

M. Cris Armenta (SBN 177403)
THE ARMENTA LAW FIRM APC
11900 W. Olympic Boulevard, Suite 730
Los Angeles, CA 90064
Tel: (310) 826-2826 x 108
Facsimile: (310) 826-5456
Email: cris@crisarmenta.com

Credence E. Sol (SBN 219784) La Garenne 86300 Chauvigny France

Telephone: 06 74 90 22 08 credence.sol@sol-law.com

Attorneys for Plaintiff Cindy Lee Garcia

FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES

SEP 19 2012

John A. Clarke, Executive Officer/Clerk
BY Flores Deputy
Mary Flores

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

CINDY LEE GARCIA, an individual,

Plaintiffs,

VS.

NAKOULA BASSELEY NAKOULA, an individual also known as SAM BACILE; GOOGLE, INC., a Delaware Corporation; YOUTUBE, a California limited liability company, and DOES 1 through 200, inclusive.

Defendants.

Case No.

BC492358

COMPLAINT FOR:

- 1. Declaratory Relief
- 2. Invasion of Privacy
- 3. False Light Invasion of Privacy
- 4. Right of Publicity;
- 5. Fraud;
- 6. Unfair Business Practices
- 7. Slander;
- 8. Intentional Infliction of Emotional Distress

[Demand For Jury Trial]

[Ex Parte Application for a Temporary Restraining Order and a Preliminary Injunction Requested]

RECEIVED:
CHECK: 435
CASH:
CHANGE:
CASH:

CIT/CASE: EC492358 LEA/DEF#; RECEIFT #: CCH478057009 DATE PAID: 09/19/12 08:54:16 AM PAYMENT: \$435,00 0310

ORIGINA

0316 0316

27

28

5

6

7

A. The Parties

1.

8 9

11 12

10

13 14

16 17

15

18 19

20

22

21

23 24

25 26

> 27 28

For her verified Complaint against Defendants Nakoula Basseley Nakoula, also known as Sam Bacile, Google, Inc. and YouTube LLC, Plaintiff Cindy Lee Garcia alleges as follows:

GENERAL ALLEGATIONS

Plaintiff Cindy Lee Garcia is an individual and at all relevant times herein was a resident of Kern County, California.

- 2. Defendant Nakoula Basseley Nakoula, also known as Sam Bacile ("Defendant Nakoula" or "Bacile") is an individual and at all relevant times herein as a resident of Los Angeles County, California.
- 3. Defendant Google, Inc., is a corporation incorporated in Delaware with its principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043. Google conducts business throughout California, the nation, and the world.
- 4. Defendant YouTube, LLC, is a California limited liability company. YouTube conducts business throughout California, the nation, and the world.
- 5. Plaintiff lacks knowledge of the true names and capacities of the defendants sued herein as DOES 1 through 200, inclusive, and therefore sues these defendants by such fictitious names. DOES 1-150 are unidentified posters of the film, as further described below. Plaintiff will amend this complaint to allege their true names and capacities when they have been ascertained.
- Plaintiff is informed and believes that each of the defendants designated herein as a 6. Doe is responsible in some manner for the events and happenings herein alleged, as well as for the damages alleged.
- 7. Plaintiff is informed and believes that each of the defendants was the agent or employee of each of the remaining defendants and, at all relevant times herein, acted within the course and scope of such agency and/or employment.

FACTUAL BACKGROUND

- 8. Plaintiff Garcia is an actress. Garcia works in film, television and theatre.
- 9. In July of 2011, Plaintiff Garcia responded to a casting call posted on Backstage for a film titled "Desert Warrior," which was represented to be an "historical Arabian Desert

adventure film." She was cast in the film. The producers of the film, including DOES 151-200, and Defendant Bacile, intentionally concealed the purpose and content of the film.

