor comm award confirmation <input type="checkbox"/> 54 Notice of appeal - L.C.A.	
Contract	Breach contract / Wmty (06) Collections (09) Insurance coverage (18) Other contract (37)	<input type="checkbox"/> 04 Breach contract / Wmty (G) <input type="checkbox"/> 81 Collections (G) <input type="checkbox"/> 86 Ins. coverage - non-complex (G) <input type="checkbox"/> 98 Other contract (G)	
Real Property	Eminent domain / Inv Cdm (14) Wrongful eviction (33) Other real property (26)	<input type="checkbox"/> 18 Eminent domain / Inv Cdm (G) <input type="checkbox"/> 17 Wrongful eviction (G) <input type="checkbox"/> 36 Other real property (G)	
Unlawful Detainer	Commercial (31) Residential (32) Drugs (38)	<input type="checkbox"/> 94 Unlawful Detainer - commercial <input type="checkbox"/> 47 Unlawful Detainer - residential <input type="checkbox"/> 21 Unlawful detainer - drugs Is the deft. in possession of the property? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Judicial Review	Asset forfeiture (05) Petition re: arbitration award (11) Writ of Mandate (02) Other judicial review (39)	<input type="checkbox"/> 41 Asset forfeiture <input type="checkbox"/> 62 Pet. re: arbitration award <input type="checkbox"/> 49 Writ of mandate Is this a CEQA action (Publ.Res.Code section 21000 et seq) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 64 Other judicial review	
Provisionally Complex	Antitrust / Trade regulation (03) Construction defect (10) Claims involving mass tort (40) Securities litigation (28) Toxic tort / Environmental (30) Ins covrg from cmplx case type (41)	<input type="checkbox"/> 77 Antitrust / Trade regulation <input type="checkbox"/> 82 Construction defect <input type="checkbox"/> 78 Claims involving mass tort <input type="checkbox"/> 91 Securities litigation <input type="checkbox"/> 93 Toxic tort / Environmental <input type="checkbox"/> 95 Ins covrg from complex case type	
Enforcement of Judgment	Enforcement of judgment (20)	<input type="checkbox"/> 19 Enforcement of judgment <input type="checkbox"/> 08 Confession of judgment	
Misc Complaint	RICO (27) Partnership / Corp. governance (21) Other complaint (42)	<input type="checkbox"/> 90 RICO (G) <input type="checkbox"/> 88 Partnership / Corp. governance (G) <input type="checkbox"/> 68 All other complaints (G)	
Misc. Civil Petition	Other petition (43)	<input type="checkbox"/> 06 Change of name <input type="checkbox"/> 69 Other petition	

Gibbs Law Group LLP Attn: Mura, Andre M. 505 14th Street Suite 1110 Oakland, CA 94612	┌	Thomson Reuters Corporation	└
L	└	L	┌

Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse

Brooks <p style="text-align: center;">Plaintiff/Petitioner(s)</p> VS. Thomson Reuters Corporation <p style="text-align: center;">Defendant/Respondent(s) (Abbreviated Title)</p>	No. <u>RG20082878</u> NOTICE OF HEARING
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To each party or to the attorney(s) of record for each party herein:
 Notice is hereby given that the above-entitled action has been set for:
 Complex Determination Hearing
 Case Management Conference

You are hereby notified to appear at the following Court location on the date and time noted below:

Complex Determination Hearing:
 DATE: 02/03/2021 TIME: 09:00 AM DEPARTMENT: 21
 LOCATION: Administration Building, Fourth Floor
 1221 Oak Street, Oakland

Case Management Conference:
 DATE: 03/03/2021 TIME: 09:00 AM DEPARTMENT: 21
 LOCATION: Administration Building, Fourth Floor
 1221 Oak Street, Oakland

Pursuant to California Rules of Court, Rule 3.400 et seq. and Local Rule 3.250 (Unified Rules of the Superior Court, County of Alameda), the above-entitled matter is set for a Complex Litigation Determination Hearing and Initial Complex Case Management Conference.

Department 21 issues tentative rulings on DomainWeb (www.alameda.courts.ca.gov/domainweb). For parties lacking access to DomainWeb, the tentative ruling must be obtained from the clerk at (510) 267-6937. Please consult Rule 3.30(c) of the Unified Rules of the Superior Court, County of Alameda, concerning the tentative ruling procedures for Department 21.

Counsel or party requesting complex litigation designation is ordered to serve a copy of this notice on all parties omitted from this notice or brought into the action after this notice was mailed.

All counsel of record and any unrepresented parties are ordered to attend this Initial Complex Case Management Conference unless otherwise notified by the Court.

Failure to appear, comply with local rules or provide a Case Management Conference statement may result in sanctions. Case Management Statements may be filed by E-Delivery, by submitting directly to the E-Delivery Fax Number (510) 267-5732. No fee is charged for this service. For further information, go to **Direct Calendar Departments** at

<http://apps.alameda.courts.ca.gov/domainweb>.

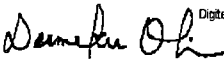
All motions in this matter to be heard prior to Complex Litigation Determination Hearing must be scheduled for hearing in Department 21.

If the information contained in this notice requires change or clarification, please contact the courtroom clerk for Department 21 by e-mail at Dept21@alameda.courts.ca.gov or by phone at (510) 267-6937.

TELEPHONIC COURT APPEARANCES at Case Management Conferences may be available by contacting CourtCall, an independent vendor, at least 3 business days prior to the scheduled conference. Parties can make arrangements by calling (888) 882-6878, or faxing a service request form to (888) 883-2946. This service is subject to charges by the vendor.

Dated: 01/06/2021

Chad Finke Executive Officer / Clerk of the Superior Court

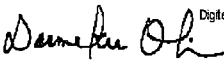
By  ^{Digital}

Deputy Clerk

CLERK'S CERTIFICATE OF MAILING

I certify that the following is true and correct: I am the clerk of the above-named court and not a party to this cause. I served this Notice by placing copies in envelopes addressed as shown hereon and then by sealing and placing them for collection, stamping or metering with prepaid postage, and mailing on the date stated below, in the United States mail at Alameda County, California, following standard court practices.

Executed on 01/07/2021.

By  ^{Digital}

Deputy Clerk

COPY

FILE BY FAX

1 Eric H. Gibbs (State Bar No. 178658)
 2 Andre M. Mura (State Bar No. 298541)
 3 Amanda M. Karl (State Bar No. 301088)
 4 Jeffrey B. Kosbie (State Bar No. 305424)
GIBBS LAW GROUP LLP
 505 14th Street, Suite 1110
 Oakland, California 94612
 Telephone: (510) 350-9700
 Fax: (510) 350-9701
 ehg@classlawgroup.com
 amm@classlawgroup.com
 amk@classlawgroup.com
 jbk@classlawgroup.com

Albert Fox Cahn (pro hac vice forthcoming)
**SURVEILLANCE TECHNOLOGY
 OVERSIGHT PROJECT**
 40 Rector Street, 9th Floor
 New York, NY 10006
 albert@stopspying.org

8 Jennifer D. Bennett (State Bar No. 296726)
 9 Neil K. Sawhney (State Bar No. 300130)
GUPTA WESSLER PLLC
 10 100 Pine Street, Suite 1250
 San Francisco, CA 94111
 11 (415) 573-0336
 jennifer@guptawessler.com
 12 neil@guptawessler.com

13 Benjamin Elga (pro hac vice forthcoming)
 14 Alice Buttrick (pro hac vice forthcoming)
JUSTICE CATALYST LAW INC.
 15 81 Prospect St., 7th Floor
 Brooklyn, NY 11201
 16 (518) 732-6703
 belga@justicecatalyst.org
 17 abuttrick@justicecatalyst.org

18 *Attorneys for Plaintiffs*

19
 20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF ALAMEDA**

21 CAT BROOKS and RASHEED
 22 SHABAZZ, individually and on behalf
 23 of all others similarly situated,

24 Plaintiffs,

25 v.

26 THOMSON REUTERS CORPORATION,
27

28 Defendant.

Case No. Rg20082878

CLASS ACTION COMPLAINT

DEMAND FOR JURY TRIAL

COMPLEX

ENDORSED
 FILED
 ALAMEDA COUNTY
 DEC 03 2020
 CLERK OF THE SUPERIOR COURT
 By TANIA P. [Signature] Deputy
 TANIA P. [Signature]

1 1. Thomson Reuters is best known for its news agency (Reuters) and its online legal-
2 research service (Westlaw). But the company makes money in another, lesser-known way: It
3 collects a vast quantity of photos, identifying information, and personal data from American
4 consumers, including Californians, without their consent and sells that information to
5 corporations, law enforcement, and government agencies. Those whose identities the company
6 sells, however, receive no compensation. Most of them don't even know it is happening.

