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 6

7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**
 9

10 RIGHTHAVEN LLC, a Nevada limited-
 liability company,

Case No.: 2:10-cv-0637

**COMPLAINT AND DEMAND FOR JURY
 TRIAL**

11
 12 **Plaintiff,**

13 v.

14 PROGRESSIVE LEADERSHIP ALLIANCE
 15 OF NEVADA, a Nevada non-profit
 corporation; ROBERT PETERSON, an
 16 individual,

17 **Defendants.**
 18

19
 20 Righthaven LLC (“Righthaven”) complains as follows against Progressive Leadership
 21 Alliance of Nevada, a Nevada non-profit corporation (“PLAN”), and Robert Peterson, an
 22 individual (“Mr. Peterson”), on information and belief:
 23

24 **NATURE OF ACTION**

25 1. This is an action for copyright infringement pursuant to 17 U.S.C. §501.
 26
 27
 28

PARTIES

2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-liability company with its principal place of business in Nevada.

3. Righthaven is, and has been at all times relevant to this lawsuit, in good standing with the Secretary of State of Nevada.

4. PLAN is, and has been at all times relevant to this lawsuit, a domestic non-profit corporation with its principal place of business in Nevada.

5. Mr. Peterson is, and has been at all times relevant to this lawsuit, an individual doing business as Peterson Graphics.

JURISDICTION

6. This Court has original subject matter jurisdiction over this copyright infringement action pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1338(a).

7. PLAN’s state of origin and current jurisdiction is Nevada.

8. PLAN’s activities in Nevada have resulted in the copyright infringement alleged herein.

9. Mr. Peterson purposefully directs activities at Nevada residents, which activities have resulted in the copyright infringement alleged herein.

10. Mr. Peterson is, and has been at all times relevant to this lawsuit, the owner of the Internet domain www.planevada.org (the “Website”).

11. Mr. Peterson is, and has been at all times relevant to this lawsuit, the registrant, administrative contact, and technical contact for the Website.

12. Mr. Peterson effectuates the unauthorized publication of Righthaven-owned copyrighted works at the Website.

13. The unauthorized publication, effectuated by Mr. Peterson, of Righthaven-owned copyrighted works at the Website is purposefully directed at Nevada residents.

14. Mr. Peterson copied, on an unauthorized basis, the literary work entitled “State of the State Address: Gibbons to draw bottom line. Speech will suggest how to cut spending

1 \$881.4 million” (the “Infringement”), attached hereto as Exhibit 1, from a source emanating
2 from Nevada.

3 15. On or about February 18, 2010, Mr. Peterson displayed and continues to display
4 the Infringement on the Website.

5 16. Mr. Peterson’s display of the Infringement was and is purposefully directed at
6 Nevada residents

7 17. Mr. Peterson copied, on an unauthorized basis, the literary work entitled “Pipeline
8 receives go-ahead,” attached hereto as Exhibit 2 (the “Pipeline Article”), from a source
9 emanating from Nevada.

10 18. On or about August 22, 2009, Mr. Peterson displayed and continues to display the
11 Pipeline Article on the Website.

12 19. Mr. Peterson’s display of the Pipeline Article was and is purposefully directed at
13 Nevada residents.

14 20. Mr. Peterson copied, on an unauthorized basis, a substantial and significant
15 portion of the literary work entitled “Governor open to reducing mining’s tax deductions,”
16 attached hereto as Exhibit 3 (the “Tax Deductions Article”), from a source emanating from
17 Nevada.

18 21. On or about February 17, 2010, Mr. Peterson displayed and continues to display a
19 substantial and significant portion of the Tax Deductions Article on the Website.

20 22. Mr. Peterson’s display of a substantial and significant portion of the Tax
21 Deduction Article was and is purposefully directed at Nevada residents.

22 23. Mr. Peterson copied, on an unauthorized basis, a substantial and significant
23 portion of the literary work entitled “Group seeks higher tax on mining,” attached hereto as
24 Exhibit 4 (the “Group Seeks Article”), from a source emanating from Nevada.