- 10. Ms. Garcia was given pages of the script "Desert Warrior." There was no mention of "Mohammed" during filming or on the set. There were no references made to religion nor was there any sexual content of which Ms. Garcia was aware. Mr. Bacile represented to her that the Film was indeed an adventure film and about ancient Egyptians. Based on those specific representations made and the script and the manner in which the Film was shot, she agreed to deliver an acting performance for "Desert Warriors."
- 11. On July 2, 2012, Defendant Bacile published a video entitled "The Innocence of Muslims" (the "Film") to the Internet site www.youtube.com, making the Film available publicly and globally. The Film includes Plaintiff's acting work from "Desert Warriors" and has been changed grotesquely to make it appear that Ms. Garcia voluntarily performed in a hateful anti-Islamic production. The Film is vile and reprehensible. Plaintiff was unaware of the vile content contained in the Film, as the content and overall purpose of the Film was concealed from them at all times by Defendant Bacile and DOES 151 through 200. This lawsuit is not an attack on the First Amendment nor on the right for Americans to say what they think, but does request that the offending content be removed from the Internet.
- 12. Based on information and belief, in around September of 2012, Defendant Bacile published the Film, with the voices of Plaintiffs and her castmates dubbed into Arabic, on YouTube. The availability of the Film in Arabic has set off protests and violence in the Middle East. That violence resulted in the assassination of four embassy officials in Libya, including United States Ambassador Christopher Stevens.
 - 13. After the Film was published on YouTube, Plaintiff received death threats.
- 14. After the Film was published on YouTube, Plaintiff's family, fearing for their own safety, informed her that she was no longer permitted to see her grandchildren, whom she previously babysat regularly.

- 15. After the Film was published on YouTube, Plaintiff was fired from her job as a direct result of the Film, in as much as she is now considered a target and the safety of those in her presence cannot be guaranteed.
- 16. Plaintiff requested that Google remove the Film from the YouTube Website. Her request was purportedly passed on to the "YouTube team." The "YouTube team" has informed her in writing that it has declined to remove the content, despite her privacy concerns.
- 17. As a result of Mr. Bacile's falsification of her words in the Film, and Google's refusal to remove the video from the Internet, Plaintiff has suffered severe emotional distress, the destruction of her career and reputation, the loss of her family and her livelihood, and other financial and non-pecuniary damage. She has been subjected to credible death threats and is in fear for her life and the life and safety of anyone associated with her.

FIRST CAUSE OF ACTION

Declaratory Relief

Against All Defendants

- 18. Plaintiff repeats and realleges paragraphs 1 through 17 of this Complaint as though set forth in full.
- 19. Plaintiff contends that Defendants have invaded her right to privacy, defrauded her, acted negligently towards her, committed unfair business practices, slandered her, and intentionally inflicted emotional distress upon her. Plaintiff contends that Defendants' actions have put her life in serious, imminent danger, as evidenced by the death threats she has received since the Film was posted on YouTube, and continuing to the present following the refusal of her request to remove the Film from the YouTube Website.
- 20. There is an actual controversy between Plaintiff and Defendants concerning whether the Film may remain posted on the YouTube Website.

SECOND CAUSE OF ACTION

Invasion of Privacy

Against All Defendants

- 21. Plaintiff repeats and realleges paragraphs 1 through 20 of this Complaint as though set forth in full.
 - 22. The right of privacy is protected by the California Constitution, Article I, Section 1
- 23. At all times herein mentioned and up to and including the present, Plaintiff had a legally protected interest in her privacy and the right to be free from having hateful words put in her mouth or being depicted as a bigot. The right to privacy is a fundamental right, long respected in the California courts.
- 24. At all times herein mentioned and up to and including the present, Plaintiff had a reasonable expectation of privacy, and at no time expected that Defendants would use her image as a virtual "puppet" for Defendant Bacile's bigoted views (which Plaintiff does not share and rejects), or that Defendant YouTube and its parent company, Google, would refuse to remove the Film after it was alerted of the wrongdoing.
- 25. On or about September of 2011, Plaintiff became aware for the first time that another voice had been dubbed over her image, making it appear that she had made outrageously bigoted statements that she never said and does not endorse.
- 26. The conduct of Defendants, and each of them, in disseminating this false depiction of Plaintiff as described herein constituted a serious invasion of Plaintiff's right to privacy, and was an egregious breach of social norms that subjected Plaintiff to death threats and extreme emotional distress.
- As a proximate cause of the conduct of Defendants, and each of them, Plaintiff has suffered emotional distress, mental suffering, and invasion of her Constitutional right to privacy in a sum that is presently unascertainable. Plaintiff will seek leave of court to amend this Complaint to set forth the full amount of said damage when ascertained.
- 28. The acts of Defendants, and each of them, were willful, wanton, malicious, and oppressive, and justify an award of exemplary and punitive damages.