7 2. Thomson Reuters sells this information through an online platform it calls CLEAR.
8 CLEAR provides access to a database that aggregates both public and non-public information
9 about millions of people and contains detailed cradle-to-grave dossiers on each person,
10 including names, photographs, criminal history, relatives, associates, financial information,
11 and employment information. The company advertises that CLEAR enables its users to access
12 "both surface and deep web data to examine intelligence" about people "not found in public
13 records or traditional search engines." This allows CLEAR users "to uncover" personal "facts
14 hidden online," by scraping "real-time information" about individuals from social networks,
15 blogs, and even chat rooms. The CLEAR database also includes information from third-party
16 data brokers and law enforcement agencies that are not available to the general public,
17 including live cell phone records, location data from billions of license plate detections, real-
18 time booking information from thousands of facilities, and millions of historical arrest records
19 and intake photos. This information is "fused and vetted by algorithm to form" what the *New*
20 *York Times* described as "an ever-evolving, 360-degree view of U.S. residents' lives."¹

21 3. Because of CLEAR, Californians' identities are up for sale without their knowledge,
22 let alone consent. Named plaintiff Cat Brooks, for example, is an activist, who has spent years
23 fighting police violence, particularly in communities of color. Because of her work, Ms. Brooks
24 is targeted by white supremacist groups. Concerned for her safety and that of her family, Ms.
25 Brooks works hard to maintain ownership and control over her personal information. She even
26 subscribes to a service that routinely scrubs her personal information from the internet. Yet,

27 _____
28 ¹ McKenzie Funk, *How ICE Picks Its Targets in the Surveillance Age*, N.Y. Times (Oct. 3, 2019)
<https://www.nytimes.com/2019/10/02/magazine/ice-surveillance-deportation.html>.

1 CLEAR offers a "360-degree view" of her life: Her address, her cell phone number, and
2 information about her relatives, neighbors, and associates, are all for sale without her consent.

3 4. Ms. Brooks is not alone. Thomson Reuters sells detailed dossiers on Californians
4 across the state, people who have no idea their personal information is being appropriated,
5 aggregated, and sold over the internet. California's common law right of publicity has long
6 protected the right of its residents to determine for themselves whether, how, and to what
7 extent their personal information is disseminated. Similarly, California's Unfair Competition
8 Law prohibits corporations from engaging in unlawful and unfair acts, which include
9 appropriating a person's personal information and selling it without their consent. Yet that is
10 precisely what Thomson Reuters is doing with CLEAR, depriving Californians of their
11 autonomy, dignity, and ownership of their own identities in the process.

12 5. This lawsuit seeks to remedy Thomson Reuters' repeated violations of the plaintiffs
13 and class members' publicity rights and to enjoin the company from continuing to profit off
14 their personal information without their consent.

15 **PARTIES**

16 6. Plaintiff Cat Brooks is a resident of Alameda County, California, whose name,
17 photo, likeness, and other personal information Thomson Reuters has appropriated and sold
18 without her consent.

19 7. Plaintiff Rasheed Shabazz is a resident of Alameda County, California, whose name,
20 photo, likeness, and other personal information Thomson Reuters has appropriated and sold
21 without his consent.

22 8. Defendant Thomson Reuters Corporation is a multinational media company
23 headquartered in Toronto, Canada.

24 **JURISDICTION AND VENUE**

25 9. This Court has jurisdiction over this matter because Thomson Reuters is licensed to
26 do business in California, regularly conducts business in California, and purposefully targets
27 California residents for the collection and sale of personal information without consent. The
28

1 company also regularly collects information about California residents from California sources.
2 And it systematically sells CLEAR to California residents.

3 10. Venue is appropriate in this Court under Code of Civil Procedure section 395(b)
4 because Thomson Reuters does not reside in this state and Plaintiffs reside in Alameda County,
5 California.

6 **FACTUAL ALLEGATIONS**

7 **CLEAR aggregates billions of data points about individuals and sells this information**
8 **without obtaining consent or providing compensation.**

9 11. Thomson Reuters collects and aggregates “billions of data points” about
10 individuals—including their photos, names, and personal identifying information—into
11 searchable dossiers about each person and sells these dossiers through its CLEAR platform for
12 substantial profits.²

13 12. At no point during its process of collecting, packaging, and selling individual
14 information does Thomson Reuters ever ask individuals for their consent. In the vast majority
15 of cases, the individuals do not even know that Thomson Reuters has collected their personal
16 information and data—let alone that it is selling this information for profit.

17 13. Thomson Reuters has never offered individuals compensation for the sale of their
18 photos, names, identifying information, or other personal data. And it provides no mechanism
19 by which individuals can seek compensation.

20 14. The information aggregated and stored on the CLEAR database—which the
21 company collects from public records, government sources, internet searches, and third-party
22 data brokers—is highly personal and even confidential. For example, the CLEAR database
23 includes data from government agencies and corporations that is not available to the general
24 public, such as live cell phone records and license plate detections.

25 15. Thomson Reuters also collects data from law enforcement, including real-time
26 booking images and information from local jails and corrections departments. According to its

27 _____
28 ²Thomson Reuters, *Thomson Reuters CLEAR*,
<https://legal.thomsonreuters.com/en/products/clear-investigation-software>.

1 website, Thomson Reuters has acquired 90 million historical arrest records, including intake
2 photos. Taken together, Thomson Reuters estimates that CLEAR houses over 38 million images
3 gathered from over 2,000 agencies in over 40 states.³

4 16. In addition, the company purchases and consolidates information held by third-
5 party data tracking firms, data brokers, and other companies that compile consumer and
6 location data – private firms that the *Wall Street Journal* once dubbed “Big Brother-in-Law.”⁴
7 This information includes data from credit agencies, DMV records, cellphone registries, social-
8 media posts, property records, utility accounts, professional and fishing licenses, internet chat
9 rooms, court records, and bankruptcy filings. All of this information is then “fused and vetted
10 by algorithm to form an ever-evolving, 360-degree view of U.S. residents’ lives.”⁵

11 17. Even with respect to public-record information, CLEAR gives users the ability to
12 search and analyze massive amounts of data that they would not otherwise be able to access
13 on their own – in almost real time. For example, CLEAR has “real-time access to address and
14 name-change data from credit reports and to motor-vehicle registrations from 43 U.S. states
15 plus the District of Columbia and Puerto Rico.” And its “utility records, which come from more
16 than 80 electric, gas, water, telephone, cable and satellite television companies nationwide, are
17 updated daily.” Likewise, “[i]ncarceration and arrest records, often paired with booking photos
18 that allow for facial-recognition-powered virtual lineups, arrive almost immediately from 2,100
19 state and local agencies.”⁶

20 18. On the page of its website describing CLEAR’s corporate pricing plans, Thomson
21 Reuters explains that its “intermediate” and “comprehensive” plans permit users to access
22 “both surface and deep web data,” which includes data that is not ascertainable via public
23 records or traditional search engine queries.⁷ A marketing brochure similarly states that

24 ³Thomson Reuters, *CLEAR Plans and Pricing*,

25 <https://legal.thomsonreuters.com/en/products/clear-investigation-software/plans-pricing>.

26 ⁴ McKenzie Funk, *How ICE Picks Its Targets in the Surveillance Age*, N.Y. Times (Oct. 3, 2019)

27 <https://www.nytimes.com/2019/10/02/magazine/ice-surveillance-deportation.html>.

28 ⁵ *Id.*

⁶ *Id.*

⁷ Thomson Reuters CLEAR Plans and Pricing, <https://legal.thomsonreuters.com/en/products/clear-investigation-software/plans-pricing#corporate>.

1 CLEAR's "Web Analytics" are capable of uncovering "facts hidden online" through its deep
2 web search technology.⁸

3 19. In addition, corporate customers who purchase CLEAR's "comprehensive" plan
4 have access to not only individuals' own personal information, but computer-generated lists of
5 that subject's relatives and associates and their personal information.⁹

6 **CLEAR sells customers the ability to easily and quickly search for a specific individual's**
7 **personal and non-public information**

8 20. Thomson Reuters advertises CLEAR as a "user-friendly platform," which offers
9 customers an "easier . . . search experience that brings together key proprietary and public
10 records into one intuitive, customizable environment." According to the company, CLEAR
11 allows users to "quickly search across thousands of data sets and get accurate results in less
12 time."

13 21. CLEAR's products are widely used. The platform receives approximately 100,000
14 search queries each day.

15 22. Users sign into the CLEAR platform through a portal similar to Thomson Reuters'
16 well-known Westlaw sign-in page.

17 23. CLEAR offers users the ability to conduct numerous types of searches for a targeted
18 individual or entity, including a "person search" and a "risk inform" search.

19 **CLEAR's Person Search:**

20 24. CLEAR prompts users conducting a "person search" to input information such as
21 an individual's name, address, contact information, social security number, date of birth, age
22 range, or driver's license number in order to locate a targeted individual.

23 25. The directions for filling out the "age range" field direct the user to enter "1 to 3
24 digits," indicating that CLEAR permits searches for minors as well as adults.

25 _____
26 ⁸ Thomson Reuters CLEAR Brochure, *available at:*
27 <https://www.thomsonreuters.com/content/dam/openweb/documents/pdf/legal/fact-sheet/clear-brochure.pdf>.

28 ⁹ Thomson Reuters, *CLEAR Plans and Pricing*, <https://legal.thomsonreuters.com/en/products/clear-investigation-software/plans-pricing#corporate>.

1 26. The “person search” results bring the user to a landing page with personal
2 identifying information. A column on the side of the screen includes the target individual’s full
3 name, age, current address, and partial social security numbers; “vital statistics,” such as date
4 of birth, gender, and former names; and former addresses and phone numbers.