25 24. On or about January 20, 2010, Mr. Peterson displayed and continues to display a
26 substantial and significant portion of the Group Seeks Article on the Website.

27 25. Mr. Peterson’s display of a substantial and significant portion of the Group Seeks
28 Article was and is purposefully directed at Nevada residents.

1 26. Mr. Peterson copied, on an unauthorized basis, a substantial and significant
2 portion of the literary work entitled “More tax hikes?” attached hereto as Exhibit 5 (the “Tax
3 Hikes Article”), from a source emanating from Nevada.

4 27. On or about January 20, 2010, Mr. Peterson displayed and continues to display a
5 substantial and significant portion of the Tax Hikes Article on the Website.

6 28. Mr. Peterson’s display of a substantial and significant portion of the Tax Hikes
7 Article was and is purposefully directed at Nevada residents.

8 29. Mr. Peterson copied, on an unauthorized basis, a substantial and significant
9 portion of the literary work entitled “Halt sought to mining petition,” attached hereto as Exhibit 6
10 (the “Mining Petition Article”), from a source emanating from Nevada.

11 30. On or about February 9, 2010, Mr. Peterson displayed and continues to display a
12 substantial and significant portion of the Mining Petition Article on the Website.

13 31. Mr. Peterson’s display of a substantial and significant portion of the Mining
14 Petition Article was and is purposefully directed at Nevada residents.

15 32. Mr. Peterson’s contacts with Nevada are systematic and continuous because Mr.
16 Peterson publishes, on the Website, a variety of content specifically relating to the politics and
17 government of the State of Nevada.

18 33. Mr. Peterson’s contacts with Nevada are systematic and continuous because Mr.
19 Peterson publishes, on the Website, a variety of content specifically relating to the activities of
20 PLAN, an organization engaged in social and political activity specifically related to the State of
21 Nevada.

22 34. Mr. Peterson’s contacts with Nevada are systematic and continuous because Mr.
23 Peterson’s commercial activity is substantial enough to approximate a physical presence in
24 Nevada because of the graphic design and technical services provided to Nevada bases business
25 entities such as PLAN.
26
27
28

VENUE

1
2 35. The United States District Court for the District of Nevada is an appropriate
3 venue, pursuant to 28 U.S.C. § 1391(c) and § 1400(a), because PLAN is subject to personal
4 jurisdiction in Nevada and may be found in Nevada.

5 36. The United States District Court for the District of Nevada is an appropriate
6 venue, pursuant to 28 U.S.C. § 1391(b)(2), because a substantial part of the events giving rise to
7 the claim for relief are situated in Nevada.

8
9 **FACTS**

10 37. Righthaven is the copyright owner of the literary work entitled “State of the State
11 Address: Gibbons to draw bottom line. Speech will suggest how to cut spending \$881.4 million”
12 (the “Work”), attached hereto as Exhibit 7.

13 38. The Work was originally published on February 8, 2010.

14 39. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C.
15 §102(a)(1).

16 40. On April 12, 2010, the United States Copyright Office (the “USCO”) granted
17 Righthaven the registration to the Work, copyright registration number TX0007122473 (the
18 “Registration”) and attached hereto as Exhibit 8 is evidence of the Registration in the form of a
19 printout of the official USCO database record depicting the occurrence of the Registration.

20 41. Mr. Peterson obtained ownership of the Website for the benefit of PLAN.

21 42. At all times relevant, PLAN had and has maintained beneficial control of the
22 Website.

23 43. At all times relevant, Mr. Peterson acted and acts as an agent of PLAN,
24 authorized to provide technical, maintenance and administrative support on the Website.

25 44. At all times relevant, PLAN directed and directs Mr. Peterson to add to, delete
26 from and arrange content on the Website.

27 45. No later than February 18, 2010, PLAN reproduced an unauthorized copy of a
28 substantial and significant portion of the Work on the Website.

1 46. No later than February 18, 2010, PLAN directed Mr. Peterson to reproduce and
2 display the Infringement on the Website.

3 47. No later than February 18, 2010, Mr. Peterson reproduced and displayed the
4 Infringement on the Website.

5 48. PLAN did not seek permission, in any manner, to reproduce, display, or otherwise
6 exploit the Work.