THIRD CAUSE OF ACTION

False Light Invasion of Privacy

Against All Defendants

- 29. The allegations set forth in paragraphs 1 through 28 are realleged and incorporated herein by reference
- 30. Defendants, through the above-described Film and their actions in publishing it, including the content that falsely purported to depict Plaintiff saying bigoted things that she did not say, gave publicity to matters concerning Plaintiff that unreasonably places her in a false light and violates her right of privacy.
- 31. The false light in which Plaintiff was placed would be highly offensive to a reasonable person.
- 32. Defendants knew of the falsity of the publicized matter and the false light in which Plaintiff would be placed and/or acted with reckless disregard for the truth or falsity of the publicized matter and the false light in which Plaintiff would be placed.
- 33. As a direct and proximate result of the above-described depiction, Plaintiff has suffered and will suffer emotional distress, and has been, and continues to be, embarrassed and humiliated by the false statements and implications, terrorized by the death threats that she has received as a result of the false light in which she has been placed, and reasonably fears that she will be shunned, avoided, and subjected to ridicule.
- 34. Additionally, as a direct and proximate result of the above-described statements and depictions, Plaintiff has suffered, and may continue to suffer, significant damage to her reputation and to her livelihood, particularly among those who do not know Plaintiff personally or professionally. Further, as a direct and proximate result of the above-described statements and depictions, Plaintiff has suffered, and may continue to suffer, significant damage to her personal reputation in the community. As a result of this potential damage to her reputation, Plaintiff's business and personal relationships have been, and may continue to be, adversely affected.

19

20

21

22

23

24

25

26

27

28

1	35.	All of these above-described damages are in an amount that cannot presently be
2	ascertained b	out which Plaintiff is informed and believes are in excess of the jurisdictional
3	minimum of	this Court, according to proof at trial.
4	36.	Defendants, and each of them, have acted with knowledge that the depiction of
5	Plaintiff was	false and with a reckless disregard of truth or falsity. Defendants' conduct was
6	intended by t	them to cause injury to Plaintiffs, and was despicable conduct carried on with a willful
7	and consciou	s disregard of the rights, reputation, and safety of Plaintiff. As such, Plaintiff is
8	entitled to rec	cover punitive and exemplary damages in an amount sufficient to punish Defendants
9	and deter the	m from such conduct in the future.
10		FOURTH CAUSE OF ACTION
11		Right of Publicity
12		Against All Defendants
13	37.	The allegations set forth in paragraphs 1 through 36 are realleged and incorporated
14	herein by refe	erence.
15	38.	California's Right of Publicity Statute, California Civil Code § 3344 et seq.,
16	protects perso	ons from the unauthorized appropriation of the person's identity by another for
17	commercial g	gain.
18	39.	Defendants Bacile, Google, and the Does 1-150 and 151-200 knowingly used

- Plaintiff's name, photograph, or likeness for commercial gain or otherwise.
 - 40. None of the Defendants had Plaintiff's consent to do so.
- 41. Other than payment for acting in "Desert Warriors," Plaintiff received no compensation or other consideration for Defendants' use of her name, photograph, or likeness.
 - 42. Plaintiff was harmed by Defendants' actions.
- 43. The use of Plaintiff's name, photograph, or likeness was directly connected to Defendants' commercial or other use.
 - 44. Defendants' actions were a substantial factor in Plaintiff's harms.
- 45. The Film was not used in conjunction with news, public affairs, a sports broadcast or account, or a political campaign.

- 46. Plaintiff therefore seeks injunctive relief, and other such preliminary and other equitable or declaratory relief as may be appropriate.
- 47. Plaintiff also seeks a remedy as provided for by California Civil Code Section 3344(a) in the amount equal to the greater of \$750 per incident, or actual damages, any profits attributable to Defendants' illegal action, before taking into account any actual damages, punitive damages, attorneys fees and costs, and any other relief as may be appropriate.

FIFTH CAUSE OF ACTION

Fraud

Against Defendant Bacile and DOES 1 through 10

- 48. The allegations set forth in paragraphs 1 through 47 are realleged and incorporated herein by reference.
- 49. Defendant Bacile represented to Plaintiff that the Film was an "adventure" film, and that she would be depicted as a benign historical character.
- 50. Defendant Bacile's representations that he intended to make an "adventure" film, and that Plaintiff would be depicted as a concerned mother, were false. Instead, Defendant Bacile made an anti-Islam propaganda film, in which Plaintiff is falsely made to appear to accuse the founder of the Islamic religion of being a sexual deviant and child molester.
- 51. When Defendant Bacile represented to Plaintiff that he intended to make an "adventure" film, and that her character was merely to express concern for her child, he knew that the representations were false, or he made the representations with reckless disregard as to their falsity.
- 52. Defendant Bacile made the misrepresentations with the intent to defraud Plaintiff. In making the misrepresentations, Defendant Bacile intended to induce Plaintiff to rely upon the misrepresentations and to act upon them by agreeing to appear in his "adventure" film.
- 53. At the time Defendant Bacile made the misrepresentations, Plaintiff was unaware of the falsity of the misrepresentations. Plaintiff acted in reliance on the truth of the misrepresentations, in that the misrepresentations substantially influenced her actions, and Plaintiff was justified in relying on the misrepresentations.