5 27. The “person search” results page also features a dashboard of additional tools
6 allowing a user to dive deeper into the targeted individual’s profile. The front page of the
7 dashboard displays “possible quick analysis flags,” which indicate whether, according to
8 CLEAR’s database, the individual’s profile includes various putative risk factors, such as
9 bankruptcies, arrests, a criminal record, or “associate[s] or relative[s]” with arrests or criminal
10 records.

11 28. CLEAR’s “web analytics” tool, available via the dashboard, permits the user to
12 browse through images and profiles of the targeted person, as well as individuals with similar
13 names. It also provides search hits for the targeted individual from websites. These results can
14 be filtered by various metrics, including city, country, “FamilyRelation,” “PersonAttributes,”
15 and “PersonRelationship.”

16 29. The “person search” dashboard also offers a number of other tools, such as a
17 “graphical display” tool that provides visual depictions of the targeted individual’s legal
18 history, as well as the individual’s relationship to registered agents, relatives, and other people
19 with whom the individual shares phone numbers; an “associate analytics” tool exploring the
20 personal information of a targeted individual’s purported family members and other
21 “associates”; and a “map analytics” tool allowing a user to view all of the addresses associated
22 with the targeted individual on a detailed map, which includes satellite imagery.

23 30. Users may also create a report from the results of the “person search,” including
24 detailed information not only about the targeted individual, but also that person’s relatives,
25 “associates,” neighbors, addresses, properties, vehicles, and businesses in the report.

26 **CLEAR’s Risk Inform Search:**

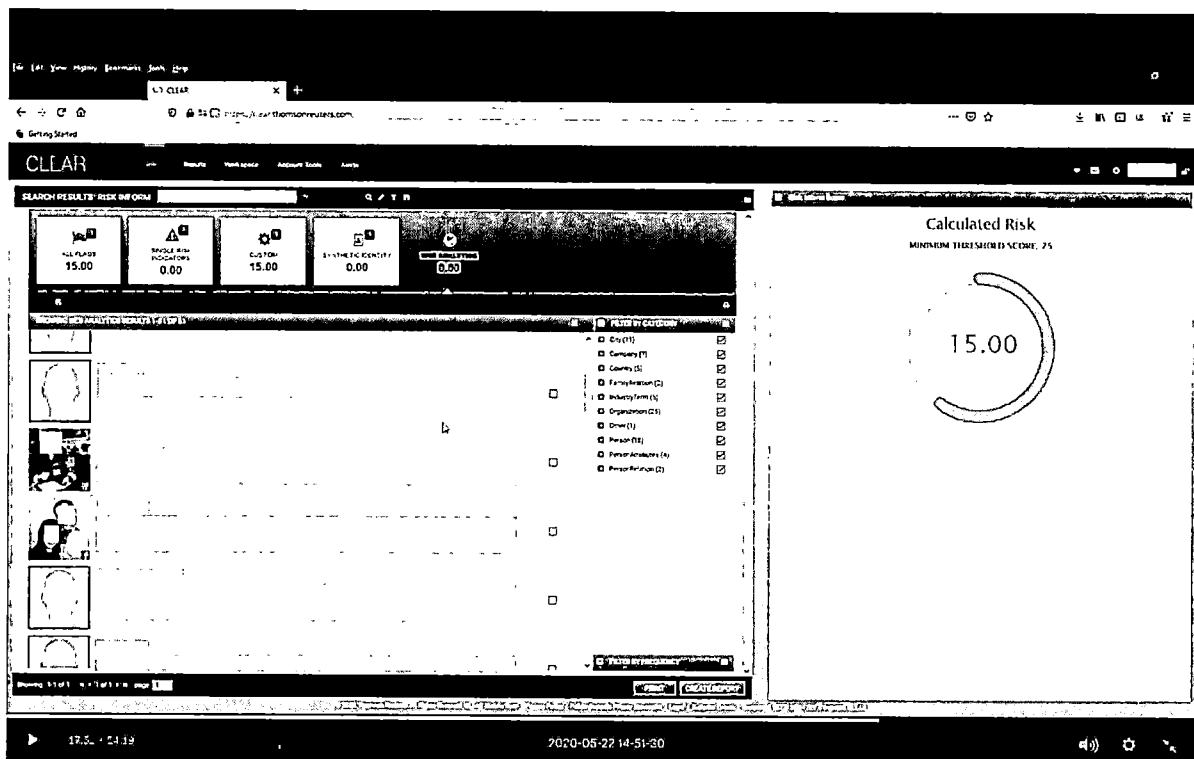
27 31. CLEAR’s “risk inform” search creates a detailed report of the putative risks
28

1 associated with a targeted individual, summarizing a person's purported "risk" using a
2 numerical score.¹⁰ A "risky" person has a high score, while a "safe" person has a low score.

3 32. The age range field for the "risk inform" search directs users to enter "1 to 3 digits,"
4 again indicating that this tool may be used to profile minors as well as adults.

5 33. The "risk inform" results include the same "vital statistics," address, contact
6 information, web analytics information, and photographs that CLEAR provides in a "person
7 search."

8 34. In addition, the "risk inform" results include an automatically generated "risk
9 inform score."



23
24 35. The potential "flags" identified as components of this score demonstrate the breadth
25 and sensitivity of the information included in the CLEAR database. For instance, under a list of
26 "custom" flags, which appear to be associated with a wide range of state criminal offenses:
27

28 ¹⁰ Thomson Reuters, *CLEAR Risk Inform*, <https://legal.thomsonreuters.com/en/products/clear-investigation-software/clear-risk-inform>.

- 1 a. CLEAR includes indicators for several types of conduct related to “Abortion,”
- 2 including “Abortional Act on Self”;
- 3 b. Under the header “Breach of the Peace,” CLEAR includes indicators for speech and
- 4 protest-related activity, including “Anarchism,” “Desecrating a Flag,” and
- 5 “Engaging in a Riot,” and in subsequent sections, it also identifies “Indecent,
- 6 Obscene, or Vulgar Language” and “Refusing to Aid a Police Officer”;
- 7 c. CLEAR includes indicators for “Homosexual Act with a Man” and “Homosexual
- 8 Act with a Woman”;
- 9 d. Under the header “Weapons Offenses,” CLEAR includes indicators for “Licensing
- 10 – Registered Weapon” and “Possession of a Weapon”; and
- 11 e. CLEAR also includes flags for intrusive conduct under the header “Invasion of
- 12 Privacy.”¹¹

13 36. Several of CLEAR’s “risk inform” flags are automatically triggered if the targeted
14 individual changes their name, as illustrated by the dossiers on both of the named plaintiffs
15 described below. Members of groups that are more likely to change their names—such as
16 women who marry, victims of domestic violence, trans people, and Muslim converts—are
17 thereby more likely to be tagged as “risky” by CLEAR’s “risk inform” product.

18 37. Clicking on any of the “risk inform” flags enables the user to see additional
19 information about the alleged offense or trigger.

20 38. As with the “person search,” CLEAR permits users to generate a report of the “risk
21 inform” results that may include information about the targeted individual as well as their
22 relatives, associates, and neighbors.

23
24
25 ¹¹ Although it has been held unconstitutional to use several of the items identified under “Criminal Records” as
26 the basis for a criminal charge, it is unclear whether CLEAR determines whether these “flags” are triggered strictly
27 using criminal records and whether it takes account of whether charges have subsequently been sealed or
28 expunged. Moreover, it is unlikely that CLEAR’s algorithm discounts criminal charges in its database that predate
changes in the criminal code (*e.g.*, a charge for private homosexual conduct that preceded the Supreme Court’s
ruling in *Lawrence v. Texas*, 539 U.S. 558 (2003)).

1 *Thomson Reuters has offered the named plaintiffs' personal and sensitive information for*
2 *sale through CLEAR, without the plaintiffs' consent*

3 39. Neither of the named plaintiffs ever agreed to permit Thomson Reuters to collect,
4 store, or sell their personal information. Thomson Reuters has never asked either of them for
5 their consent, nor has it offered them compensation for selling their personal information.

6 40. Nevertheless, Thomson Reuters sells its customers access to extensive personal and
7 sensitive information about both of the named plaintiffs on CLEAR.

8 **Cat Brooks:**

9 41. Named plaintiff Cat Brooks is a Black activist and actress. Ms. Brooks has been
10 targeted by white supremacist groups as a result of her activism: She receives hateful emails
11 and threats at her home. She also fears retaliation from law enforcement. Out of concern for her
12 safety and that of her family, Ms. Brooks has taken active steps to remove her personal
13 information from the internet, including subscribing to a service that routinely deletes
14 identifying information.

15 42. Ms. Brooks did not give Thomson Reuters consent to include her identity and
16 identifying information in the CLEAR database. Thomson Reuters neither asked Ms. Brooks
17 for permission to sell her identifying information, nor paid Ms. Brooks for the right to sell it.

18 43. Nevertheless, CLEAR's database includes extensive information about Ms. Brooks.
19 CLEAR's "individual report" on Ms. Brooks includes a trove of information, including a social
20 security number that is only partially redacted, current address, cell phone number, prior
21 addresses, and details about her current employer, her business, and licenses. It also identifies
22 her neighbors, relatives, and "associates" –both current and past–and provides detailed
23 information about them.

