

TIFFANY DEHEN J.D.
1804 GARNET AVENUE #239
SAN DIEGO, CA 92109
858-262-0052
tiffany.dehen@gmail.com

NUNC PRO TUNC
8/20/2018



Pro Se Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TIFFANY DEHEN, an individual
on behalf of herself,

Plaintiff,

v.

**JOHN DOES 1-100, TWITTER,
INC., UNIVERSITY OF SAN
DIEGO, AND PERKINS COIE,
LLP.,**

Defendants.

Case No.: 17-cv-00198-LAB-WVG

**PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
LEAVE TO FILE PLAINTIFF'S
THIRD AMENDED COMPLAINT**

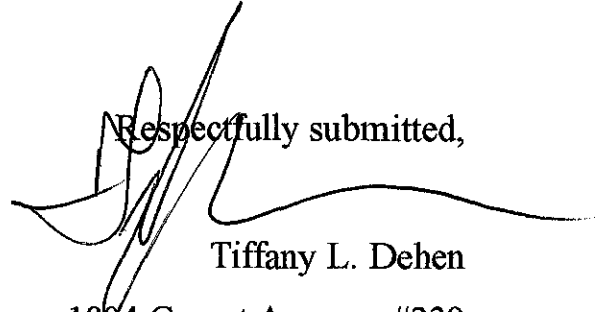
PLEASE TAKE NOTICE that Pro Se Plaintiff, Tiffany L. Dehen, moves this Court for leave to file Plaintiff's Third Amended Complaint, pursuant to Federal Rule of Civil Procedure 15(a)(2) concurrently with her August 20, 2018 briefing.

Please see attached memorandum of points and authorities in support of Plaintiff's motion to file her third amended complaint, as well as an attached proposed redlined draft version of Plaintiff's third amended

1 complaint, which Plaintiff respectfully requests leave of court to take
2 additional time to edit and file due to circumstances which Plaintiff has
3 recently become apprised of, and continues to become apprised of, which are
4 material facts to her case.

5
6 **Dated: August 20, 2018**

7 Respectfully submitted,

8 
9 Tiffany L. Dehen

10 1804 Garnet Avenue, #239

11 Pacific Beach, CA 92109

12 Tel. 858-262-0052

13 Tiffany.Dehen@Gmail.com

14
15 Pro Se Plaintiff.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on August 20, 2018 by express delivery with signature confirmation, postage pre-paid, to all current and/or opposing counsel of record, if any to date, who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule 5.4(d).

Dated August 20, 2018

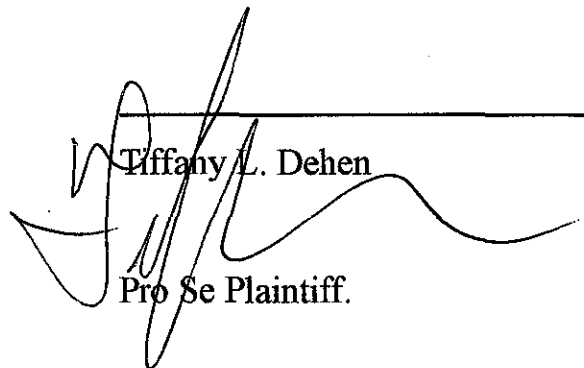

Tiffany L. Dehen
Pro Se Plaintiff.

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TIFFANY DEHEN J.D.
1804 GARNET AVENUE #239
SAN DIEGO, CA 92109
858-262-0052
tiffany.dehen@gmail.com

Pro Se Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TIFFANY DEHEN, an individual
on behalf of herself,

Plaintiff,

v.

JOHN DOES 1-100, TWITTER,
INC., UNIVERSITY OF SAN
DIEGO AND PERKINS COIE,
LLP.,

Defendants.