54. As a direct and proximate result of Defendant Bacile's intentional misrepresentations, Plaintiff has incurred and will incur substantial damages, in an amount to be determined at trial.

SIXTH CAUSE OF ACTION

Unfair Business Practices Under Cal. Page Prof. Code 17200

Unfair Business Practices Under Cal. Bus. Prof. Code 17200 Against Defendants Nakoula, Google, YouTube, and DOES 1-50

- 55. The allegations set forth in paragraphs 1 through 54 are realleged and incorporated herein by reference.
- 56. The aforementioned acts of Defendants constitute unfair, fraudulent and/or illegal business practices within the meaning of California's Unfair Competition Law ("UCL"), embodied in Section 17200, et seq. of the California Business and Professions Code.
- 57. Defendants' actions, including fraudulently enticing Plaintiff into appearing in an anti-Islam propaganda film, manipulating the soundtrack of the Film to make it appear that Plaintiff was slandering Islam and Muslim beliefs, and refusing to remove the Film from YouTube after Plaintiff's request, were unfair in that they made Plaintiff a target of the anti-Film violence that has already claimed the lives of four Americans, caused Plaintiff to lose her jobs, and caused Plaintiff to be separated from her family.
- 58. Defendant Bacile's actions were fraudulent in that they deceived Plaintiff as to the true nature of the film project in which she participated, and in that they manipulated Plaintiff's image to create the false appearance of anti-Muslim bigotry by Plaintiff.
- 59. Defendants' actions were illegal in that they violated Plaintiff's right under California and federal law to protect the use of her image "and violated Section 16600 of the California Business and Professions Code" in that the conduct has made it impossible to practice her trade, profession or occupation.
- 60. Defendants' unfair, deceptive, and fraudulent practices originated from and/or occurred primarily in California. The decision to dub Plaintiff's voice to make it appear as though she was spouting inflammatory material about Islam was made in California. The decision to refuse to remove the Film from YouTube was made in California.

- 61. Pursuant to California Business & Professions Code Section 17203, Plaintiff seeks an order of this Court permanently enjoining Defendants from continuing to engage in the unlawful, unfair, and fraudulent conduct described herein. Plaintiff seeks an order requiring Defendants to: (1) immediately cease the unlawful, unfair, and fraudulent practices stated in this Complaint; and (2) award Plaintiff reasonable costs and attorneys' fees pursuant to California Code of Civil Procedure Section 1021.5.
- 62. By reason of the alleged acts and conduct of Defendants, Plaintiff has suffered and will suffer further harm, including the loss of employment, the loss of her family, and the fear of violent retribution. Plaintiffs are fully entitled to their remedies allowed under the UCL, including restitution for their lost wages and the cost of security protection for themselves and their families.

SEVENTH CAUSE OF ACTION

Against All Defendants Nakoula and DOES 1 - 50

Slander

- 63. The allegations set forth in paragraphs 1 through 62 are realleged and incorporated herein by reference.
- 64. By making and republishing the Film, Defendants made a statement of and concerning Plaintiff or words that suggest that Plaintiff approved the finished product and message of the Film.
- 65. The statements are false as they pertain to Plaintiff. In making these statements,

 Defendants knew or should have known that Plaintiff has never called the founder of Islam a child
 molester.
- 66. Furthermore, these statements are defamatory because they carry the meaning that Plaintiff is a religious bigot.
- 67. The statements have been understood by those who saw and heard them on YouTube to mean that Plaintiff it a religious bigot.
- 68. Plaintiff is informed and believes and thereon alleges that the statements that Defendant Bacile literally "put in her mouth," which Google refuses to remove from YouTube,

have been seen and heard by millions of individuals throughout the world, whose names are not presently known to Plaintiff.

