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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
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ATTORNEYS FOR PLAINTIFF

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

THOMAS ROBINS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

SPOKEO, INC., a California corporation,
Defendant.

CV10 5306ODW (AGR_x)

COMPLAINT FOR:

1. Violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681e
2. Violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681b
3. Violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681j
4. Violation of Cal. Bus. & Prof. Code § 17200 et seq.

DEMAND FOR JURY TRIAL

CLASS ACTION

COMPLAINT

1 Plaintiff, by his attorneys, upon personal knowledge as to himself and his own acts
2 and upon information and belief as to all other matters, alleges as follows:

3 **NATURE OF THE ACTION**

4 1. Plaintiff Thomas Robins brings this class action complaint against Defendant
5 Spokeo, Inc. ("Spokeo") for Defendant's collection and dissemination of consumer reports in
6 violation of the Fair Credit Reporting Act ("FCRA").

7 2. Spokeo operates an eponymously named website—Spokeo.com—which
8 allows users to search for consumers by name, email address, or phone number. In response
9 to a free query, Spokeo provides an in-depth consumer report that displays, among other
10 things, an individual consumer's address, phone number, marital status, approximate age,
11 occupation, approximate household value, hobbies, economic health (previously entitled
12 "credit estimate"), and wealth level. Spokeo provides even more extensive information to
13 paid subscribers.

14 3. Despite Spokeo's practices of compiling and selling consumer reports as
15 described above, the company publicly maintains that it is not a consumer reporting agency.

16 4. As a result, Spokeo has been unlawfully operating and profiting as a consumer
17 reporting agency since its inception.

18 **PARTIES**

19 5. Plaintiff Thomas Robins is a resident of Vienna, Virginia.

20 6. Defendant Spokeo, Inc. is a California corporation with its headquarters and
21 principal place of business at 556 S. Fair Oaks Avenue, Suite 101-179, Pasadena, California
22 91105. Defendant does business throughout the State of California and the nation.

23 **JURISDICTION AND VENUE**

24 8. This Court has jurisdiction over the subject matter of this action pursuant to
25 28 U.S.C. § 1331.

9. Personal jurisdiction and venue are proper because Spokeo is a corporation headquartered in Los Angeles County and/or because the improper conduct alleged herein occurred in, was directed from, and/or emanated or exported from California.

FACTUAL BACKGROUND

Defendant's Process for Generating Consumer Reports

10. Spokeo developed and operates software that allows the company to quickly aggregate data about consumers from a wide range of sources and then organize and display that information to users in an online format.

11. Some of the known sources that Spokeo uses to gather information include: phone books, real estate listings, government records, and social networking websites. However, the company has not publicly disclosed the full list of sources it uses to generate reports about consumers.

12. Despite the breadth of information it provides about individual consumers, Spokeo disclaims the use of its services as a method for establishing a consumer's eligibility for credit, employment, or insurance, and further disclaims the use of its reports for any purpose covered by the FCRA.

13. Nevertheless, Spokeo has marketed its services to human resource professionals, law enforcement agencies, persons and entities performing background checks, and publishes individual consumer “economic health” assessments (until recently, Defendant described those assessments as “credit estimates”).

The Information Defendant Reports

14. According to Defendant, millions of users search its website for consumer information each day. When a user requests information regarding a particular consumer, Defendant immediately displays numerous pieces of information about that consumer, including the names of their siblings and parents, their address, phone number, marital status, age, employment information, education, ethnicity, items sought from websites such as

1 Amazon.com, music listened to on websites such as Pandora.com, descriptors such as “seeks
2 opportunity,” “cares about healthy living,” and “loves to read,” and more.

3 15. In addition to the extensive demographic information Spokeo provides, its
4 reports contain colorized charts depicting the consumer’s “economic health” (formerly
5 “credit estimate”) and “wealth level,” which range from “low” to “high.” Defendant does
6 not, however, disclose where it obtains this economic information.

7 16. Spokeo’s reports even provide users with an image of the consumer’s
8 purported home address, complete with a corresponding map of their neighborhood. The
9 address and neighborhood maps are accompanied by information about how long the
10 consumer has lived at the particular address, the value of the property, and individual
11 property attributes like the existence of fireplaces or swimming pools.