7 49. Mr. Peterson did not seek permission, in any manner, to reproduce, display, or
8 otherwise exploit the Work.

9 50. PLAN was not granted permission, in any manner, to reproduce, display, or
10 otherwise exploit the Work.

11 51. Mr. Peterson was not granted permission, in any manner, to reproduce, display, or
12 otherwise exploit the Work.

13
14 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

15 52. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
16 51 above.

17 53. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17
18 U.S.C. §106(1).

19 54. Righthaven holds the exclusive right to prepare derivative works based upon the
20 Work, pursuant to 17 U.S.C. §106(2).

21 55. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to
22 17 U.S.C. §106(3).

23 56. Righthaven holds the exclusive right to publicly display the Work, pursuant to 17
24 U.S.C. §106(5).

25 57. PLAN reproduced the Work, in derogation of Righthaven's exclusive rights under
26 17 U.S.C. §106(1).

27 58. Mr. Peterson reproduced the Work, in derogation of Righthaven's exclusive rights
28 under 17 U.S.C. §106(1).

1 59. PLAN created an unauthorized derivative of the Work, in derogation of
2 Righthaven's exclusive rights under 17 U.S.C. §106(2).

3 60. Mr. Peterson created an unauthorized derivative of the Work, in derogation of
4 Righthaven's exclusive rights under 17 U.S.C. §106(2).

5 61. PLAN distributes unauthorized reproductions of the Work via the Website, in
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(3).

7 62. Mr. Peterson distributes unauthorized reproductions of the Work via the Website,
8 in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(3).

9 63. PLAN publicly displays an unauthorized reproduction of the Work at the Website,
10 in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

11 64. Mr. Peterson publicly displays an unauthorized reproduction of the Work at the
12 Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

13 65. PLAN has willfully engaged in the copyright infringement of the Work.

14 66. Mr. Peterson has willfully engaged in the copyright infringement of the Work.

15 67. PLAN's acts as alleged herein, and the ongoing direct results of those acts, have
16 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven
17 cannot ascertain, leaving Righthaven with no adequate remedy at law.

18 68. Mr. Peterson's acts as alleged herein, and the ongoing direct results of those acts,
19 have caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven
20 cannot ascertain, leaving Righthaven with no adequate remedy at law.

21 69. Unless PLAN is preliminarily and permanently enjoined from further
22 infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus
23 entitled to preliminary and permanent injunctive relief against further infringement by PLAN of
24 the Work, pursuant to 17 U.S.C. §502.

25 70. Unless Mr. Peterson is preliminarily and permanently enjoined from further
26 infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus
27 entitled to preliminary and permanent injunctive relief against further infringement by Mr.
28 Peterson of the Work, pursuant to 17 U.S.C. §502.

PRAYER FOR RELIEF

Righthaven requests that this Court grant Righthaven's claim for relief herein as follows:

1. Preliminarily and permanently enjoin and restrain PLAN, PLAN's officers, agents, servants, employees, attorneys, parents, subsidiaries, related companies, partners, and all persons acting for, by, with, through, or under PLAN, Mr. Peterson, and Mr. Peterson's agents, servants, employees, attorneys, related companies, partners, and all persons acting for, by, with, through, or under Mr. Peterson from directly or indirectly infringing the Work by reproducing the Work, preparing derivative works based on the Work, distributing the Work to the public, and/or displaying the Work, or ordering, directing, participating in, or assisting in any such activity;

2. Direct PLAN and Mr. Peterson to preserve, retain, and deliver to Righthaven in hard copies or electronic copies:

a. All evidence and documentation relating in any way to PLAN's and/or Mr. Peterson's use of the Work, in any form, including, without limitation, all such evidence and documentation relating to the Website;

b. All evidence and documentation relating to the names and addresses (whether electronic mail addresses or otherwise) of any person with whom PLAN and/or Mr. Peterson has communicated regarding PLAN's and/or Mr. Peterson's use of the Work; and

c. All financial evidence and documentation relating to PLAN's and/or Mr. Peterson's use of the Work;

3. Direct GoDaddy.com, Inc. and any successor domain name registrar for the Website domain to lock the Website domain and transfer control of the Website domain to Righthaven;

4. Award Righthaven statutory damages for the willful infringement of the Work, pursuant to 17 U.S.C. §504(c);

5. Award Righthaven pre- and post-judgment interest in accordance with applicable law; and

EXHIBIT 1

EXHIBIT 1

search...