- 69. These words were slanderous because they tend to injure Plaintiff in her profession, trade and business by imputing to her a general disqualification for working with the public, something that the occupation and duties of her profession peculiarly require, and the profitability of which is naturally lessened if she is believed to be a religious bigot.
- 70. These words published by Defendants were stated not as a matter of opinion, but as a matter of fact, and therefore were not protected or privileged in any way.
- 71. The words published by Defendants also were slanderous because Plaintiff never called the founder of Islam a child molester, either on the set of the Film or at any other place or time.
- 72. At no relevant time did Plaintiff ratify or consent to the dissemination of the statements, on YouTube or anywhere else. In fact, Plaintiff subsequently contacted Defendant Bacile to ask him to remove the Film from YouTube and also contacted Google and YouTube to request the same thing.
- 73. Plaintiff is informed and believes and thereon alleges that Defendants repeated the false statements to others, including a worldwide audience on YouTube.
- 74. The words that Defendants put, and kept, in Plaintiff's mouth carried a defamatory meaning by their very terms and were understood by those who saw and heard them in a way that defamed Plaintiff.
- 75. Defendants further published such statements deliberately and with knowledge and intention that such words would be heard by a worldwide YouTube.com audience.
- 76. As a proximate result of Defendants' publication of the false statements, Plaintiff has suffered loss of her reputation, shame, mortification, and hurt feelings all to her general damages in a sum to be proven at trial.
- 77. As a further result of Defendants' publication of the false statements, Plaintiff has suffered special damages according to proof.

78. As the above-described statements were published with malice and oppression and fraud, an award of exemplary and punitive damages is necessary and appropriate.

EIGHTH CAUSE OF ACTION

Against All Defendants

Intentional Infliction of Emotional Distress

- 79. The allegations set forth in paragraphs 1 through 78 are realleged and incorporated herein by reference.
- 80. The conduct set forth hereinabove was extreme and outrageous and an abuse of the authority and position of Defendants, and each of them. Said conduct was intended to cause severe emotional distress, or was done in conscious disregard of the probability of causing such distress. Said conduct exceeded the inherent risks of Plaintiff's work as an actress and was not the sort of conduct normally expected to occur in the production of a Film, or in the posting of a film to YouTube. Defendants, and each of them, abused their positions of authority toward Plaintiff, and engaged in conduct intended to make Plaintiff a target of extremist violence. Defendant Google abused its authority over removal of videos from YouTube, and directly injured Plaintiff by their ratification of Defendant Bacile's acts.
- 81. The foregoing conduct did in fact cause Plaintiff to suffer extreme emotional distress. As a proximate result of said conduct, Plaintiff suffered embarrassment, anxiety, humiliation and emotional distress, and will continue to suffer said emotional distress in the future in an amount according to proof.

PRAYER

Plaintiff Garcia prays for judgment against Defendants as follows:

- 1. For temporary and permanent injunctive relief;
- 2. For general damages according to proof at trial, exceeding the jurisdictional minimum of this Court;
- 3. For special damages arising from the loss of business and business opportunities, according to proof at trial;

- 4. For restitution;
- 5. For exemplary and punitive damages;
- 6. For attorney fees and costs of suit incurred herein; and
- 7. For such other and further relief as the Court deems just and proper.

THE ARMENTA LAW FIRM, A.P.C.

Dated: September 18, 2012

By

M. Cris Armenta Attorneys for Plaintiff Cindy Lee Garcia

.

REQUEST FOR JURY TRIAL

Plaintiff hereby requests a trial for jury.

Dated: September 18, 2012

THE ARMENTA LAW FIRM, A.P.C.

Bv

M. Cris Armenta Attorneys for Plaintiff Cindy Lee Garcia

PLAINTIFF CINDY LEE GARCIA VERIFICATION

2

3

4

5

7

8

9

10

11

12

13

15

16

17

18

19

20

21

22

23

24

25

26

27

28

3

4 5

6 7

8

9

10 11

12 13

15

16 17

18

19

20

21 22

23

24

25

26 27

28

VERIFICATION

I, Cindy Lee Garcia, a Plaintiff in this proceeding, have read the documents:

COMPLAINT FOR:

Declaratory Relief Invasion of Privacy False Light Invasion of Privacy Right of Publicity; Fraud: Unfair Business Practices Slander: Intentional Infliction of Émotional Distress

[Demand For Jury Trial]

[Ex Parte Application for a Temporary Restraining Order and a Preliminary Injunction Requested

The information contained therein are true of my own knowledge, except as to those matters that are alleged on information and belief, and, as to those matters, I believe it to be true. I declare under penalty of perjury that the foregoing is true and correct. Executed this 18th day of September, 2012 in Los Angeles, California.