12 17. Although Defendant provides extensive data about consumers, a significant
13 portion of the information that it reports is wholly inaccurate. In fact, the inaccuracies in
14 Spokeo’s reports have been the source of much consternation for consumers upset about
15 public mischaracterizations of their employment history, economic background, household
16 value, and the like.¹

17 18. Compounding the inaccuracies in its reports, Spokeo has failed to develop an
18 effective system to allow consumers to remove inaccurate information from their individual
19 reports, or remove the reports from Defendant’s website altogether. In May, 2009,
20 Defendant’s founder—Harrison Tang—gave a statement regarding purported inaccuracies in
21 Defendant’s consumer reports. According to Tang, “We know there are a lot of things we
22 need to improve. There are algorithms we can do that we haven’t had time to improve the
23 inaccuracies. There’s a lot of holes. We know that and we admit that.”²

24
25 ¹ See, e.g., Spokeo: Meredith Yeomans, Privacy Concerns Over People Search Database Spokeo.com,
26 AZFAMILY.COM, June 1, 2010,
27 <http://www.azfamily.com/news/consumer/PrivacyconcernsoverpeoplesearchdatabaseSpokeocom95374649.html>,
28 Arkansas AG has privacy concerns about Spokeo.com, <http://www.pogowasright.org/?p=10022>.

² Spokeo Web site raising privacy concerns, <http://www.ohio.com/business/93220444.html>

1 All individuals in the United States who have had their consumer information
2 compiled and distributed or sold to third-parties by Spokeo, Inc. between
January 2006 and July 16, 2010.

3 Excluded from the Class are Defendant, its legal representatives, assigns, and successors, and
4 any entity in which Defendant has a controlling interest. Also excluded is the judge to whom
5 this case is assigned and the judge's immediate family.

6 26. The Class consists of millions of individuals, making joinder impractical.

7 27. Plaintiff's claims are typical of the claims of all of the other members of the
8 Class. Plaintiff and each Class member was affected in substantially the same way by
9 Defendant's unlawful compiling of their personal information for distribution and/or sale to
10 third parties in violation of the FCRA and other applicable law.

11 28. Plaintiff will fairly and adequately represent and protect the interests of the
12 other members of the Class. Plaintiff has retained counsel with substantial experience in
13 prosecuting complex litigation and class actions. Plaintiff and his counsel are committed to
14 vigorously prosecuting this action on behalf of the members of the Class, and have the
15 financial resources to do so. Neither Plaintiff nor his counsel has any interest adverse to
16 those of the other members of the Class.

17 29. Absent a class action, most members of the Class would find the cost of
18 litigating their claims to be prohibitive and will have no effective remedy. The class
19 treatment of common questions of law and fact is also superior to multiple individual actions
20 or piecemeal litigation in that it conserves the resources of the courts and litigants, and
21 promotes consistency and efficiency of adjudication.
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1 30. Defendant has acted and failed to act on grounds generally applicable to
2 Plaintiff and the other members of the Class, requiring the Court's imposition of uniform
3 relief to ensure compatible standards of conduct toward members of the Class.

4 31. The factual and legal bases of Defendant's liability to Plaintiff and to the other
5 members of the Class are the same, resulting in injury to Plaintiff and all of the other
6 members of the Class. Plaintiff and the other members of the Class have all suffered harm
7 and damages as a result of Defendant's wrongful conduct.

8 32. There are many questions of law and fact common to Plaintiff's claims and
9 the claims of the other members of the Class. Common questions for the Class include but
10 are not limited to the following:

11 a) the means and methods by which Defendant compiles, distributes and
12 sells consumer reports to third parties;

13 b) the extent and duration of Defendant's compilation, distribution, and
14 sale of consumer reports to third parties;

15 c) whether Defendant's conduct described herein constitutes a violation
16 of the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 *et seq.*;

17 d) whether Defendant's conduct described herein constitutes a violation
18 of Cal. Bus. & Prof. Code §§ 17200 *et seq.*; and,

19 e) whether Defendant unjustly received and/or continues to receive
20 money as a result of its conduct described herein, and whether under principles of
21 equity and good conscience, Defendant should not be permitted to retain those
22 monies.
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1 39. The data Defendant compiles and distributes and/or sells to third-
2 parties constitutes a "consumer report" as defined by FCRA because it contains
3 "written, oral, or other communication[s] of . . . information by a consumer reporting
4 agency bearing on a consumer's credit worthiness, credit standing, credit capacity,
5 character, general reputation, personal characteristics, or mode of living which is used
6 or expected to be used or collected in whole or in part for the purpose of serving as a
7 factor in establishing the consumer's eligibility for (A) credit or insurance to be used
8 primarily for personal, family, or household purposes; (B) employment purposes; or
9 (C) any other purpose authorized under section 1681b of this title." 15 U.S.C. §
10 1681a(d).