24 44. Ms. Brooks changed her name in connection with her activist work. CLEAR's
25 dossier on Ms. Brooks also contains her prior name, as well as detailed information associated
26 with that name. In addition, CLEAR's "risk inform" report on Ms. Brooks heavily penalizes her
27 for changing her name: All of the risk factors it identifies for Ms. Brooks are associated with her
28

1 name change, including “Duplicate Personally Identifiable Information,” “First Appearance in
2 Public Records content after 30,” “SSN Matched to Multiple Individuals,” and “Thinness of
3 File.” As a result, Ms. Brooks is saddled with a high “risk inform” score, indicated in bold red.
4 CLEAR’s “individual report” of information associated with Ms. Brooks’ prior name is also
5 extensive.

6 45. CLEAR also provides photographs of Ms. Brooks.

7 46. At the bottom of a Thomson Reuters’ webpage about CLEAR—only visible after
8 scrolling past two or more pages of text—there is a link in very small font that says: “For CA:
9 Do not sell my information.”¹²

10 47. Clicking on the link sends visitors to a page that purports to allow California
11 residents to opt out of the sale of their “personal information” for a period of “at least twelve
12 (12) months.”

13 48. Beyond its presence in tiny font at the very bottom of its webpages, Thomson
14 Reuters provides no notice to consumers that this link exists. Nor does the company enable
15 California consumers who happen to find out about the link to easily make use of it.¹³

16 49. Ms. Brooks clicked the “For CA: Do not sell my information” link, seeking to opt out
17 of the sale of her personal information via CLEAR. However, when she attempted to do so,
18 Thomson Reuters required that she provide a photograph of her government-issued
19 identification card as well as a separate picture of her face. Given that Thomson Reuters is
20 already selling her personal information without her consent, Ms. Brooks was not comfortable
21 providing further personal information to the company, and thus she could not complete the
22 company’s process.

23 **Rasheed Shabazz:**

24 50. Named plaintiff Rasheed Shabazz is a Black Muslim journalist and activist. He is
25

26 ¹² <https://legal.thomsonreuters.com/en/products/clear-investigation-software>.

27 ¹³ Several Thomson Reuters webpages also include a second link at the bottom of the page that say: “Do not sell
28 my personal information.” Clicking on one of these links brings up a pop-up window that states that the
personal information to which it refers is information collected by cookies stored on the visitor’s browser “to
collect information.”

1 concerned about being targeted by people who disagree with his writing, his teaching, and his
2 activism, as well as by people who simply dislike his identity. He does not want his personal
3 information to be publicly available.

4 51. Mr. Shabazz did not give Thomson Reuters consent to include his identity and
5 identifying information in the CLEAR database. Thomson Reuters neither asked Mr. Shabazz
6 for permission to sell his identifying information, nor paid Mr. Shabazz for the right to sell it.

7 52. Mr. Shabazz does not want Thomson Reuters to profit from his identity. He also
8 does not want Thomson Reuters to present the story of his life to others without his input.

9 53. But CLEAR's "individual report" on Mr. Shabazz includes detailed information
10 such as his current and prior addresses, employer information, phone numbers, a partially
11 redacted social security number, his "associates," his neighbors—and their addresses and
12 phone numbers.

13 54. Because, in Mr. Shabazz's view, the last name he was given at birth was associated
14 with the slave owners who held his ancestors in bondage, Mr. Shabazz legally changed his
15 name to one he felt was a better representation of himself and his family. CLEAR includes
16 detailed information associated with Mr. Shabazz's prior name, including the same partially
17 redacted social security number, his race, and physical addresses, email addresses, and phone
18 numbers. Some of this information is inaccurate: CLEAR's profile on Mr. Shabazz's prior name
19 indicates that Mr. Shabazz was divorced, when he has never legally been married, and that he
20 has been sued for failing to pay child support, when he has no children.

21 55. Like Ms. Brooks, CLEAR's "risk inform" report penalizes Mr. Shabazz for changing
22 his name: His "risk inform score" is based on flags indicating "First Appearance in Public
23 Records after 30," "No relatives," and "SSN Matched to Multiple Individuals."

24 56. CLEAR provides photographs of Mr. Shabazz, including a profile picture CLEAR
25 has chosen for the account they sell.

26 57. Mr. Shabazz also attempted to opt out of the sale of his personal information by
27 clicking the "For CA" link provided at the bottom of Thomson Reuter's webpages. However,
28

1 when he attempted to do so, Thomson Reuters required that he provide a photograph of his
2 government-issued identification card as well as a separate picture of his face. Given that
3 Thomson Reuters was selling his personal information without his consent, Mr. Shabazz was
4 not comfortable providing further personal information to the company, and thus he could not
5 complete the company's process.

6 *Thomson Reuters makes substantial profits from its sale of personal data and identifying*
7 *information through CLEAR*

8 58. Thomson Reuters markets the CLEAR platform to individuals, private corporations,
9 law enforcement, and other government agencies.

10 59. Thomson Reuters stores and collects CLEAR data in one or more of its Strategic Data
11 Centers. To access this data, an individual can pay for a monthly subscription for one or more
12 of Thomson Reuters' CLEAR data "plans." A customer can also choose to pay per individual
13 search, demonstrating the value that each individual profile in CLEAR's database holds for
14 Thomson Reuters. CLEAR offers tailored subscription plans for law enforcement, government
15 agencies, and private corporations, respectively. Thomson Reuters charges individual users a
16 monthly rate for access to its many CLEAR programs.

17 60. Thomson Reuters makes significant profits from the collection, aggregation, and
18 sale of individuals' names, photographs, likenesses, identifying information, and personal data
19 through its CLEAR products.

20 61. Thomson Reuters charges users for each component of CLEAR's search
21 functionalities. It offers both flat rate and "pay-as-you-go" pricing models, with a minimum
22 contract term of twelve months.¹⁴

23 62. In Thomson Reuter's "pay-as-you-go" pricing model, users pay per each component
24 of a search and per report. For instance, in one pricing schedule, Thomson Reuters indicated
25 that users would pay \$5.00 for a basic "Person Search," with additional charges added for
26 additional information. According to this schedule, users also incur additional charges for a

27 _____
28 ¹⁴ Thomson Reuters, *CLEAR Plans and Pricing*, <https://legal.thomsonreuters.com/en/products/clear-investigation-software/plans-pricing#corporate>.

1 "Photo Line-Up Search" and a "Web Analytics Search." Thomson Reuters also charges
2 separately to use CLEAR's "Risk Inform" product, up to \$6.75 for a "premium" search. And
3 users must also pay additional fees to generate reports from their searches: An "individual
4 report" costs \$15.00, with additional charges added to include "associates" or "Risk Inform"
5 data in the report.¹⁵

6 63. Government records offer another glimpse into the revenues that Thomson Reuters
7 derives from its sale of CLEAR products. U.S. Immigration and Customs Enforcement ("ICE")
8 has signed over \$54 million in contracts with Thomson Reuters to access CLEAR for purposes
9 of surveilling and tracking immigrants.

10 *Thomson Reuters is aware of the privacy concerns posed by its appropriation and sale of*
11 *individuals' personal data without their consent*

12 64. Thomson Reuters knows that its aggregation and sale of personal data without
13 consent implicate significant privacy concerns.

14 65. In an article posted on its website for "insights" on "legal" issues, Thomson Reuters
15 acknowledges the negative privacy consequences that flow from the non-consensual sale of a
16 person's personal data. As it explains, "[s]econdary uses of personal data" – that is, uses of a
17 person's data for purposes the person didn't intend or consent to – "pose the most risk and
18 unintended harm to people." Individuals are blindsided by these secondary uses because they
19 rightfully assume that even if their personal information has been uploaded somewhere, that
20 "doesn't mean permission has been given to share that information everywhere."¹⁶

21 66. By the company's own admission, "the amount of digital data being collected and
22 stored" by corporations that profit off of personal data has reached "unprecedented rates."
23 Data analytics, a service which the company provides to its CLEAR customers, "has enormous
24 power to reveal seemingly hidden patterns." According to Thomson Reuters, data analytics
25 processes can be so invasive that their insights "can even predict behavior," thereby

26 ¹⁵ Thomson Reuters, *CLEAR Services Schedule A Commercial Subscriber's Accessing Enhanced CLEAR Services*,
27 <https://static.legalsolutions.thomsonreuters.com/static/agreement/schedule-a-clear.pdf>.

28 ¹⁶ Thomson Reuters, *Big Data ethics: redefining values in the digital world*,
<https://legal.thomsonreuters.com/en/insights/articles/big-data-ethics-redefining-values-in-the-digital-world>.

1 “threaten[ing] individual identity.”¹⁷

2 67. Because CLEAR’s database is privately owned, it is not subject to the privacy
3 protections that apply to government collection and storage of personal data. Commentators
4 have observed that government agencies like ICE and local law enforcement may be able to
5 avoid constitutional and statutory limitations by purchasing personal data from data brokers
6 and other private companies like Thomson Reuters.¹⁸

7 68. Despite Thomson Reuters’ awareness that consent should be acquired before
8 sharing personal information, the company never asks the individuals whose information is
9 contained in the CLEAR database for their consent.

10 69. In fact, most individuals have no way of knowing that Thomson Reuters has bought,
11 collected, aggregated, or sold their personal data.

12 **CLASS ACTION ALLEGATIONS**

13 70. Under Code of Civil Procedure section 382 and Rule of Court 3.760 *et seq.*, the
14 plaintiffs bring claims one, two, and three of this action on behalf of themselves and the
15 following proposed class:

16
17 All persons residing in the state of California whose name, photographs, personal
18 identifying information, or other personal data is or was included in the CLEAR
19 database during the limitations period.

