

IN THE CIRCUIT COURT FOR COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

CHERIE DAVIS,

Plaintiff,

v.

No.

GOOGLE, INC., a Delaware corporation

Defendant.

COCH 15753

FILED-4  
2009 APR -9 AM 10:05  
CIRCUIT COURT OF COOK  
COUNTY ILLINOIS  
CHANCERY DIV.  
NORRITHY EBROWN CLERK

COMPLAINT FOR INJUNCTIVE RELIEF

NOW COMES the plaintiff, **CHERIE DAVIS**, and complaining of defendant **GOOGLE, INC.** states as follows:

1. Plaintiff **CHERIE DAVIS** (Plaintiff) is an individual residing in Cook County, Illinois.
2. Defendant **GOOGLE, INC.** (Defendant) is a Delaware corporation doing business in Illinois as a provider of web hosting services, and, more specifically as related to the instant proceeding, "blog" hosting services via its "blogspot.com" website.
3. Plaintiff is the mother of U. S. Olympic speedskater Shani Davis.
4. On February 26, 2006, a Google customer by the name of Sean Healy (Healy) posted a statement regarding Plaintiff on a blog with the URL <http://unknowncolumn.blogspot.com>, hosted by Defendant, saying Plaintiff had referred to the members of the United States Speedskating Federation as "white supremacists" and "neo-Nazi genetic mutations." See attached Exhibit A.
5. Healy's statement was false, in that Plaintiff made no such statement about members of the United States Speedskating Federation.

6. Healy's statement was defamatory, in that it ascribed to Plaintiff characteristics damaging to her reputation, specifically that she was someone who made false and inflammatory statements about others without substantiation.

7. Plaintiff demanded Defendant remove Healy's statement from Name's blog hosted by Defendant, but Defendant refused, claiming it could not control the content of its customers' blogs.

8. Plaintiff attempted to contact Healy to demand Healy remove his statement regarding Plaintiff from his blog, but was informed by Healy's mother that Healy was deceased, having died of cancer on February 10, 2007.

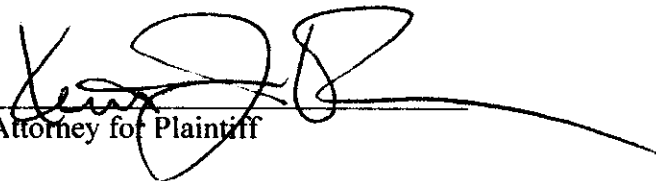
9. Plaintiff is suffering irreparable harm by virtue of the Healy's statement remaining on his blog posted by Defendant, because Healy's statement regularly appears prominently on web-searches regarding Shani Davis and Plaintiff, damaging Plaintiff's reputation in a manner which she, practically, is unable to counter.

10. Plaintiff has no adequate remedy at law, because Healy, being deceased and having no probate estate, Plaintiff cannot bring an action for damages against him.

11. Defendant would not be prejudiced by an order enjoining it from continuing to post Healy's statement on Healy's blog, as Defendant has no interest, economic or otherwise, in continuing to post Healy's statement.

WHEREFORE, Plaintiff, CHERIE DAVIS, prays for entry of judgment in his favor and against defendant GOOGLE, INC. enjoining Google from continuing to post the February 22, 2006 blog post of Sean Healy at <http://unknowncolumn.blogspot.com> and ordering Google to remove the same from its site, and for her cost of suit.

Respectfully Submitted:



Attorney for Plaintiff

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