Cindy Lee Garcia

PLAINTIFF CINDY LEE GARCIA VERIFICATION

•		CM-010
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Ba The Armenta Law Firm, A PROFESSION M. Cris Armenta, SBN: 177403		FOR COURT OF CALIFORN COUNTY OF LOS ANGELES
11900 Olympic Boulevard, Suite 730 - Los TELEPHONE NO.: 310-826-2826 x 108 ATTORNEY FOR (Name): Cindy Lee Garcia, Pl	FAX NO.: 310-826-5456	SEP 19 2012
SUPERIOR COURT OF CALIFORNIA, COUNTY OF L. STREET ADDRESS: 111 North Hill Stree:	os Angeles	John A. Clarke, Executive Officer/Clerk BY Many Flores Many Flores
mailing address: Same city and zip code: Los Angeles, CA 900	012	
Case Name: Cindy Lee Garcia vs. Nakoula Bass	eley Nakoula, et al.	
CIVIL CASE COVER SHEET Unlimited Limited (Amount (Amount	Complex Case Designation Counter Joinder	BC 49 2 3 5 8
demanded demanded is exceeds \$25,000) \$25,000 or less)	Filed with first appearance by defer (Cal. Rules of Court, rule 3.402	P) DEPT:
	low must be completed (see instructions	s on page 2).
1. Check one box below for the case type the Auto Tort Auto (22)	Contract Breach of contract/warranty (06)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)
Uninsured motorist (46) Other Pt/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Rule 3.740 collections (09) Other collections (09) Insurance coverage (18)	Antitrust/Trade regulation (03) Construction defect (10) Mass tort (40)
Asbestos (04) Product liability (24)	Other contract (37) Real Property	Securities litigation (28) Environmental/Toxic tort (30)
Medical malpractice (45) Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort	Eminent domain/Inverse condemnation (14) Wrongful eviction (33)	Insurance coverage claims arising from the above listed provisionally complex case types (41)
Business tort/unfair business practice (07 Civil rights (08)	Unlawful Detainer	Enforcement of Judgment Enforcement of judgment (20)
Defamation (13)	Commercial (31)	Miscellaneous Civil Complaint
Fraud (16)	Residential (32) Drugs (38)	RICO (27)
Intellectual property (19) Professional negligence (25)	Judicial Review	Other complaint (not specified above) (42)
Other non-PI/PD/WD tort (35)	Asset forfeiture (05)	Miscellaneous Civil Petition Partnership and corporate governance (21)
Employment	Petition re: arbitration award (11)	Other petition (not specified above) (43)
Wrongful termination (36)	Writ of mandate (02)	23.07 (10)
Other employment (15)	Other judicial review (39)	
 This case is is not comfactors requiring exceptional judicial mana Large number of separately representations. Extensive motion practice raising issues that will be time-consuming. 	gement: sented parties d. Large numb difficult or novel e. Coordination	Rules of Court. If the case is complex, mark the er of witnesses of with related actions pending in one or more courts inties, states, or countries, or in a federal court
c. Substantial amount of documenta 3. Remedies sought (check all that apply): a		oostjudgment judicial supervision declaratory or injunctive relief
 4. Number of causes of action (specify): 6 5. This case is is is not a class 	ss action suit.	•
6. If there are any known related cases, file a Date: September 18, 2012 M. Cris Armenta	and serve a notice of related case. (You	may use form CM-015)
(TYPE OR PRINT NAME)		SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)
Plaintiff must file this cover sheet with the under the Probate Code, Family Code, or in sanctions.	NOTICE first paper filed in the action or proceedi Welfare and Institutions Code). (Cal. Ru	ng (except small claims cases or cases filed tales of Court, rule 3.220.) Failure to file may result
 File this cover sheet in addition to any cov If this case is complex under rule 3.400 et other parties to the action or proceeding. 	seq. of the California Rules of Court, yo	ou must serve a copy of this cover sheet on all
Unless this is a collections case under rule	3.740 or a complex case, this cover sh	eet will be used for statistical purposes only. Page 1 of 2
Form Adopted for Mandatory Use Judicial Council of Catifornia CM-010 [Rev. July 1, 2007]	CIVIL CASE COVER SHEET	Cal. Rules of Court, rules 2.30, 3.220, 3.400–3.403, 3.740; Cal. Standards of Judicial Administration, std. 3.10 www.courtino.ca.gov American LegalNet, Inc.
		www.FormsWorkflow.com