11
12 40. Defendant compiles and distributes information to its users about individual
13 consumers including, their "credit estimate" (now "economic health"), "wealth level," as
14 well as occupational and personal characteristic information.

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16 41. Despite Spokeo's clearly defined status as a "consumer reporting agency," it
17 has publicly disclaimed any obligations under FCRA.

18 42. According to Defendant, "The data provided to you by Spokeo may not be
19 used as a factor in establishing a consumer's eligibility for credit, insurance, employment
20 purposes or for any other purpose authorized under the FCRA."

21 43. The "terms" displayed on Defendant's website further state that it is
22 impermissible to use the information contained on Spokeo.com "to evaluate a consumer's
23 eligibility for credit or insurance to be used primarily for personal, family, or household
24 purposes, to evaluate a person's eligibility for employment purposes, to evaluate a person's
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1 eligibility for a government license or benefit, or for any other purpose specified in the Fair
2 Credit Reporting Act (15 U.S.C. § 1681b).”

3 44. Nevertheless, Defendant has marketed its services to human resource
4 professionals, law enforcement agencies, persons and entities performing background checks,
5 and publishes individual consumer “economic health” assessments.

6 45. Section 1681e(d)(1) of FCRA requires that a consumer reporting agency
7 provide, to any person who regularly and in the ordinary course of business furnishes
8 information about any consumer to the consumer reporting agency (“Furnisher”), a “Notice
9 To Furnishers of Information: Obligations Under the FCRA” (“Furnisher Notice”).

11 46. Section 1681e(d)(2) requires that a consumer reporting agency provide, to any
12 person to whom it provides a consumer report (“Users”), a “Notice to Users of Consumer
13 Reports: Obligations of Users Under the FCRA” (“User Notice”).

14 47. The Furnisher Notices and the User Notices inform Furnishers and Users, of
15 their responsibilities under FCRA, such as a Furnisher’s responsibility to provide accurate
16 information or a User’s responsibility to provide adverse action notices.

18 48. Defendant has continually failed to provide Furnisher Notices to Furnishers as
19 required by FCRA.

20 49. Defendant has further failed to provide User Notices to Users as required by
21 FCRA.

22 50. Section 1681e(b) mandates that when a consumer reporting agency prepares a
23 consumer report that it shall follow reasonable procedures to assure the maximum possible
24 accuracy of the information concerning the individual about whom the report relates.
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1 on behalf of the Class, seeks an order enjoining Defendant's conduct described herein and
2 awarding himself and the Class the maximum statutory damages available under 15 U.S.C. §
3 1681n.

4 **THIRD CAUSE OF ACTION**

5 **Violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681j**

6 **(On behalf of Plaintiff and the Class)**

7
8 59. Plaintiff incorporates by reference the foregoing allegations.

9 60. 15 U.S.C. § 1681j(a)(1)(C) directs the Federal Trade Commission ("FTC") to
10 establish streamlined processes for consumers to request free annual file disclosures. The
11 FTC promulgated the Streamlined Process Rule, which is codified at 16 C.F.R. § 610.3. The
12 rule requires, among other things, that a nationwide specialty consumer reporting agency,
13 like Defendant, provide consumers with a toll-free telephone number to request annual file
14 disclosures and that the telephone number is prominently posted on any website owned or
15 maintained by the nationwide specialty consumer reporting agency, as well as instructions to
16 request disclosures by any additional available request methods. 16 C.F.R. § 610.3(a)(1).

17 61. Defendant has failed to establish the processes required by the Streamlined
18 Process Rule. In particular, Defendant has failed to post a toll-free telephone number on its
19 website through which consumers can request free annual file disclosures.

20 62. As a result of Defendant's conduct described herein and its willful violations
21 of §§ 1681j(a)(1)(C) and 1681j(a)(2), Plaintiff and the Class have suffered injuries. Plaintiff,
22 on his own behalf and on behalf of the Class, seeks an order enjoining Defendant's conduct
23 described herein and awarding himself and the Class the maximum statutory damages
24 available under 15 U.S.C. § 1681n.

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FOURTH CAUSE OF ACTION

Violation of Cal. Bus. & Prof. Code § 17200 et seq.

(On behalf of Plaintiff and the Class)

63. Plaintiff incorporates by reference the foregoing allegations.

64. California's Unfair Competition Law ("UCL"), Cal. Bus. & Prof. Code §§ 17200, *et seq.*, protects both consumers and competitors by promoting fair competition in commercial markets for goods and services.