20 71. The proposed class definition excludes any officers and directors of Thomson
21 Reuters; Class Counsel; and the judicial officer(s) presiding over this action and the members
22 of his/her immediate family and judicial staff.

23 72. The number of class members is unknown to the plaintiffs, but it likely includes
24 nearly all Californians. In light of Thomson Reuters’ claims that the CLEAR database contains
25 “billions of data points,” including more than 140 million booking records and over 38 million
26 images of individuals, the class is so numerous that joinder of all members is impractical.

27 ¹⁷ *Id.*

28 ¹⁸ Gilad Edelman, *Can the Government Buy Its Way Around the Fourth Amendment?*, Wired (Feb. 11, 2020),
<https://www.wired.com/story/can-government-buy-way-around-fourth-amendment/>.

1 73. There are questions of law and fact common to the class, which predominate over
2 any questions affecting only individual class members. These questions include, but are not
3 limited to, the following:

- 4 a. Whether Thomson Reuters' collection and sale of personal data through the CLEAR
5 platform violates California's common law right of publicity.
- 6 b. Whether Thomson Reuters' collection and sale of personal data through the CLEAR
7 platform violates California's Unfair Competition Law, Cal. Bus. & Prof. § 17200, *et*
8 *seq.*
- 9 c. Whether Thomson Reuters has a process for obtaining consent before collecting,
10 aggregating, and selling individuals' personal data in the CLEAR database.
- 11 d. Whether Thomson Reuters' sale of personal data through the CLEAR platform
12 constitutes a misappropriation for commercial advantage under California law.
- 13 e. Whether class members' names, photographs, and other identifying information are
14 directly connected to the commercial purpose of selling access to that information.
- 15 f. The extent to which Thomson Reuters has profited from the non-consensual sale of
16 personal identifying information and data.

17 74. These and other legal and factual questions are common to all class members. There
18 are no individual questions that will predominate over common questions.

19 75. The plaintiffs will fairly and adequately protect the interests of the class because
20 their interests are aligned with, and not antagonistic to, those of the other members of the class.
21 In addition, the plaintiffs have retained counsel experienced in handling class claims and claims
22 involving unlawful business practices. Neither the plaintiffs nor their counsel have any
23 interests which might cause them not to vigorously pursue this claim.

24 76. The plaintiffs' claims are typical of the claims of the members of the class. The
25 plaintiffs and the class members sustained damages arising out of the defendant's common
26 course of unlawful conduct. The damages and injuries of each class member were directly
27 caused by the defendant's wrongful conduct.

28

1 77. There are no defenses of a unique nature that may be asserted against the plaintiffs
2 individually, as distinguished from the other members of the class, and the relief sought is
3 common to the class.

4 78. A class action is a superior method for the fair and efficient adjudication of this
5 controversy. Individual cases are not economically feasible given the amounts at issue and the
6 difficulties in litigating such a case.

7 79. The prosecution of separate actions by individual members of the class would create
8 a risk of inconsistent or varying adjudications with respect to individual members of the class,
9 and a risk that any adjudications with respect to individual members of the class would, as a
10 practical matter, either be dispositive of the interests of other members of the class not party to
11 the adjudication or substantially impair or impede their ability to protect their interests.

12 80. Class certification is also warranted for purposes of injunctive and declaratory relief
13 because the defendant has acted or refused to act on grounds generally applicable to the class,
14 so that final injunctive and declaratory relief are appropriate with respect to the class as a
15 whole.

16 **CLAIMS FOR RELIEF**

17 **FIRST CAUSE OF ACTION**

18 **Common Law Right to Publicity/Misappropriation of Likeness**

19 81. Plaintiffs repeat and incorporate by reference each preceding paragraph as if fully
20 stated herein.

21 82. California's common-law right of publicity protects people from the unauthorized
22 appropriation of their identity by another for commercial gain.

23 83. Thomson Reuters has used the named plaintiffs' and class members' identities by
24 collecting, aggregating, and selling their names, images, likenesses, and other personal
25 identifying information through products linked to its CLEAR database.

26 84. Thomson Reuters appropriated the named plaintiffs' and class members' identities
27 for its own commercial and economic advantage.

1 85. At no time has Thomson Reuters sought consent from class members before
2 appropriating and selling their personal data through its CLEAR products, nor does it have a
3 process for doing so.

4 86. The class members received no compensation for Thomson Reuters' use of their
5 identities.

6 87. Thomson Reuters' appropriation and sale of the plaintiffs' and class members'
7 names, photographs, likenesses, and personal information without their consent injured the
8 class members by violating their privacy. In particular, Thomson Reuters has prevented – and
9 continues to prevent – the named plaintiffs and class members from retaining control over the
10 dissemination of their personal information.

11 88. The named plaintiffs and the class members have also suffered economic injury
12 because they were not compensated by Thomson Reuters for the use of their name,
13 photographs, likeness, and other personal identifying information.

14 89. The named plaintiffs and class members are entitled to compensatory damages,
15 restitution, declaratory relief, and injunctive relief.

16 **SECOND CAUSE OF ACTION**

17 **Unfair Competition Law, Cal. Bus. & Prof. § 17200, Monetary Relief**

18 90. Plaintiffs repeat and incorporate by reference each preceding paragraph as if fully
19 stated herein.

20 91. California Business and Professions Code section 17200 *et seq.* ("UCL") prohibits
21 "unlawful, unfair, or fraudulent business acts or practices."

22 92. By selling Californians' personal information and data without consent, as
23 described above, Thomson Reuters has engaged in unlawful and unfair acts and practices
24 prohibited by the UCL.

25 93. Thomson Reuters' conduct is unlawful under the UCL because it violates
26 California's common-law right of publicity, as discussed in the first cause of action.

27 94. In addition, Thomson Reuter's conduct is unlawful under the UCL because it
28

1 violates California Civil Code section 3344(a).

2 95. California Civil Code section 3344(a) provides that “[a]ny person who knowingly
3 uses another’s name, voice, signature, photograph, or likeness, in any manner, on or in
4 products, merchandise, or goods, . . . without such person’s prior consent . . . shall be liable for
5 any damages sustained by the person or persons injured as a result thereof.”

6 96. Thomson Reuters knowingly used and continues to use the names, photographs,
7 and other identifying information of the class members in its CLEAR database, and for the
8 purpose of selling access to products linked to the CLEAR database. Thomson Reuters’ use of
9 this information is not an accident; it is central to these products.

10 97. Thomson Reuters’ appropriation of the class members’ names, photographs, and
11 other identifying information was to the company’s economic and commercial advantage. The
12 company has generated millions of dollars of revenue from CLEAR.

13 98. At no time has Thomson Reuters affirmatively sought consent from class members
14 before appropriating and selling their personal data, nor does it have a process for doing so.

15 99. The class members received no compensation for Thomson Reuters’ use of their
16 names, images, likenesses, and other personal identifying information.

17 100. Thomson Reuters’ use of class members’ names, photographs, and other identifying
18 information is directly connected to its products’ commercial purposes: Products linked to the
19 CLEAR database would be without value if the CLEAR database did not include class
20 members’ names, photographs, and identifying information. Class members’ names,
21 photographs, and identifying information are not ancillary to these products—they are the
22 product.

23 101. Indeed, Thomson Reuters’ entire marketing strategy relies on emphasizing the vast
24 quantity of photographs, names, and other identifying information that is readily available to
25 potential subscribers of CLEAR. Thomson Reuters’ appropriation and sale of the named
26 plaintiffs’ and class members’ names, photographs, likenesses, and personal information
27 without seeking permission or consent injured the class members by violating their right to
28

1 exercise control over the commercial use of their identities.

2 102. Thomson Reuters' conduct also constitutes unfair business practices under the UCL
3 because these practices offend established public policy and cause harm to the named plaintiffs
4 and class members, which cannot be reasonably avoided, and that outweighs any benefit to
5 consumers or competition. The conduct also is immoral, unethical, oppressive, unscrupulous,
6 and substantially injurious to consumers.

7 103. The named plaintiffs and class members have suffered economic injury as a result
8 of Thomson Reuters' unlawful and unfair business practices.

9 104. As a result of its unlawful and unfair business practices, Thomson Reuters has
10 reaped and continues to reap unfair and illegal profits at the expense of the plaintiffs and class
11 members. Thus, Thomson Reuters should be required to disgorge its illegal profits, and to pay
12 the plaintiffs and class members restitution in an amount according to proof at the time of trial.

13 **THIRD CAUSE OF ACTION**

14 **Unjust Enrichment**

15 105. Plaintiffs repeat and incorporate by reference each preceding paragraph as if fully
16 stated herein.

17 106. Thomson Reuters has wrongfully and unlawfully sold the named plaintiffs' and the
18 class members' names, photographs, personal identifying information, and other personal data
19 without their consent for substantial profits.

20 107. The named plaintiffs' and the class members' personal information and data have
21 conferred an economic benefit on Thomson Reuters.

22 108. Thomson Reuters has been unjustly enriched at the expense of the named plaintiffs
23 and class members, and the company has unjustly retained the benefits of its unlawful and
24 wrongful conduct.

