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FILED

10 SEP -1 AM 9:17

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY

WVG
DEPUTY

5 Attorney for Plaintiff,
6 LIBERTY MEDIA HOLDINGS, LLC

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION

10 LIBERTY MEDIA HOLDINGS, LLC)

Case No. **10 CV 1823 DMS**

WVG

11 Plaintiff,)

Judge:

12 vs.)

COMPLAINT

13 DOES 1-59)

(1) **UNLAWFUL ACCESS TO STORED COMMUNICATIONS - 18 U.S.C. § 2701;**

14 Defendants)

(2) **COMPUTER FRAUD AND ABUSE - 18 U.S.C. § 1030**

(3) **COPYRIGHT INFRINGEMENT - 17 U.S.C. § 501**

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20 Plaintiff, Liberty Media Holdings ("Liberty" or "Plaintiff") files this complaint against multiple Doe defendants and alleges as follows:

21 **INTRODUCTION**

22 1. The Plaintiff produces high quality photographs and motion pictures, which are
23 published on it's website, on DVDs and books, as well as licensed to third party publishers for a
24 premium fee.

25 2. The Plaintiff charges a monthly membership fee for access to its website of \$34.95
26 per month. However, the Doe defendants each accessed the Plaintiff's website,
27 www.corbinfisher.com, by bypassing the necessary payment and login steps required of users.

28 There are 59 defendants, each whose identity is unknown at present, who accessed Plaintiff's

CR

1 computer system from 29 different states. Plaintiff has all of their internet protocol (IP) addresses,
2 and will subpoena the Defendants Internet Service Providers (ISPs) in order to ascertain their
names and addresses.

3 3. The Defendants' actions are a violation of the Plaintiff's copyrights as protected by
4 Title 17 of the U.S. Code. Additionally, by accessing the Plaintiff's website without payment and
5 without authorization, Defendants violated 18 U.S.C. § 2701 and 18 U.S.C. § 1030.

6 4. The Defendant's actions were willful in nature, entitling the Plaintiff to enhanced
7 damages. The Plaintiff seeks statutory damages, actual damages, an award of its attorney's fees
8 and costs, as well as injunctive relief to ensure that Defendants engage in no future activity of a
similar nature.

9 **JURISDICTION AND VENUE**

10 5. This Court has subject matter jurisdiction under 38 U.S.C. § 1331 because it is a
11 civil action arising under the laws of the United States. More specifically, this dispute arises, at
12 least in part, under the provisions of the Computer Fraud And Abuse Act, 18 U.S.C. § 1030.
13 Additionally, this Court has subject matter jurisdiction pursuant to the Copyright Act (17 U.S.C. §§
14 101 et. seq.), and the Digital Millennium Copyright Act 18 U.S.C. §2701.

15 6. This Court has personal jurisdiction over the Defendants as they have all committed
16 tortious acts within this district and/or aimed their tortuous acts toward this district with the
knowledge that the negative consequences would be felt in this jurisdiction.

17 7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, as a substantial part of
18 the events or omissions giving rise to the claims pleaded herein occurred in this district, and thus,
19 this venue is the most appropriate forum in which this case should be heard.

20 **THE PARTIES**

21 **THE PLAINTIFF, LIBERTY MEDIA HOLDINGS, LLC**

22 8. Liberty is a California corporation with a mailing address of 302 Washington Street,
Suite 321, San Diego, CA 92103.

23 9. Liberty creates original works of creative expression in the form of gay-themed
24 adult entertainment films.

25 **DEFENDANT DOE 1**

26 10. The identity of Defendant Doe 1 is currently unknown. The Complaint will be
27 amended to reflect the true identity once it has been discovered.

1 11. Defendant Doe 1 accessed the Plaintiff's computer servers through the IP address
2 141.213.170.160.

3 **Defendant Doe 2**

4 12. The identity of Defendant Doe 2 is currently unknown. The Complaint will be
5 amended to reflect the true identity once it has been discovered.

6 13. Defendant Doe 2 accessed the Plaintiff's computer servers through the IP address
7 24.24.95.170.

8 **Defendant Doe 3**

9 14. The identity of Defendant Doe 3 is currently unknown. The Complaint will be
10 amended to reflect the true identity once it has been discovered.