65. The UCL prohibits any unlawful, unfair or fraudulent business act or practice. A business practice need only meet one of the three criteria to be considered unfair competition. An unlawful business practice is anything that can properly be called a business practice and that at the same time is forbidden by law.

66. As described above, Defendant has violated the "unlawful" prong of the UCL in that Defendant's conduct violates numerous provisions of the FCRA.

67. Defendant has violated the "unfair" prong of the UCL in that it gained an unfair business advantage by failing to produce accurate reports and otherwise take the necessary steps to adhere to FCRA.

68. Pursuant to Cal. Bus. & Prof. Code § 17203, Plaintiff seeks an order enjoining Defendant from continuing to engage in the unfair and unlawful conduct described herein. Plaintiff seeks an order (1) requiring Defendant to cease the unfair and unlawful practices described herein; and, (2) awarding reasonable costs and attorneys' fees pursuant to Cal. Code Civ. Proc. § 1021.5.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Thomas Robins, on behalf of himself and the Class, respectfully requests that this Court issue an order:

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FROM-ABC LEGAL SERVICES

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T-428 P.003/007 F-429

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

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is Alicia G. Rosenberg.

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

CV10- 5306 ODW (AGR~~x~~)

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

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

=====

NOTICE TO COUNSEL

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

Subsequent documents must be filed at the following location:

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

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

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

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

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

| | |
|---|---|
| I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) THOMAS ROBINS, individually and on behalf of all others similarly situated | DEFENDANTS SPOKEO, INC., a California corporation |
| (b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Sean Reis, SBN 184044, Edelson McGuire LLP, 30021 Tomas Street, Suite 300, Rancho Santa Margarita, CA 92688 (949) 459-2124 | Attorneys (If Known) |

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| II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%; border: none;">Citizen of This State</td> <td style="width:10%; border: none; text-align: center;">PTF</td> <td style="width:10%; border: none; text-align: center;">DEF</td> <td style="width:33%; border: none;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; border: none; text-align: center;">PTF</td> <td style="width:10%; border: none; text-align: center;">DEF</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 1</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 1</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 1</td> <td style="border: none;"><input type="checkbox"/> 4</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 4</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2</td> <td style="border: none;">Incorporated and Principal Place of Business in Another State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 2</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2</td> <td style="border: none;"><input type="checkbox"/> 5</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3</td> <td style="border: none;">Foreign Nation</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 3</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3</td> <td style="border: none;"><input type="checkbox"/> 6</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> </tr> </table> | Citizen of This State | PTF | DEF | Incorporated or Principal Place of Business in this State | PTF | DEF | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
| Citizen of This State | PTF | DEF | Incorporated or Principal Place of Business in this State | PTF | DEF | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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IV. ORIGIN (Place an X in one box only.)

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

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

CLASS ACTION under F.R.C.P. 23: ☒ Yes ☐ No **MONEY DEMANDED IN COMPLAINT:** \$ statutory and other

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

15 U.S.C. 1681e, b, j (Violations of the Fair Credit Reporting Act)

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

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

FOR OFFICE USE ONLY: Case Number: _____

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

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

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

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

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

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

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

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

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

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

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

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

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Date 7-20-10

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

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action |
|---------------------|--------------|--|
| 861 | HIA | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935f(1)(b)) |
| 862 | BL | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923) |
| 863 | DIWC | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g)) |
| 863 | DIWW | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g)) |
| 864 | SSID | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended. |
| 865 | RSI | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g)) |

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FROM-ABC LEGAL SERVICES

+2132539413

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ORIGINAL

CV 5306

Name & Address:

Sean Reis, SBN 184044
 Edelson McGuire LLP
 30021 Tomas Street, Suite 300
 Rancho Santa Margarita, CA 92688

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

THOMAS ROBINS, individually and on behalf of all
 others similarly situated,

PLAINTIFF(S)

v.

SPOKEO, INC., a California corporation,

DEFENDANT(S).

CASE NUMBER

CV10 5306ODW (AGRx)

SUMMONS

TO: DEFENDANT(S): SPOKEO, INC., a California corporation,

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Sean Reis, whose address is 30021 Tomas Street, Suite 300, Rancho Santa Margarita, CA 92688. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

JUL 20 2010

Dated: _____

CHRISTOPHER POWERS

By: _____

Deputy Clerk

(Seal of the Court)

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