Case No.: 17-cv-00198-LAB-WVG

PLAINTIFF'S SECOND AMENDED
COMPLAINT FOR:

- (1) VIOLATIONS OF THE U.S.
COPYRIGHT ACT; 15 U.S.C.
106, 501 et seq.;
- (2) VIOLATIONS OF THE
CALIFORNIA CIVIL CODE
§ 44 AND 45, et seq.;
- (3) VIOLATION OF THE
CALIFORNIA PENAL CODE
§ 528.5, et seq.;
- (4) VIOLATION OF THE
CALIFORNIA CIVIL CODE
§§ 1572 or 1573, et seq.;
- (5) DECLARATORY RELIEF
UNDER CALIFORNIA CIVIL
CODE § 1692, et seq.;
- (6) INTENTIONAL
INTERFERENCE WITH
ACTUAL AND/OR
PROSPECTIVE ECONOMIC
RELATIONS;
- (7) INTENTIONAL INFLECTION
OF EMOTIONAL DISTRESS;
- (8) NEGLIGENCE INFLECTION
OF EMOTIONAL DISTRESS;
- (9) CIVIL CONSPIRACY;
- (10) VIOLATIONS OF 18
U.S.C. § 1962, et seq.;
- (11) VIOLATIONS OF
CALIFORNIA CIVIL CODE §

45;
 (12) **CLAIMS OF
 EXTORTION AND
 CONSPIRACY TO COMMIT
 EXTORTION.**
 (13) **VIOLATIONS OF THE
 SHERMAN ANTITRUST ACT
 15 U.S.C. §1.**

COMES NOW, the Plaintiff, TIFFANY DEHEN, and for cause of action against the Defendants, and each of them, seeking \$100,000,000 in compensatory, punitive, and statutory damages, complains and alleges as follows:

PARTIES

1. Plaintiff TIFFANY DEHEN, is and at all times herein mentioned, was an individual residing in the County of San Diego. She brings this lawsuit on behalf of herself.

2. Plaintiff is informed and believes and thereon alleges that at all times herein mentioned Defendant TWITTER, INC. was and is a Corporation incorporated under the laws of the State of Delaware, with its principal place of business in San Francisco, California, doing business in San Diego County. Twitter manages, operates, publishes, and censors Tweets written by users of its social media website. Twitter has 313 million monthly active users, 1 billion unique visits monthly to sites with embedded Tweets, and 79% of its accounts are outside of the United States. See <https://about.twitter.com/company>.

1 3. Plaintiff is informed and believes and thereon alleges that at
2 all times herein mentioned Defendant UNIVERSITY OF SAN DIEGO,
3 hereinafter "USD," was and is a for-profit education institution located in
4 San Diego County. USD has 8,508 undergraduate, paralegal, graduate and
5 law students, 36% of which are minority students and 9% of which are
6 international students. *See* <https://www.sandiego.edu/about/facts.php>.

7 4. The true names and capacities, whether individual, corporate,
8 associate or otherwise of Defendants, DOES 1 through 100, inclusive, are
9 unknown to Plaintiff who therefore, sues said defendants by such fictitious
10 names. Plaintiff is informed and believes and thereon alleges that each of
11 the Defendants herein designated as a DOE is responsible in some manner
12 for the events and happenings herein referred to and caused injuries and
13 damages proximately thereby as hereinafter alleged.

14 5. Plaintiff is informed and believes and thereon alleges that at
15 all times mentioned herein Defendant PERKINS COIE, LLP., was and is an
16 international for-profit law firm, with more than 1000 lawyers in 19 offices
17 across the United States and Asia, including an office located in San Diego,
18 California. *See* <https://www.perkinscoie.com/en/index.html>.

19 6. Plaintiff is informed and believes and thereon alleges that due
20 to the nature of the claims against all defendants, each is jointly and
21 severally liable to Plaintiff for the injuries sustained.

22 7. Plaintiff reserves the right to bring additional claims against
23 any and all named and unnamed defendants including, but not limited to,
24 the Democratic National Committee, the Federal Bureau of Investigation,
25 the Department of Justice, Homeland Security, the State Department, San
26 Diego Police Department, the City of San Diego, and any individuals who
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1 worked at or were affiliated with the aforementioned agencies during the
2 relevant timeframe.

3 **JURISDICTION AND VENUE**

4 8. This Court has subject matter jurisdiction over this action
5 pursuant to 28 U.S.C. §§ 1331, 1338(a) and 1367.

6 9. Specifically, this Court has federal question jurisdiction in this
7 matter in that Plaintiff seeks injunctive relief and damages against John
8 Does 1-100 under the Copyright Act of 1976 (17 U.S.C. § 501-505,
9 inclusive), under 18 U.S.C. § 1964, under 18 U.S.C. § 875, under 18
10 U.S.C. § 1951, and reserves the right to bring any and all related causes of
11 action, both state and federal.