11 15. Defendant Doe 3 accessed the Plaintiff's computer servers through the IP address
12 207.237.56.190.

13 **Defendant Doe 4**

14 16. The identity of Defendant Doe 4 is currently unknown. The Complaint will be
15 amended to reflect the true identity once it has been discovered.

16 17. Defendant Doe 4 accessed the Plaintiff's computer servers through the IP address
17 162.83.245.202.

18 **Defendant Doe 5**

19 18. The identity of Defendant Doe 5 is currently unknown. The Complaint will be
20 amended to reflect the true identity once it has been discovered.

21 19. Defendant Doe 5 accessed the Plaintiff's computer servers through the IP address
22 149.61.136.214.

23 **Defendant Doe 6**

24 20. The identity of Defendant Doe 6 is currently unknown. The Complaint will be
25 amended to reflect the true identity once it has been discovered.

26 21. Defendant Doe 6 accessed the Plaintiff's computer servers through the IP address
27 75.195.146.144.

28 **Defendant Doe 7**

29 22. The identity of Defendant Doe 7 is currently unknown. The Complaint will be
30 amended to reflect the true identity once it has been discovered.

31 23. Defendant Doe 7 accessed the Plaintiff's computer servers through the IP address
32 24.184.108.61.

Defendant Doe 8

1 24. The identity of Defendant Doe 8 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 25. Defendant Doe 8 accessed the Plaintiff's computer servers through the IP address
4 74.167.111.167.

Defendant Doe 9

5 26. The identity of Defendant Doe 9 is currently unknown. The Complaint will be
6 amended to reflect the true identity once it has been discovered.

7 27. Defendant Doe 9 accessed the Plaintiff's computer servers through the IP address
8 76.186.105.143.

Defendant Doe 10

9 28. The identity of Defendant Doe 10 is currently unknown. The Complaint will be
10 amended to reflect the true identity once it has been discovered.

11 29. Defendant Doe 10 accessed the Plaintiff's computer servers through the IP address
12 is 70.234.228.208.

Defendant Doe 11

13 30. The identity of Defendant Doe 11 is currently unknown. The Complaint will be
14 amended to reflect the true identity once it has been discovered.

15 31. Defendant Doe 11 accessed the Plaintiff's computer servers through the IP address
16 75.255.23.97.

Defendant Doe 12

17 32. The identity of Defendant Doe 12 is currently unknown. The Complaint will be
18 amended to reflect the true identity once it has been discovered.

19 33. Defendant Doe 12 accessed the Plaintiff's computer servers through the IP address
20 75.255.102.90.

Defendant Doe 13

21 34. The identity of Defendant Doe 13 is currently unknown. The Complaint will be
22 amended to reflect the true identity once it has been discovered.

23 35. Defendant Doe 13 accessed the Plaintiff's computer servers through the IP address
24 76.254.8.174.

Defendant Doe 14

1 36. The identity of Defendant Doe 14 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 37. Defendant Doe 14 accessed the Plaintiff's computer servers through the IP address
4 69.181.71.30.

Defendant Doe 15

5 38. The identity of Defendant Doe 15 is currently unknown. The Complaint will be
6 amended to reflect the true identity once it has been discovered.

7 39. Defendant Doe 15 accessed the Plaintiff's computer servers through the IP address
8 69.109.163.109.

Defendant Doe 16

9 40. The identity of Defendant Doe 16 is currently unknown. The Complaint will be
10 amended to reflect the true identity once it has been discovered.

11 41. Defendant Doe 16 accessed the Plaintiff's computer servers through the IP address
12 208.80.193.30.

Defendant Doe 17

13 42. The identity of Defendant Doe 17 is currently unknown. The Complaint will be
14 amended to reflect the true identity once it has been discovered.

15 43. Defendant Doe 17 accessed the Plaintiff's computer servers through the IP address
16 208.80.193.29.

Defendant Doe 18

17 44. The identity of Defendant Doe 18 is currently unknown. The Complaint will be
18 amended to reflect the true identity once it has been discovered.

19 45. Defendant Doe 18 accessed the Plaintiff's computer servers through the IP address
20 66.245.44.79.

Defendant Doe 19

21 46. The identity of Defendant Doe 19 is currently unknown. The Complaint will be
22 amended to reflect the true identity once it has been discovered.