Las Vegas Review-Journal: Gibbons offers homilies, PLAN backs revenue

Feb. 8, 2010

STATE OF THE STATE ADDRESS: Gibbons to draw bottom line

Speech will suggest how to cut spending \$881.4 million

By Ed Vogel

Las Vegas Review Journal Capital Bureau

CARSON CITY -- Gov. Jim Gibbons loves to tell a story about how the recession has affected Nevada.

It goes like this: Nevada state government is like a family. Families across the state are sitting down at the dinner table and looking at their bills. Some they have to pay. Others they will postpone as long as possible. But the amount they can spend has dropped. They have to make sacrifices. They are lucky just to have jobs. Many people are standing in unemployment lines.

...

The new development that Gibbons likely will mention tonight is an agreement by the mining industry to make an advance payment of as much as \$100 million in sales taxes to help the state get through the economic crisis. Mining made such an advance payment last year. Gibbons is a former mining lawyer and geologist.

The mining industry is facing a tax battle with the Progressive Leadership Alliance of Nevada, which is circulating a petition among registered voters that would dramatically increase taxes on gold and other minerals. But the initiative petition, if approved by voters in two elections, wouldn't bring in any new revenues until 2013.

Read the full story [here](#).

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Las Vegas Review-Journal: PLAN and allies fight Las Vegas Water Grab

Pipeline receives go-ahead

Rural Nevadans vow to keep fighting



By Henry Brean

Preparations for the water pipeline to eastern Nevada will continue, and so will opposition to the multibillion-dollar project.

The Southern Nevada Water Authority board Thursday voted unanimously to forge ahead with the permit process for the agency's massive groundwater importation plan, which one day could deliver billions of gallons of groundwater a year to Las Vegas from as far as 300 miles away.

First, though, board members listened to dire warnings from the water authority's management team and counterarguments from critics of the scheme, including rural residents whose land and livelihoods lie in the path of the project.

The discussion lasted about four hours and drew more than 300 people to the board's meeting room in downtown Las Vegas.

The audience filled the room and a nearby overflow area, forcing a handful of people to watch the discussion remotely from the Clark County Government Center about a half mile down the street.

Snake Valley resident Margaret Pense couldn't help but cry as she addressed the board.

"I just wish there was a better way than to take the water from such a fragile community. We're the little guys. We're the Davids versus the Goliaths," she said, her voice breaking. "What's going to happen to me? I can't go anywhere else. I don't have a water right."

Longtime Baker motel owner Denise Coyle introduced the board to her young granddaughters, two from Baker and one from Las Vegas.

Coyle said the pipeline is about more than engineering and economics; it's a "moral and ethical choice."

"You have all of their futures in your hands. It will be them who feel the effects," she said.

Coyle's son, White Pine County Commissioner Gary Perea, read a resolution from the commission opposing the pipeline. Then he delivered a warning of his own: "To the people who support this project, no matter how much you want and need for that water to be there, it doesn't mean that it is."

Mixed in with the opposition were statements of support from developers, gaming executives and other valley business leaders.

The audience also included a large contingent of union construction workers, many of them wearing hard hats and safety vests. Their message to the board: Keep the water flowing, and put us to work on the pipeline.

Board members heard from 44 people in all.

Rancher Cecil Garland approached the podium in overalls and crusty old ball cap and quickly started quoting Shakespeare.

Garland went on to say that he has been working the land along the Nevada-Utah border for decades, and he knows one thing with certainty: "There is no surplus water in Snake Valley."

White Pine County resident Rick Spilsbury said the authority's plans for rural Nevada amount to "modern-day colonialism" and "socialism for the rich."