25 109. It would be inequitable and unjust for Thomson Reuters to be permitted to retain
26 any of the unlawful proceeds resulting from its unlawful and wrongful conduct.

27 110. The named plaintiffs and class members accordingly are entitled to equitable relief
28

1 including restitution and disgorgement of all revenues, earnings, and profits that Thomson
2 Reuters obtained as a result of its unlawful and wrongful conduct.

3 **FOURTH CAUSE OF ACTION**

4 **Unfair Competition Law, Cal. Bus. & Prof. § 17200, Public Injunctive Relief**

5 111. Plaintiffs reallege claims in the second cause of action for purposes of this action.

6 112. California Business and Professions Code section 17200 *et seq.* ("UCL") prohibits
7 "unlawful, unfair, or fraudulent business acts or practices."

8 113. By selling Californians' personal information and data without consent, as
9 described above, Thomson Reuters has engaged in unlawful and unfair acts and practices
10 prohibited by the UCL.

11 114. Thomson Reuters' conduct is unlawful under the UCL because it violates California
12 Civil Code section 3344(a) and California's common-law right of publicity.

13 115. Thomson Reuters' conduct also constitutes unfair business practices under the UCL
14 because these practices offend established public policy and cause harm to the named plaintiffs
15 and class members, which cannot be reasonably avoided, and that outweighs any benefit to
16 consumers or competition. The conduct also is immoral, unethical, oppressive, unscrupulous,
17 and substantially injurious to consumers.

18 116. California's Unfair Competition Law allows anyone to bring an action for public
19 injunctive relief if they have "lost money or property as a result of the unfair competition." Cal.
20 Bus. & Prof. § 17204.

21 117. Plaintiffs Brooks and Shabazz both lost money as a result of Thomson Reuters'
22 unfair and unlawful practices in violation of the Unfair Competition Law. But for its violation
23 of law, Thomson Reuters would have either paid Brooks and Shabazz for consent to sell their
24 information or ceased the sale of their information.

25 118. Plaintiffs bring this fourth cause of action in a representative capacity, not on a class
26 basis, seeking public injunctive relief to enjoin Thomson Reuter's continued violation of
27 California's Unfair Competition Law.

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PRAYER FOR RELIEF

For all of these reasons, the plaintiffs request that this Court:

- a. Certify this action as a class action for purposes of Claims One through Three;
- b. Appoint plaintiffs Cat Brooks and Rasheed Shabazz as class representatives and appoint their attorneys as class counsel;
- c. Award compensatory damages, declaratory relief, and injunctive relief;
- d. Award restitution and disgorgement of the defendant's profits from its unlawful and unfair business practices and conduct;
- e. Issue an order for public injunctive relief under the UCL, enjoining Thomson Reuters from selling class members' personal data without their consent, except for legally permissible uses;
- f. Award costs and reasonable attorneys' fees; and
- g. Grant such further relief that the Court deems necessary and proper.

JURY DEMAND

119. Plaintiffs demand a trial by jury for all issues so triable under the law.

DATED: December 3, 2020

Respectfully submitted,



Eric H. Gibbs (State Bar No. 178658)
Andre M. Mura (State Bar No. 298541)
Amanda M. Karl (State Bar No. 301088)
Jeffrey B. Kosbie (State Bar No. 305424)
Gibbs Law Group LLP
505 14th Street Suite 1110
Oakland CA 94612
(510) 350-9700
ehg@classlawgroup.com
amm@classlawgroup.com
amk@classlawgroup.com
jbk@classlawgroup.com

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Jennifer D. Bennett (State Bar No. 296726)
Neil K. Sawhney (State Bar No. 300130)
Gupta Wessler PLLC
100 Pine Street, Suite 1250
San Francisco, CA 94111
(415) 573-0336
jennifer@guptawessler.com
neil@guptawessler.com

Benjamin Elga (*pro hac vice* forthcoming)
Alice Buttrick (*pro hac vice* forthcoming)
Justice Catalyst Law, Inc.
81 Prospect St., 7th Floor
Brooklyn, NY 11201
(518) 732-6703
belga@justicecatalyst.org
abuttrick@justicecatalyst.org

Albert Fox Cahn (*pro hac vice* forthcoming)
Surveillance Technology
Oversight Project
40 Rector Street, 9th Floor
New York, NY 10006
albert@stopspying.org

Attorneys for Plaintiffs and the Proposed Class



Superior Court of California, County of Alameda Alternative Dispute Resolution (ADR) Information Packet

The person who files a civil lawsuit (plaintiff) must include the ADR Information Packet with the complaint when serving the defendant. Cross complainants must serve the ADR Information Packet on any new parties named to the action.

The Court *strongly encourages* the parties to use some form of ADR before proceeding to trial. You may choose ADR by:

- Indicating your preference on Case Management Form CM-110;
- Filing the Stipulation to ADR and Delay Initial Case Management Conference for 90 Days (a local form included with the information packet); or
- Agree to ADR at your Initial Case Management Conference.

QUESTIONS? Call (510) 891-6055. Email adrprogram@alameda.courts.ca.gov
Or visit the court's website at <http://www.alameda.courts.ca.gov/adr>

What Are The Advantages Of Using ADR?

- **Faster** – Litigation can take years to complete but ADR usually takes weeks or months.
- **Cheaper** – Parties can save on attorneys' fees and litigation costs.
- **More control and flexibility** – Parties choose the ADR process appropriate for their case.
- **Cooperative and less stressful** – In mediation, parties cooperate to find a mutually agreeable resolution.
- **Preserve Relationships** – A mediator can help you effectively communicate your interests and point of view to the other side. This is an important benefit when you want to preserve a relationship.

What Is The Disadvantage Of Using ADR?

- **You may go to court anyway** – If you cannot resolve your dispute using ADR, you may still have to spend time and money resolving your lawsuit through the courts.

What ADR Options Are Available?

- **Mediation** – A neutral person (mediator) helps the parties communicate, clarify facts, identify legal issues, explore settlement options, and agree on a solution that is acceptable to all sides.
 - **Court Mediation Program:** Mediators do not charge fees for the first two hours of mediation. If parties need more time, they must pay the mediator's regular fees.

Some mediators ask for a deposit before mediation starts which is subject to a refund for unused time.

- **Private Mediation:** This is mediation where the parties pay the mediator's regular fees and may choose a mediator outside the court's panel.
- **Arbitration** – A neutral person (arbitrator) hears arguments and evidence from each side and then decides the outcome of the dispute. Arbitration is less formal than a trial and the rules of evidence are often relaxed. Arbitration is effective when the parties want someone other than themselves to decide the outcome.
 - **Judicial Arbitration Program (non-binding):** The judge can refer a case or the parties can agree to use judicial arbitration. The parties select an arbitrator from a list provided by the court. If the parties cannot agree on an arbitrator, one will be assigned by the court. There is no fee for the arbitrator. The arbitrator must send the decision (award of the arbitrator) to the court. The parties have the right to reject the award and proceed to trial.
 - **Private Arbitration (binding and non-binding)** occurs when parties involved in a dispute either agree or are contractually obligated. This option takes place outside of the courts and is normally binding meaning the arbitrator's decision is final.

Mediation Service Programs In Alameda County

Low cost mediation services are available through non-profit community organizations. Trained volunteer mediators provide these services. Contact the following organizations for more information:

SEEDS Community Resolution Center

1968 San Pablo Avenue, Berkeley, CA 94702-1612

Telephone: (510) 548-2377 Website: www.seedscrc.org

Their mission is to provide mediation, facilitation, training and education programs in our diverse communities – Services that Encourage Effective Dialogue and Solution-making.

Center for Community Dispute Settlement

291 McLeod Street, Livermore, CA 94550

Telephone: (925) 373-1035 Website: www.trivalleymediation.com

CCDS provides services in the Tri-Valley area for all of Alameda County.

For Victim/Offender Restorative Justice Services

Catholic Charities of the East Bay: Oakland

433 Jefferson Street, Oakland, CA 94607

Telephone: (510) 768-3100 Website: www.cceb.org

Mediation sessions involve the youth, victim, and family members work toward a mutually agreeable restitution agreement.

ALA ADR-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
STIPULATION TO ATTEND ALTERNATIVE DISPUTE RESOLUTION (ADR) AND DELAY INITIAL CASE MANAGEMENT CONFERENCE FOR 90 DAYS	CASE NUMBER: _____

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

This stipulation is effective when:

- All parties have signed and filed this stipulation with the Case Management Conference Statement at least 15 days before the initial case management conference.
- A copy of this stipulation has been received by the ADR Program Administrator, 1225 Fallon Street, Oakland, CA 94612.