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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

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

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3,400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

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

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

Asbestos (04)

Asbestos Property Damage Asbestos Personal Injury/ Wrongful Death Product Liability (not asbestos or toxic/environmental) (24)

Medical Malpractice (45)

Medical Malpractice-

Physicians & Surgeons

Other Professional Health Care

Maloractice

Other PI/PD/WD (23)

Premises Liability (e.g., slip

and fail)

Intentional Bodily Injury/PD/WD

(e.g., assault, vandalism)
Intentional Infliction of

Emotional Distress

Negligent Infliction of **Emotional Distress**

Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business

Practice (07)

Civil Rights (e.g., discrimination,

false arrest) (not civil

harassment) (08) Defamation (e.g., slander, libel)

Fraud (16)

Intellectual Property (19)

Professional Negligence (25)

Legal Malpractice

Other Professional Malpractice (not medical or legal)

Other Non-PI/PD/WD Tort (35)

Wrongful Termination (36)

Other Employment (15)

CASE TYPES AND EXAMPLES

Contract

Breach of Contract/Warranty (06) Breach of Rental/Lease

Contract (not unlawful detainer

or wrongful eviction)

Contract/Warranty Breach-Seller Plaintiff (not fraud or negligence)

Negligent Breach of Contract/

Warranty

Other Breach of Contract/Warranty

Collections (e.g., money owed, open

book accounts) (09)

Collection Case-Seller Plaintiff Other Promissory Note/Collections

Case
Insurance Coverage (not provisionally

complex) (18) Auto Subrogation

Other Coverage

Other Contract (37)

Contractual Fraud Other Contract Dispute

Real Property

Eminent Domain/Inverse

Condemnation (14) Wrongful Eviction (33)

Other Real Property (e.g., quiet title) (26)

Writ of Possession of Real Property

Mortgage Foreclosure

Other Real Property (not eminent

domain, landlord/tenant, or

foreclosure)

Unlawful Detainer

Commercial (31)

Residential (32)

Drugs (38) (if the case involves illegal drugs, check this item; otherwise,

report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)

Petition Re: Arbitration Award (11)

Writ of Mandate (02)
Writ-Administrative Mandamus

Writ-Mandamus on Limited Court

Case Matter

Writ-Other Limited Court Case

Review

Other Judicial Review (39) Review of Health Officer Order

Notice of Appeal-Labor

Commissioner Appeals

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

Antitrust/Trade Regulation (03)

Construction Defect (10)

Claims Involving Mass Tort (40)

Securities Litigation (28) Environmental/Toxic Tort (30)

Insurance Coverage Claims (arising from provisionally complex

case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)

Abstract of Judgment (Out of County)

Confession of Judgment (non-

domestic relations)

Sister State Judgment

Administrative Agency Award

(not unpaid taxes) Petition/Certification of Entry of

Judgment on Unpaid Taxes

Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)

Other Complaint (not specified above) (42)

Declaratory Relief Only

Injunctive Relief Only (non-

harassment)

Mechanics Lien

Other Commercial Complaint

Case (non-tort/non-complex)

Other Civil Complaint

(non-tort/non-complex)

Miscellaneous Civil Petition Partnership and Corporate

Governance (21)

Other Petition (not specified

above) (43)

Civil Harassment

Workplace Violence Elder/Dependent Adult

Abuse

Election Contest

Petition for Name Change

Petition for Relief From Late

Claim

Other Civil Petition

SHORT TITLE:	CASE NUMBER
Cindy Lee Lewis vs. Nakoula Basseley Nakoula, et al.	BC492358

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)
This form is required pursuant to LASC Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.
tem I. Check the types of hearing and fill in the estimated length of hearing expected for this case:
JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL HOURS! DAY tem II. Select the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4): Step 1: After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in
he left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected. Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case. Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Los Angeles Superior Court Local Rule 2.0.
Applicable Reasons for Choosing Courthouse Location (see Column C below)
 Class Actions must be filed in the County Courthouse, Central District. May be filed in Central (Other county, or no Bodily Injury/Property Damage). Location where cause of action arose. Location where bodily injury, death or damage occurred. Location where performance required or defendant resides. Location where one or more of the parties reside. Location of Labor Commissioner Office.
Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Darnage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	2.
Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8,
Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1., 2., 4. 1., 2., 4.
Other Personal Injury Property Damage Wrongful Death (23)	 ☐ A7250 Premises Liability (e.g., slip and fall) ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) ☐ A7270 Intentional Infliction of Emotional Distress ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death 	1., 2., 4. 1., 2., 4. 1., 2., 3. 1., 2., 4.
Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 2., 3.
Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	☐ A6010 Defamation (slander/libet)	1., 2., 3.
Fraud (16)	☑ A6013 Fraud (no contract)	1.,(2), 3.