"I think it's as irresponsible as it can be. It doesn't make any sense to empty a natural basin to fill a man-made lake," said Spilsbury, a Western Shoshone Tribe member who blogs about environmental issues for a Web site called NoShootFoot.com.

"The world is watching," he said. "Maybe people will decide to gamble at an Indian casino rather than go to Las Vegas, which steals water from the Western Shoshone."

Not all of the criticism came from out of town.

Desert fish expert and retired UNLV professor Jim Deacon warned that the damaging effects of large-scale groundwater pumping could be felt in as many as 80 basins in Nevada, Utah and California, far beyond the network of monitoring wells the authority plans to set up.

Henderson green living consultant Steve Rypka said the water situation seems to be treated as an emergency when it comes to the pipeline but not when it comes to conservation.

"I see water waste everyday," he said. "It's just running down the gutter. It's insane."

The discussion began with a 45-minute presentation by water authority officials on the purpose and the history of the pipeline, which was born in the late 1980s when the Las Vegas Valley Water District filed for unappropriated groundwater across much of eastern and central Nevada.

In the almost two decades since, the project's scope has narrowed to six basins in Clark, Lincoln and White Pine counties.

The justification for building it also has changed. First it was about securing water to supply rapid growth in the Las Vegas Valley. Now authority officials consider it a safety net for the community, which gets 90 percent of its drinking water from the drought-stricken Colorado River.

Water authority Deputy General Manager Kay Brothers said if the drought continues at its current pace, Lake Mead could sink low enough to shut down one of the authority's two water intakes by 2013. The other intake could be in jeopardy just two years after that, she said.

The board voted 6-0 to proceed with preparations for the pipeline. County Commissioner Tom Collins left the meeting early and did not cast a vote.

This was not the board's final word on the pipeline. After obtaining all of the necessary federal permits and environmental clearances, the authority plans to put the project "on the shelf" for when the community needs it. When that day comes, it will be up to board members to decide whether to proceed with design and construction.

Water authority General Manager Pat Mulroy said she was "delighted" by the outcome of Thursday's vote, which she requested to reaffirm the board's support for the project.

"The meeting went extremely well. Everyone expressed their feelings and concerns in a polite and respectful way," Mulroy said.

Opponents were not surprised by the board's decision.

Bob Fulkerson is executive director of the Progressive Leadership Alliance of Nevada, a liberal advocacy group that has come out against the pipeline. He called the effort to sway the vote "an exercise in futility" but said it was important for them to be there and be heard.

Asked what he thought of Thursday's meeting, Snake Valley rancher Dean Baker just smiled a little and shrugged.

"It was fine," he said, but it didn't really change anything. The work on the pipeline will keep going, and the people fighting it will keep on fighting. "We have to," Baker said.

Contact reporter Henry Breaun at hbreaun@reviewjournal.com or 702-383-0350.

[Read the original story here.](#)

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Ely Times: Governor considers dumping mining deductions

Feb. 17, 2010

Governor may consider cuts to state's mining tax deduct

By BENJAMIN SPILLMAN
Ely Times Capital Bureau

Gov. Jim Gibbons would consider reducing the number of tax deductions available to the mining industry to help close a budget shortfall estimated at \$871 million, a spokesman said Monday.

"The governor is certainly open to adjusting the deductions that mining gets to take," said Gibbons spokesman Dai Burns. The administration calculates that eliminating some mining tax deductions could bring in an estimated \$25 million annually.

Such a proposal would not violate the governor's pledge to balance the budget without raising taxes, Burns said.

...

Such talk about mining taxes is going on at the same time that a petition is being circulated by the Progressive Lee Alliance of Nevada.

The group is seeking a constitutional amendment to increase the mining tax rate and charge taxes against gross production instead of the current net proceeds tax.

...

[Read the full Ely Times story here.](#)

Last Updated (Wednesday, 24 February 2010)

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Las Vegas Review-Journal: PLAN launches mining tax initiative

Jan. 20, 2010

Group seeks higher tax on mining

Initiative petition filed to ask voters to support an increase

Michael Ginsburg, a community organizer for the Progressive Leadership Alliance of Nevada, on Tuesday files a copy of the group's initiative petition to adjust the state's mining tax with Terri Rogers at the Nevada Secretary of State's office in Las Vegas.