1. Date complaint filed: _____ An **Initial Case Management Conference** is scheduled for:

Date: _____ Time: _____ Department: _____

2. Counsel and all parties certify they have met and conferred and have selected the following ADR process (*check one*):

- Court mediation Judicial arbitration
 Private mediation Private arbitration

3. All parties agree to complete ADR within 90 days and certify that:

- a. No party to the case has requested a complex civil litigation determination hearing;
- b. All parties have been served and intend to submit to the jurisdiction of the court;
- c. All parties have agreed to a specific plan for sufficient discovery to make the ADR process meaningful;
- d. Copies of this stipulation and self-addressed stamped envelopes are provided for returning endorsed filed stamped copies to counsel and all parties;
- e. Case management statements are submitted with this stipulation;
- f. All parties will attend ADR conferences; and,
- g. The court will not allow more than 90 days to complete ADR.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME) ▶ _____
 (SIGNATURE OF PLAINTIFF)

Date:

 (TYPE OR PRINT NAME) ▶ _____
 (SIGNATURE OF ATTORNEY FOR PLAINTIFF)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER.:
--	---------------

Date:

(TYPE OR PRINT NAME) ▶ _____
(SIGNATURE OF DEFENDANT)

Date:

(TYPE OR PRINT NAME) ▶ _____
(SIGNATURE OF ATTORNEY FOR DEFENDANT)

CM-110

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY				
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:					
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:					
<table style="width: 100%; border: none;"> <tr> <th colspan="2" style="text-align: center; border: none;">CASE MANAGEMENT STATEMENT</th> </tr> <tr> <td style="border: none;"> (Check one): <input type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000) </td> <td style="border: none;"> <input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less) </td> </tr> </table>	CASE MANAGEMENT STATEMENT		(Check one): <input type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000)	<input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)	CASE NUMBER: _____
CASE MANAGEMENT STATEMENT					
(Check one): <input type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000)	<input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)				
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: _____ Time: _____ Dept.: _____ Div.: _____ Room: _____ Address of court (<i>if different from the address above</i>): _____ <input type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): _____					

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties (answer one):**
 - a. This statement is submitted by party (*name*):
 - b. This statement is submitted **jointly** by parties (*names*):

2. **Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 - a. The complaint was filed on (*date*):
 - b. The cross-complaint, if any, was filed on (*date*):

3. **Service (to be answered by plaintiffs and cross-complainants only)**
 - a. All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. The following parties named in the complaint or cross-complaint
 - (1) have not been served (*specify names and explain why not*):
 - (2) have been served but have not appeared and have not been dismissed (*specify names*):
 - (3) have had a default entered against them (*specify names*):
 - c. The following additional parties may be added (*specify names, nature of involvement in case, and date by which they may be served*):

4. **Description of case**
 - a. Type of case in complaint cross-complaint (*Describe, including causes of action*):

CM-110

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

4. b. Provide a brief statement of the case, including any damages. (If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial. (If more than one party, provide the name of each party requesting a jury trial):

6. **Trial date**

a. The trial has been set for (date):

b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain):

c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability):

7. **Estimated length of trial**

The party or parties estimate that the trial will take (check one):

a. days (specify number):

b. hours (short causes) (specify):

8. **Trial representation (to be answered for each party)**

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

a. Attorney:

b. Firm:

c. Address:

d. Telephone number:

f. Fax number:

e. E-mail address:

g. Party represented:

Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference (specify code section):

10. **Alternative dispute resolution (ADR)**

a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.

b. **Referral to judicial arbitration or civil action mediation (if available).**

(1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (specify exemption):

CM-110

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
--	--------------

10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete mediation by (<i>date</i>): <input type="checkbox"/> Mediation completed on (<i>date</i>):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete settlement conference by (<i>date</i>): <input type="checkbox"/> Settlement conference completed on (<i>date</i>):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete neutral evaluation by (<i>date</i>): <input type="checkbox"/> Neutral evaluation completed on (<i>date</i>):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete judicial arbitration by (<i>date</i>): <input type="checkbox"/> Judicial arbitration completed on (<i>date</i>):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete private arbitration by (<i>date</i>): <input type="checkbox"/> Private arbitration completed on (<i>date</i>):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete ADR session by (<i>date</i>): <input type="checkbox"/> ADR completed on (<i>date</i>):

CM-110

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

11. Insurance

- a. Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

Bankruptcy Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (*name party*):

14. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

16. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):
- | <u>Party</u> | <u>Description</u> | <u>Date</u> |
|--------------|--------------------|-------------|
| | | |
- c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

CM-110

PLAINTIFF/PETITIONER: _____	CASE NUMBER:
DEFENDANT/RESPONDENT: _____	

17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

THE SUPERIOR COURT OF CALIFORNIA

COUNTY OF ALAMEDA

Select Language | ▼

Español |

Tiếng Việt |

ਪੰਜਾਬੀ |

简体中文 |

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DomainWeb

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DomainWeb

How This Site Works

FAQ

Case Details

Case Number: RG20082878

Title: Brooks VS Thomson Reuters Corporation

Case Summary

Register of Action

Participants

Tentative Rulings

Future Hearings

Minutes

Date

Action

1/27/2021

Case Details - DomainWeb

Date **Action**

This Tentative Ruling is made by Judge Winifred Y. Smith
COMPLEX DETERMINATION

The Court designates this case as complex pursuant to Rule 3.400 et seq. of the California Rules of Court. Counsel are advised to be familiar with the Alameda County Local Rules concerning complex litigation, including Rule 3.250 et seq. An order assigning the case to one of the three complex judges and an initial case management order will be issued.

COMPLEX CASE FEES

1/27/2021

Pursuant to Government Code section 70616, any non-exempt party who has appeared in the action but has not paid the complex case fee is required to pay the fee within ten days of the filing of this order. The complex case fee is \$1,000 for each plaintiff or group of plaintiffs appearing together and \$1,000 PER PARTY for each defendant, intervenor, respondent or other adverse party, whether filing separately or jointly, up to a maximum of \$18,000 for all adverse parties. All payments must identify on whose behalf the fee is submitted. Please submit payment to the attention of the Complex Litigation Clerk located in the Civil Division at the Rene C. Davidson Courthouse, 1225 Fallon Street, Oakland, CA 94612. Please make check(s) payable to the Clerk of the Superior Court. Documents may continue to be filed as allowed under Local Rule 1.9. Note that for those admitted pro hac vice, there is also an annual fee. (Gov't Code section 70617.)

PROCEDURES

Calendar information, filings, and tentative rulings are available to the public at <http://www.alameda.courts.ca.gov/domainweb/>. All counsel are expected to be familiar and to comply with pertinent provisions of the Code of Civil Procedure, the California Rules of Court, the Alameda County Superior Court Local Rules and the procedures outlined on the domain web page of the assigned department.

SERVICE OF THIS ORDER

Counsel for plaintiff(s) shall have a continuing obligation to serve a copy of this order on newly joined parties defendant not listed on the proof of service of this order and file proof of service. Each party defendant joining any third party cross-defendant shall have a continuing duty to serve a copy of this order on newly joined cross-defendants and to file proof of service.

1/27/2021

Case Details - DomainWeb

Page: 1 of 1

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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Eric H. Gibbs (SBN 178658) Gibbs Law Group LLP 505 14th Street, Suite 1110, Oakland, California 94612 TELEPHONE NO.: (510) 350-9700 FAX NO. (Optional): (510) 350-9701 E-MAIL ADDRESS (Optional): ehg@classlawgroup.com ATTORNEY FOR (Name): Cat Brooks and Rasheed Shabazz	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland, California 94612 BRANCH NAME: René C. Davidson Courthouse	
PLAINTIFF/PETITIONER: Cat Brooks and Rasheed Shabazz DEFENDANT/RESPONDENT: Thomson Reuters Corporation	CASE NUMBER:
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (served in complex cases only)
 - e. cross-complaint
 - f. other (specify documents): Notice of hearing; tentative ruling on complex case designation
3. a. Party served (specify name of party as shown on documents served):
 - b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
5. I served the party (check proper box)
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): _____ (2) at (time): _____
 - b. **by substituted service.** on (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3): _____
 - (1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ from (city): _____ or a declaration of mailing is attached.
 - (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

Page 1 of 2

POS-010

PLAINTIFF/PETITIONER: Cat Brooks and Rasheed Shabazz DEFENDANT/RESPONDENT: Thomson Reuters Corporation	CASE NUMBER:
---	--------------

5. c. **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

(3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30.)

(4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. **by other means** (specify means of service and authorizing code section):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. as an individual defendant.

b. as the person sued under the fictitious name of (specify):

c. as occupant.

d. On behalf of (specify):

under the following Code of Civil Procedure section:

416.10 (corporation)

415.95 (business organization, form unknown)

416.20 (defunct corporation)

416.60 (minor)

416.30 (joint stock company/association)

416.70 (ward or conservatee)

416.40 (association or partnership)

416.90 (authorized person)

416.50 (public entity)

415.46 (occupant)

other:

7. **Person who served papers**

a. Name:

b. Address:

c. Telephone number:

d. **The fee** for service was: \$

e. I am:

(1) not a registered California process server.

(2) exempt from registration under Business and Professions Code section 22350(b).

(3) a registered California process server:

owner employee independent contractor.

(ii) Registration No.:

(iii) County:

8. **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. **I am a California sheriff or marshal** and I certify that the foregoing is true and correct.

Date:

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

EXHIBIT B

GIBBS LAW GROUP
L L P

February 9, 2021

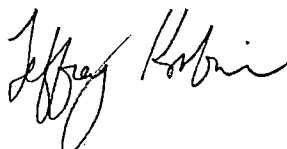
Thomson Reuters America Corporation
c/o Corporation Service Company
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

Re: Thomson Reuters Litigation

To the attention of Thomson Reuters America Corporation:

Please find enclosed the Minutes and Order re Complex Designation in *Brooks v. Thomson Reuters Corporation*. We are serving the Minutes and Order re Complex Determination on Thomson Reuters America Corporation as the “general manager in this state” for Thomson Reuters Corporation. See Cal. Corp. Code § 2110; *Yamaha Motor Co. Ltd. v. Super. Ct.*, 174 Cal. App. 4th 264, 274-75 (2009).