23 47. Defendant Doe 19 accessed the Plaintiff's computer servers through the IP address
24 144.80.133.123.

Defendant Doe 20

1 48. The identity of Defendant Doe 20 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 49. Defendant Doe 20 accessed the Plaintiff's computer servers through the IP address
4 69.141.22.205.

Defendant Doe 21

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6 50. The identity of Defendant Doe 21 is currently unknown. The Complaint will be
7 amended to reflect the true identity once it has been discovered.

8 51. Defendant Doe 21 accessed the Plaintiff's computer servers through the IP address
9 76.84.200.40.

Defendant Doe 22

10
11 52. The identity of Defendant Doe 22 is currently unknown. The Complaint will be
12 amended to reflect the true identity once it has been discovered.

13 53. Defendant Doe 22 accessed the Plaintiff's computer servers through the IP address
14 24.228.21.211.

Defendant Doe 23

15 54. The identity of Defendant Doe 23 is currently unknown. The Complaint will be
16 amended to reflect the true identity once it has been discovered.

17 55. Defendant Doe 23 accessed the Plaintiff's computer servers through the IP address
18 71.125.80.31.

Defendant Doe 24

19 56. The identity of Defendant Doe 24 is currently unknown. The Complaint will be
20 amended to reflect the true identity once it has been discovered.

21 57. Defendant Doe 24 accessed the Plaintiff's computer servers through the IP address
22 67.84.117.149.

Defendant Doe 25

23
24 58. The identity of Defendant Doe 25 is currently unknown. The Complaint will be
25 amended to reflect the true identity once it has been discovered.

26 59. Defendant Doe 25 accessed the Plaintiff's computer servers through the IP address
27 71.125.78.26.

Defendant Doe 26

1 60. The identity of Defendant Doe 26 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 61. Defendant Doe 26 accessed the Plaintiff's computer servers through the IP address
4 69.248.127.34.

Defendant Doe 27

5 62. The identity of Defendant Doe 27 is currently unknown. The Complaint will be
6 amended to reflect the true identity once it has been discovered.

7 63. Defendant Doe 27 accessed the Plaintiff's computer servers through the IP address
8 24.241.225.144.

Defendant Doe 28

9 64. The identity of Defendant Doe 28 is currently unknown. The Complaint will be
10 amended to reflect the true identity once it has been discovered.

11 65. Defendant Doe 28 accessed the Plaintiff's computer servers through the IP address
12 68.28.230.226.

Defendant Doe 29

13 66. The identity of Defendant Doe 29 is currently unknown. The Complaint will be
14 amended to reflect the true identity once it has been discovered.

15 67. Defendant Doe 29 accessed the Plaintiff's computer servers through the IP address
16 68.28.230.231.

Defendant Doe 30

17 68. The identity of Defendant Doe 30 is currently unknown. The Complaint will be
18 amended to reflect the true identity once it has been discovered.

19 69. Defendant Doe 30 accessed the Plaintiff's computer servers through the IP address
20 24.147.155.202.

Defendant Doe 31

21 70. The identity of Defendant Doe 31 is currently unknown. The Complaint will be
22 amended to reflect the true identity once it has been discovered.

23 71. Defendant Doe 31 accessed the Plaintiff's computer servers through the IP address
24 98.229.211.117.

Defendant Doe 32

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2 72. The identity of Defendant Doe 32 is currently unknown. The Complaint will be
amended to reflect the true identity once it has been discovered.

3 73. Defendant Doe 32 accessed the Plaintiff's computer servers through the IP address
4 170.223.131.151.

Defendant Doe 33

6
7 74. The identity of Defendant Doe 33 is currently unknown. The Complaint will be
8 amended to reflect the true identity once it has been discovered.

9 75. Defendant Doe 33 accessed the Plaintiff's computer servers through the IP address
10 74.248.126.187.

Defendant Doe 34

11 76. The identity of Defendant Doe 34 is currently unknown. The Complaint will be
12 amended to reflect the true identity once it has been discovered.

13 77. Defendant Doe 34 accessed the Plaintiff's computer servers through the IP address
14 74.248.120.3.

Defendant Doe 35

15 78. The identity of Defendant Doe 35 is currently unknown. The Complaint will be
16 amended to reflect the true identity once it has been discovered.