Calling Nevada's tax system "a tragedy" for children and the poor, an activist group will ask voters to stake a bigger claim in mining, one of the state's most politically entrenched industries.

The Progressive Leadership Alliance of Nevada on Tuesday filed an initiative petition to ask voters to amend the state constitution to include at least a 5 percent tax on gross proceeds of mines, as opposed to the current tax of no more than 5 percent of net proceeds.

The change, according to PLAN organizers, could raise as much as \$250 million annually that could be spent on schools, social services and health care. They say proceeds from gold totaled \$25.5 billion from 2000 to 2007 and mining companies paid \$125.3 million in taxes to the general fund, for a rate of one-half of 1 percent.

In contrast, PLAN says the poorest 20 percent of Nevadans pay 8.3 percent of their income in taxes.

"It is time for that to end. We need a restructuring, a fairness-based tax system here in Nevada," PLAN organizer Michael Ginsburg said.

...

Read the complete RJ story [here](#).

Last Updated (Saturday, 06 February 2010)

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Las Vegas Review-Journal: PLAN "anti-capitalists," right-wingers claim

Jan. 20, 2010

EDITORIAL: More tax hikes?

Liberal group wants to shaft mining

Lobbyists for Nevada's mining industry entered the 2009 Legislature wearing bull's-eyes big enough to cover an op
Lawmakers were hunting for new revenues and many were convinced that profitable mining companies -- especial
digging up gold -- should have much bigger tax bills.

But much to the anguish of the greens and their friends in the tax-and-spend set, mining escaped Carson City with
take on any new, industry-specific levies.

The Progressive Leadership Alliance of Nevada, an anti-capitalist group in relentless pursuit of "racial, social and er
justice," was mad enough to take the issue into its own hands. On Tuesday, the organization filed an initiative peti
more than triple mining taxes.

...

Read the complete editorial [here](#).

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Las Vegas Review-Journal: Mining industry says "no" to Nevada needs

Feb. 9, 2010

Halt sought to mining petition

Group tries to stop effort to raise taxes on industry

By BENJAMIN SPILLMAN
LAS VEGAS REVIEW-JOURNAL

The trade association for Nevada's mining industry filed a lawsuit Tuesday to block a petition that would allow the state to raise taxes on mining.

The filing in District Court in Carson City by the Nevada Mining Association is in response to an initiative launched by the Progressive Leadership Alliance of Nevada, a group that advocates for "social, economic and environmental justice for Nevadans."

...

Launce Rake, a spokesman for PLAN, said the group is standing by the initiative because activists consider Nevada's tax system "a tragedy" for children and the poor.

"We're obviously reviewing it, but we believe our initiative is very well-written and will easily withstand this legal challenge," Rake said in response to the lawsuit.

...

Read the full story [here](#).

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Feb. 08, 2010
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STATE OF THE STATE ADDRESS: Gibbons to draw bottom line

Speech will suggest how to cut spending \$881.4 million

By ED VOGEL
LAS VEGAS REVIEW-JOURNAL CAPITAL BUREAU

CARSON CITY -- Gov. Jim Gibbons loves to tell a story about how the recession has affected Nevada.

It goes like this: Nevada state government is like a family. Families across the state are sitting down at the dinner table and looking at their bills. Some they have to pay. Others they will postpone as long as possible. But the amount they can spend has dropped. They have to make sacrifices. They are lucky just to have jobs. Many people are standing in unemployment lines.

Expect Gibbons to deliver a version of that story tonight when he makes a 20-minute, televised State of the State address to Nevada families about how the state government must reduce its spending by 20 percent:

State government must reduce spending by \$881.4 million between March and June 30, 2011, which is the end of the state's two-year budget cycle. Like families across Nevada, state government also must sacrifice.

Daniel Burns, Gibbons' communications director, said the governor tonight won't be mentioning all of the areas where he will propose cuts, but he will talk about some of them.

"He wants to share his ideology with the citizens. He will make all of his proposals known in the days ahead," Burns said.