Yours truly,



Jeff Kosbie

Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse

Brooks <small>Plaintiff/Petitioner(s)</small>	No. RG20082878
vs.	Minutes
Thomson Reuters Corporation <small>Defendant/Respondent(s)</small> (Abbreviated Title)	

Department 21

Honorable Winifred Y. Smith, Judge

Cause called for: Complex Determination Hearing on February 03, 2021.

COMPLEX DETERMINATION

The Court designates this case as complex pursuant to Rule 3.400 et seq. of the California Rules of Court. Counsel are advised to be familiar with the Alameda County Local Rules concerning complex litigation, including Rule 3.250 et seq. An order assigning the case to one of the three complex judges and an initial case management order will be issued.

COMPLEX CASE FEES

Pursuant to Government Code section 70616, any non-exempt party who has appeared in the action but has not paid the complex case fee is required to pay the fee within ten days of the filing of this order. The complex case fee is \$1,000 for each plaintiff or group of plaintiffs appearing together and \$1,000 PER PARTY for each defendant, intervenor, respondent or other adverse party, whether filing separately or jointly, up to a maximum of \$18,000 for all adverse parties. All payments must identify on whose behalf the fee is submitted. Please submit payment to the attention of the Complex Litigation Clerk located in the Civil Division at the Rene C. Davidson Courthouse, 1225 Fallon Street, Oakland, CA 94612. Please make check(s) payable to the Clerk of the Superior Court. Documents may continue to be filed as allowed under Local Rule 1.9. Note that for those admitted pro hac vice, there is also an annual fee. (Gov't Code section 70617.)

PROCEDURES

Calendar information, filings, and tentative rulings are available to the public at <http://www.alameda.courts.ca.gov/domainweb/>. All counsel are expected to be familiar and to comply with pertinent provisions of the Code of Civil Procedure, the California Rules of Court, the Alameda County Superior Court Local Rules and the procedures outlined on the domain web page of the assigned department.

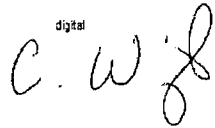
SERVICE OF THIS ORDER

Counsel for plaintiff(s) shall have a continuing obligation to serve a copy of this order on newly joined parties defendant not listed on the proof of service of this order and file proof of service. Each party defendant joining any third party cross-defendant shall have a continuing duty to serve a copy of this order on newly joined cross-defendants and to file proof of service.

Minutes of 02/03/2021
Entered on 02/03/2021

Chad Finke Executive Officer / Clerk of the Superior Court

By

^{digital}


Deputy Clerk

Gibbs Law Group LLP
 Attn: Mura, Andre M.
 505 14th Street
 Suite 1110
 Oakland, CA 94612

Thomson Reuters Corporation

Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse

Brooks <p style="text-align: right;">Plaintiff/Petitioner(s)</p> <p style="text-align: center;">VS.</p> Thomson Reuters Corporation <hr/> <p style="text-align: right;">Defendant/Respondent(s) (Abbreviated Title)</p>	<p style="text-align: center;">No. <u>RG20082878</u></p> <p style="text-align: center;">Order</p> <p style="text-align: center;">Complaint Business Tort/Unfair Business Practice</p>
--	---

The Complex Determination Hearing was set for hearing on 02/03/2021 at 09:00 AM in Department 21 before the Honorable Winifred Y. Smith. The Tentative Ruling was published and has not been contested.

IT IS HEREBY ORDERED THAT:

The tentative ruling is affirmed as follows: **COMPLEX DETERMINATION**

The Court designates this case as complex pursuant to Rule 3.400 et seq. of the California Rules of Court. Counsel are advised to be familiar with the Alameda County Local Rules concerning complex litigation, including Rule 3.250 et seq. An order assigning the case to one of the three complex judges and an initial case management order will be issued.

COMPLEX CASE FEES

Pursuant to Government Code section 70616, any non-exempt party who has appeared in the action but has not paid the complex case fee is required to pay the fee within ten days of the filing of this order. The complex case fee is \$1,000 for each plaintiff or group of plaintiffs appearing together and \$1,000 PER PARTY for each defendant, intervenor, respondent or other adverse party, whether filing separately or jointly, up to a maximum of \$18,000 for all adverse parties. All payments must identify on whose behalf the fee is submitted. Please submit payment to the attention of the Complex Litigation Clerk located in the Civil Division at the Rene C. Davidson Courthouse, 1225 Fallon Street, Oakland, CA 94612. Please make check(s) payable to the Clerk of the Superior Court. Documents may continue to be filed as allowed under Local Rule 1.9. Note that for those admitted pro hac vice, there is also an annual fee. (Gov't Code section 70617.)

PROCEDURES

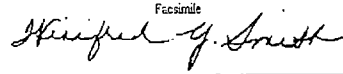
Calendar information, filings, and tentative rulings are available to the public at <http://www.alameda.courts.ca.gov/domainweb/>. All counsel are expected to be familiar and to comply with pertinent provisions of the Code of Civil Procedure, the California Rules of Court, the Alameda County Superior Court Local Rules and the procedures outlined on the domain web page of the assigned department.

SERVICE OF THIS ORDER

Order

Counsel for plaintiff(s) shall have a continuing obligation to serve a copy of this order on newly joined parties defendant not listed on the proof of service of this order and file proof of service. Each party defendant joining any third party cross-defendant shall have a continuing duty to serve a copy of this order on newly joined cross-defendants and to file proof of service.

Dated: 02/03/2021

Facsimile


Judge Winifred Y. Smith

EXHIBIT C

THE SUPERIOR COURT OF CALIFORNIA

COUNTY OF ALAMEDA

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Case Details

Case Number: RG20082878

Title: Brooks VS Thomson Reuters Corporation

Case Summary	Register of Action	Participants	Tentative Rulings
Future Hearings	Minutes		

Date	Description	Pages	Price		Select
2/10/2021	Proof of Service Filed	1	\$1.00	Half Page Preview	<input type="checkbox"/>
2/3/2021	Motion Granted	2	\$2.00	Half Page Preview	<input type="checkbox"/>
2/3/2021	Complex Determination Hearing Commenced and Completed	2	\$2.00	Half Page Preview	<input type="checkbox"/>
2/1/2021	Proof of Service on Complaint As to Thomson Reuters Corporation Filed	1	\$1.00	Half Page Preview	<input type="checkbox"/>
1/6/2021	Case Management Conference 03/03/2021 09:00 AM D- 21	2		View	

Date	Description	Pages	Price		Select <input type="checkbox"/>
1/6/2021	Complex Determination Hearing 02/03/2021 09:00 AM D- 21				
12/3/2020	Summons on Complaint Issued and Filed	1	\$1.00	Half Page Preview	<input type="checkbox"/>
12/3/2020	Complex Designation Requested				
12/3/2020	Complaint Business Tort/Unfair Business Practice Filed	23	\$14.00	Half Page Preview	<input type="checkbox"/>
12/3/2020	Civil Case Cover Sheet Filed for Cat Brooks	3	\$3.00	Half Page Preview	<input type="checkbox"/>

Page: 1 of 1

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CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

CAT BROOKS and RASHEED SHABAZZ

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Gibbs Law Group LLP, 505 14th St., Ste 1110, Oakland, CA 94612; Tel: (510) 350-9701

DEFENDANTS

THOMSON REUTERS CORPORATION

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) Ontario and Toronto, Canada

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Nicola Menaldo & Susan Faringer: PERKINS COIE LLP, 1201 Third Ave., Ste 4900, Seattle, WA 98101; Tel: (206) 359-8000 Gabriella Gallego: PERKINS COIE LLP, 3150 Porter Dr., Palo Alto, CA 94304; Tel: (650) 838-4300

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party) 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, HABEAS CORPUS, OTHER, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation-Transfer 8 Multidistrict Litigation-Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 1332

Brief description of cause: Business tort/unfair business practices

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE 02/26/2021

SIGNATURE OF ATTORNEY OF RECORD

/s/ Susan D. Fahringer

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

Authority For Civil Cover Sheet. The JS-CAND 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the “defendant” is the location of the tract of land involved.)
- c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section “(see attachment).”
- II. Jurisdiction.** The basis of jurisdiction is set forth under Federal Rule of Civil Procedure 8(a), which requires that jurisdictions be shown in pleadings. Place an “X” in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - (2) United States defendant. When the plaintiff is suing the United States, its officers or agencies, place an “X” in this box.
 - (3) Federal question. This refers to suits under 28 USC § 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - (4) Diversity of citizenship. This refers to suits under 28 USC § 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an “X” in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an “X” in one of the six boxes.
- (1) Original Proceedings. Cases originating in the United States district courts.
 - (2) Removed from State Court. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
 - (3) Remanded from Appellate Court. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - (4) Reinstated or Reopened. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - (5) Transferred from Another District. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - (6) Multidistrict Litigation Transfer. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
 - (8) Multidistrict Litigation Direct File. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket. Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC § 553. Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an “X” in this box if you are filing a class action under Federal Rule of Civil Procedure 23. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment.** If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: “the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated.”
- Date and Attorney Signature.** Date and sign the civil cover sheet.