17 79. Defendant Doe 35 accessed the Plaintiff's computer servers through the IP address
18 74.248.119.190.

Defendant Doe 36

19
20 80. The identity of Defendant Doe 36 is currently unknown. The Complaint will be
amended to reflect the true identity once it has been discovered.

21 81. Defendant Doe 36 accessed the Plaintiff's computer servers through the IP address
22 137.30.250.154.

Defendant Doe 37

23
24 82. The identity of Defendant Doe 37 is currently unknown. The Complaint will be
25 amended to reflect the true identity once it has been discovered.

26 83. Defendant Doe 37 accessed the Plaintiff's computer servers through the IP address
27 66.8.232.208.

Defendant Doe 38

1 84. The identity of Defendant Doe 38 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 85. Defendant Doe 38 accessed the Plaintiff's computer servers through the IP address
4 70.119.122.0.

Defendant Doe 39

5 86. The identity of Defendant Doe 39 is currently unknown. The Complaint will be
6 amended to reflect the true identity once it has been discovered.

7 87. Defendant Doe 39 accessed the Plaintiff's computer servers through the IP address
8 74.176.99.73.

Defendant Doe 40

9 88. The identity of Defendant Doe 40 is currently unknown. The Complaint will be
10 amended to reflect the true identity once it has been discovered.

11 89. Defendant Doe 39 accessed the Plaintiff's computer servers through the IP address
12 68.202.230.99.

Defendant Doe 41

13 90. The identity of Defendant Doe 41 is currently unknown. The Complaint will be
14 amended to reflect the true identity once it has been discovered.

15 91. Defendant Doe 41 accessed the Plaintiff's computer servers through the IP address
16 24.21.33.11.

Defendant Doe 42

17 92. The identity of Defendant Doe 42 is currently unknown. The Complaint will be
18 amended to reflect the true identity once it has been discovered.

19 93. Defendant Doe 42 accessed the Plaintiff's computer servers through the IP address
20 130.71.255.174.

Defendant Doe 43

21 94. The identity of Defendant Doe 43 is currently unknown. The Complaint will be
22 amended to reflect the true identity once it has been discovered.

23 95. Defendant Doe 43 accessed the Plaintiff's computer servers through the IP address
24 164.107.220.197.

Defendant Doe 44

1 96. The identity of Defendant Doe 44 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 97. Defendant Doe 44 accessed the Plaintiff's computer servers through the IP address
4 70.248.75.165.

Defendant Doe 45

5 98. The identity of Defendant Doe 45 is currently unknown. The Complaint will be
6 amended to reflect the true identity once it has been discovered.

7 99. Defendant Doe 45 accessed the Plaintiff's computer servers through the IP address
8 68.28.41.225.

Defendant Doe 46

9 100. The identity of Defendant Doe 46 is currently unknown. The Complaint will be
10 amended to reflect the true identity once it has been discovered.

11 101. Defendant Doe 46 accessed the Plaintiff's computer servers through the IP address
12 70.242.156.165.
13

Defendant Doe 47

14 102. The identity of Defendant Doe 47 is currently unknown. The Complaint will be
15 amended to reflect the true identity once it has been discovered.

16 103. Defendant Doe 47 accessed the Plaintiff's computer servers through the IP address
17 66.147.95.97.

Defendant Doe 48

18 104. The identity of Defendant Doe 48 is currently unknown. The Complaint will be
19 amended to reflect the true identity once it has been discovered.

20 105. Defendant Doe 48 accessed the Plaintiff's computer servers through the IP address
21 72.204.253.91.
22

Defendant Doe 49

23 106. The identity of Defendant Doe 49 is currently unknown. The Complaint will be
24 amended to reflect the true identity once it has been discovered.

25 107. Defendant Doe 49 accessed the Plaintiff's computer servers through the IP address
26 162.39.240.73.
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Defendant Doe 50

1 108. The identity of Defendant Doe 50 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 109. Defendant Doe 50 accessed the Plaintiff's computer servers through the IP address
4 151.196.51.157.

Defendant Doe 51

5
6 110. The identity of Defendant Doe 51 is currently unknown. The Complaint will be
7 amended to reflect the true identity once it has been discovered.

8 111. Defendant Doe 51 accessed the Plaintiff's computer servers through the IP address
9 97.118.111.216.