ORIGINAL

Auto Tort

Other Personal Injury/Property Damage/Wrongful Death Tort

namage	-
roperty	Tort (Cont'd.)
mjury/r	ith Tort
Non-rersonal injury/Property	gful Death
į S	Wrongful

•
=
₩.
Ε
=
~
0
=
Ω.
Ε
.≒
ш

>
£
ø
Ω.
0
χ-
-
=
æ
Φ
-

Ĕ	
ţ	
å	
_	
7	
š	
듣	
ō	
_	
Ō	
<u>.</u>	
view U	
Review U	

SHORT TITLE:	CASE NUMBER
Cindy Lee Lewis vs. Nakoula Basseley Nakoula, et al.	
	The state of the s

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	· C Applicable Reasons -See Step 3 Above
Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2.,3.
Wrongful Termination (36)	☐ A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	 □ A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction) □ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) □ A6019 Negligent Breach of Contract/Warranty (no fraud) □ A6028 Other Breach of Contract/Warranty (not fraud or negligence) 	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	 ☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case 	2., 5., 6. 2., 5.
Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	 □ A6009 Contractual Fraud □ A6031 Tortious Interference □ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence) 	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels	2.
Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	 □ A6018 Mortgage Foreclosure □ A6032 Quiet Title □ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure) 	2., 6. 2., 6. 2., 6.
Unlawful Detainer- Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2., 6.
Asset Forfeiture (05) Petition re Arbitration (11)	☐ A6108 Asset Forfeiture Case ☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 6. 2., 5.

SHORT TITLE:	CASE NUMBER
Cindy Lee Lewis vs. Nakoula Basseley Nakoula, et al.	

Judicial Review (Cont'd.)	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
≍ ≩		☐ A6151 Writ - Administrative Mandamus	2., 8.
. <u>5</u>	Writ of Mandate	☐ A6152 Writ - Mandamus on Limited Court Case Matter	2.
- R	(02)	☐ A6153 Writ - Other Limited Court Case Review	2.
Judicia	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	☐ A6007 Construction defect	1., 2., 3.
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	 □ A6141 Sister State Judgment □ A6160 Abstract of Judgment □ A6107 Confession of Judgment (non-domestic relations) □ A6140 Administrative Agency Award (not unpaid taxes) □ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax □ A6112 Other Enforcement of Judgment Case 	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8.
7	RICO (27)	☐ A6033 Racketeering (RICO) Case	1., 2., 8.
Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	 □ A6030 Declaratory Relief Only □ A6040 Injunctive Relief Only (not domestic/harassment) □ A6011 Other Commercial Complaint Case (non-tort/non-complex) □ A6000 Other Civil Complaint (non-tort/non-complex) 	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance(21)	☐ A6113 Partnership and Corporate Governance Case	2., 8.
fiscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	 □ A6121 Civil Harassment □ A6123 Workplace Harassment □ A6124 Elder/Dependent Adult Abuse Case □ A6190 Election Contest □ A6110 Petition for Change of Name □ A6170 Petition for Relief from Late Claim Law □ A6100 Other Civil Petition 	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE:	CASE NUMBER
Cindy Lee Lewis vs. Nakoula Basseley Nakoula, et al.	
	1 .

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filling in the court location you selected.

REASON: CHECK THE NU	MBER UNDE	R COLUMN C	ADDRESS:
WHICH APPLIES	S IN THIS CA	SE	12608 Park Street
□1. ☑2. □3. □4. □5. □	6. 🗆7. 🗆8.	□9. □10.	
CITY: Cerritos	STATE: CA	ZIP CODE: 90703	

Item IV. Declaration of As	ssignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct and that	the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the
Central	District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0
subds. (b), (c) and (d)).	

Dated: September 18, 2012

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

- 1. Original Complaint or Petition.
- 2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
- 3. Civil Case Cover Sheet form CM-010.
- 4. Complete Addendum to Civil Case Cover Sheet form LACIV 109 (Rev. 01/07), LASC Approved 03-04.
- 5. Payment in full of the filing fee, unless fees have been waived.
- Signed order appointing the Guardian ad Litem, JC form FL-935, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
- 7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.