So far, legislators have not even agreed with an initial cut list released by Gibbons that covers not even half of the projected deficit. They will hold a series of meetings this week to gather public opinion on Gibbons' proposed cuts and other ideas for cuts. Then Democratic legislators are expected to announce their own list of proposed cuts.

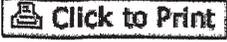
Gibbons will call a special legislative session for the week of Feb. 22, at which they all must agree on cuts that would be implemented as early as March. It might be a one-day session, like two special sessions in 2008 when the governor and legislative leaders agreed in advance on where to make cuts.

The new development that Gibbons likely will mention tonight is an agreement by the mining industry to make an advance payment of as much as \$100 million in sales taxes to help the state get through the economic crisis. Mining made such an advance payment last year. Gibbons is a former mining lawyer and geologist.

Contact Capital Bureau Chief Ed Vogel at evogel@reviewjournal.com or 775-687-3901.

Find this article at:

<http://www.lvrj.com/news/gibbons-to-draw-bottom-line-83787697.html>



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Speech will suggest how to cut spending \$881.4 million.

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Names: Stephens Media LLC
Righthaven LLC

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AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

Righthaven LLC, a Nevada limited-liability company,

Plaintiff

v.

Progressive Leadership Alliance of Nevada, a Nevada non-profit corporation; Robert Peterson, an i

Defendant

Civil Action No. 2:10-cv-0637

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Progressive Leadership Alliance of Nevada
c/o Registered Agent
821 Riverside Drive
Reno, Nevada 89503

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Steven A. Gibson, Esq.
J. Charles Coons, Esq.
Righthaven LLC
9960 West Cheyenne Avenue, Suite 210
Las Vegas, Nevada 89129
United States of America

If you fail to respond, 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 OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 2:10-cv-0637

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify):* _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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Righthaven LLC, a Nevada limited-liability company,

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v.

Progressive Leadership Alliance of Nevada, a Nevada non-profit corporation; Robert Peterson, an i

Defendant

Civil Action No. 2:10-cv-0637

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To: (Defendant's name and address) Robert Peterson
506 1/2 North Genesee Avenue
Los Angeles, California 90036

A lawsuit has been filed against you.

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Las Vegas, Nevada 89129
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Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

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.)

<p>I. (a) PLAINTIFFS Righthaven LLC, a Nevada limited-liability company</p> <p>(b) County of Residence of First Listed Plaintiff <u>Clark (Nevada)</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number) Steven A. Gibson, Esq., J. Charles Coons, Esq., Righthaven LLC, 9960 West Cheyenne Avenue, Suite 210, Las Vegas, Nevada</p>	<p>DEFENDANTS Progressive Leadership Alliance of Nevada, a Nevada non-profit corporation; Robert Peterson, an individual</p> <p>County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p> <p>Attorneys (If Known) _____</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <p>(For Diversity Cases Only)</p> <table style="width:100%;"> <tr> <td>Citizen of This State</td> <td>PTF <input checked="" type="checkbox"/> 1</td> <td>DEF <input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td>PTF <input checked="" type="checkbox"/> 4</td> <td>DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	PTF <input checked="" type="checkbox"/> 4	DEF <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
Citizen of This State	PTF <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	PTF <input checked="" type="checkbox"/> 4	DEF <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	<p>PERSONAL INJURY</p> <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	<p>PERSONAL INJURY</p> <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 <p>PERSONAL PROPERTY</p> <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 <p>PROPERTY RIGHTS</p> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
<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	<p>CIVIL RIGHTS</p> <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	<p>PRISONER PETITIONS</p> <input type="checkbox"/> 510 Motions to Vacate Sentence <p>Habeas Corpus:</p> <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	<p>LABOR</p> <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	<p>SOCIAL SECURITY</p> <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))
		<p>IMMIGRATION</p> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<p>FEDERAL TAX SUITS</p> <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

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):
17 U.S.C. 501

Brief description of cause:
Copyright Infringement

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ 75,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 05/04/2010 SIGNATURE OF ATTORNEY OF RECORD /s/ J. Charles Coons, Esq. Nevada Bar No. 10553

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____