Defendant Doe 52

10 112. The identity of Defendant Doe 52 is currently unknown. The Complaint will be
11 amended to reflect the true identity once it has been discovered.

12 113. Defendant Doe 52 accessed the Plaintiff's computer servers through the IP address
13 199.1.152.210.

Defendant Doe 53

14 114. The identity of Defendant Doe 53 is currently unknown. The Complaint will be
15 amended to reflect the true identity once it has been discovered.

16 115. Defendant Doe 53 accessed the Plaintiff's computer servers through the IP address
17 70.169.158.242.

Defendant Doe 54

18
19 116. The identity of Defendant Doe 54 is currently unknown. The Complaint will be
20 amended to reflect the true identity once it has been discovered.

21 117. Defendant Doe 54 accessed the Plaintiff's computer servers through the IP address
22 71.56.21.161.

Defendant Doe 55

23 118. The identity of Defendant Doe 55 is currently unknown. The Complaint will be
24 amended to reflect the true identity once it has been discovered.

25 119. Defendant Doe 55 accessed the Plaintiff's computer servers through the IP address
26 96.32.141.135.

Defendant Doe 56

1 120. The identity of Defendant Doe 56 is currently unknown. The Complaint will be
2 amended to reflect the true identity once it has been discovered.

3 121. Defendant Doe 56 accessed the Plaintiff's computer servers through the IP address
4 74.211.6.141.

Defendant Doe 57

5
6 122. The identity of Defendant Doe 57 is currently unknown. The Complaint will be
7 amended to reflect the true identity once it has been discovered.

8 123. Defendant Doe 57 accessed the Plaintiff's computer servers through the IP address
9 76.252.7.174.

Defendant Doe 58

10 124. The identity of Defendant Doe 58 is currently unknown. The Complaint will be
11 amended to reflect the true identity once it has been discovered.

12 125. Defendant Doe 57 accessed the Plaintiff's computer servers through the IP address
13 98.225.19.67.

FIRST CAUSE OF ACTION

(Unlawful Access to Stored Communications 18 U.S.C. §§ 2701 and 2707)

14
15 126. The Plaintiff re-alleges and incorporates by reference as if verbatim Paragraphs 1-
16 125.

17 127. The Defendants intentionally accessed the Plaintiff's web servers, which are
18 facilities where electronic communication services are provided.

19 128. The Defendants committed these unlawful accesses on or about April 15, 2010.

20 129. The Defendants, who were not members of the Corbin Fisher website, and thus had
21 no right to access the Plaintiff's copyrighted materials, unlawfully did so.

22 130. The Defendants obtained access to Plaintiff's electronic communications while they
23 were in electronic storage and thus should be punished under 18 U.S.C. § 2701.

24 131. Pursuant to 18 U.S.C. § 2707, the Defendants are liable to the Plaintiff for damages
25 and reasonable attorney's fees.

SECOND CAUSE OF ACTION

(Computer Fraud and Abuse Act 18 U.S.C. § 1030)

26 132. Plaintiff re-alleges and incorporates by reference as if verbatim, Paragraphs 1-131.
27
28

1 133. Defendants did unlawfully enter into a computer server where Plaintiff's
2 copyrighted materials were contained, and did unlawfully enter Plaintiff's computer servers.

3 134. This entry was unauthorized, and through this entry, Defendants did steal the
4 Plaintiff's property, the copyrighted materials, the value of which was in excess of \$15,000.

5 135. The Plaintiff's computer servers constitute a "computer" within the meaning of 18
6 U.S.C. § 1030(e)(1).

7 136. The "computer" identified above was used in interstate commerce or
8 communication and was a protected computer within the meaning of 18 U.S.C. § 1030(e)(2)(B).

9 137. Defendants knowingly caused the transmission of a program, information, code, or
10 command targeted at a protected computer.

11 138. As a result of such conduct, Defendants intentionally caused damage without
12 authorization, to the Plaintiff and to the relevant computer systems.

13 139. Defendants intentionally accessed a protected computer without authorization, and
14 as a result of such conduct, has caused damage.

15 140. The damage caused includes a loss aggregating substantially more than the \$5000
16 amount required under 18 U.S.C. § 1030(a)(5)(B)(i).

17 141. Plaintiff has been damaged, and has suffered losses, due to these past wrongs by
18 Defendants.

19 **THIRD CAUSE OF ACTION**

20 **(Copyright Infringement 17 U.S.C. § 501)**

21 142. Plaintiff re-alleges and incorporates by reference as if verbatim, Paragraphs 1-141.

22 143. At all times relevant hereto, the Plaintiff has been the owner and producer of the
23 motion pictures, which were reproduced, distributed, and publicly displayed by the Defendants.

24 144. The Plaintiff holds copyright registration certificates from the United States
25 Copyright Office that cover the infringed upon motion pictures.

26 145. Without authorization, the Defendants accessed, reproduced and distributed the
27 Plaintiff's copyrighted and registered works.

28 146. They did so by accessing the Plaintiff's computer servers either by hacking into
them directly or by using hacked portals provided by others.

147. Once inside the Plaintiff's computer systems, the Defendants downloaded the
Plaintiff's copyrighted works, thus creating a copy of the works on the Defendants' local hard drive
or other storage device.

1 147. Once inside the Plaintiff's computer systems, the Defendants downloaded the
2 Plaintiff's copyrighted works, thus creating a copy of the works on the Defendants' local hard drive
or other storage device.

3 148. The Defendant's conduct was willful within the meaning given to that term by the
4 Copyright Act.

5 149. As a result of their wrongful conduct, the Defendant is liable to the Plaintiff for
6 copyright infringement under 17 U.S.C. § 501.

7 150. Plaintiff is entitled to recover statutory damages under 17 U.S.C. § 504(c).

8 151. In addition, because the Defendant's infringing acts were willful, the award of
statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

9 152. Plaintiff is entitled to recover its attorneys' fees and costs of suit pursuant to 17
10 U.S.C. § 505.

11 **WHEREFORE; PLAINTIFF PRAYS**

- 12 1. Statutory damages pursuant to:
- 13 a. 17 U.S.C. § 504(c) of not less than \$750 per infringement;
- 14 b. 18 U.S.C. § 2707(b) and (c) of not less than \$1000 per intrusion;
- 15 2. Compensatory Damages in an amount to be proven at trial;
- 16 3. Injunctive relief reversing all actions committed by Defendants and enjoining them
from further violations;
- 17 4. Attorney's fees and costs as authorized by statute;
- 18 5. For any additional and further relief which this Court deems to be just and proper.

19
20 Date: August 31, 2010.



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The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS
Liberty Media Holdings, LLC

DEFENDANTS
Does 1-59

FILED

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

County of Residence of First Listed Defendant **Unknown**
(IN U.S. PLAINTIFF CASES ONLY)

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

(c) Attorney's (Firm Name, Address, and Telephone Number)
Marc Randazza, Randazza Legal Group
302 Washington Street, Suite 321, San Diego, CA 92103
619-866-5975, 619-866-5976 (fax)

Attorneys (If Known) **BY**

10 CV 1823 DMS DEPUTY WVG

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)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <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 |
| 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 |

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (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	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 Federal 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	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 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	<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	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" 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	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <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 Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	IMMIGRATION	
<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	<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 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 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	<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	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

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
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

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

18 U.S.C. Section 2701, 18 U.S.C. Section 1030, 17 U.S.C. Section 501

Brief description of cause:
Unlawful Access to Stored Communications, Computer Fraud, and Copyright Infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND \$ **\$5.9 million**
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: **September 1, 2010** SIGNATURE OF ATTORNEY OF RECORD: *[Signature]*

FOR OFFICE USE ONLY

RECEIPT # **17510** AMOUNT **\$350** APPLYING IFP **9/1/10 BL4** JUDGE _____ MAG. JUDGE _____

[Handwritten initials]

Court Name: USDC California Southern
Division: 3
Receipt Number: CAS017510
Cashier ID: bhartman
Transaction Date: 09/01/2010
Payer Name: MARC J RANDAZZA

CIVIL FILING FEE
For: LIBERTY MEDIA V DOE
Case/Party: D-CAS-3-10-CV-001823-001
Amount: \$350.00

CHECK
Check/Money Order Num: 1056
Amt Tendered: \$350.00

Total Due: \$350.00
Total Tendered: \$350.00
Change Amt: \$0.00

There will be a fee of \$45.00
charged for any returned check.