12 10. This Court has supplemental jurisdiction over all other claims
13 that do not arise under a federal statute in that these supplemental claims
14 involves a substantial federal question and each claim is so related to the
15 federal claim in the action, arising from a common nucleus of operative
16 facts, that they form part of the same case or controversy under Article III
17 of the United States Constitution pursuant to 28 U.S.C. § 1967.

18 11. This Court has further jurisdiction pursuant to 28 U.S.C. §
19 1332.

20 12. Plaintiff avers that the amount in controversy exceeds the sum
21 or value of \$75,000.00, exclusive of interest, costs, and punitive damages.

22 13. This Court has personal jurisdiction over each of the
23 Defendants because each resides in, is domiciled in and/or does systematic
24 and continuous business in the State of California and in this judicial
25 district.

26 14. Jurisdiction of this Court is proper because the events described
27 herein and injuries to Plaintiff occurred within San Diego County, and/or
28

1 Defendants have caused injury to Plaintiff and to Plaintiff's intellectual
 2 property and other proprietary and economic interests within the State of
 3 California and in this judicial district.

4 15. Venue in this judicial district is proper under 28 U.S.C. §§
 5 1391(b) and (c) and under 28 U.S.C. § 1400(a).

6 **FACTUAL ALLEGATIONS**

7 16. Plaintiff re-alleges and incorporates by reference paragraphs 1
 8 through 15 as though fully set forth herein.

9 17. Since at least 2009, Plaintiff consistency held and continues to
 10 hold an online presence of around 5,000 followers across various social
 11 media websites including but not limited to Twitter, Facebook, Instagram,
 12 Snapchat, and LinkedIn.

13 18. Plaintiff Ms. Dehen graduated *cum laude* from Arizona State
 14 University in 2011 with a Bachelor of Science in Marketing from the W.P.
 15 Carey School of Business, Minor in Mass Communications from the Walter
 16 Cronkite School of Journalism and Mass Communications and
 17 International Business Certificate from W.P. Carey School of Business.

18 19. Ms. Dehen earned her Juris Doctor from the University of San
 19 Diego School of Law in 2.5 years with a dual concentration in Intellectual
 20 Property Law and Business & Corporate Law.

21 20. While in law school Ms. Dehen externed for the USD Federal
 22 Tax Clinic assisting indigent clients in their tax disputes with the Internal
 23 Revenue Service.

24 21. Plaintiff is self-employed and supported herself through law
 25 school by providing marketing and consulting services as an independent
 26 contractor, selling products online and obtaining federal student loans.

1 22. Ms. Dehen invested \$215,618.47 in student loans (*see* Exhibit
2 62) in addition to 4.5 years of her life to increase the value of her image,
3 likeness, brand and services by preparing for and then earning her Juris
4 Doctor from USD with the ultimate goal of admittance to the State Bar of
5 California.

6 23. Plaintiff spent the year before law school preparing and saving
7 up for law school, took a semester off during law school to save money to
8 complete law school, in addition to working the last 21 months and
9 counting since completing law school to finance the costs associated with
10 admittance to the State Bar of California.

11 24. In the weeks leading up to the actions that led to this cause of
12 action, Plaintiff was actively seeking a position in the legal industry.
13 *Please see* Exhibits 142 - 149.

14 25. Before, during, and after the injury that led to this cause of
15 action, Ms. Dehen was, and still is, actively pursuing several business
16 ventures which relied upon, continue to rely, and will rely upon her
17 reputation.

18 26. Plaintiff is actively seeking admittance to the State Bar of
19 California, which includes a rigorous character and background check and
20 a strenuous test, namely the Bar exam which Plaintiff has not been able to
21 take since graduating from law school due to financial reasons directly
22 related to the causes of action for which this dispute arose.

23 27. While attending law school at USD, Ms. Dehen was subjected
24 to harassing, terroristic behavior which ultimately led to intervention by the
25 Federal Bureau of Investigation, hereinafter "FBI," through a federal
26 criminal investigation due to the nature of terroristic statements made to
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1 her and terroristic behavior aimed towards her and other USD students.

2 *Please see Exhibits 94 – 140.*

3 28. Ms. Dehen alleges the aforementioned criminal FBI
4 investigation commenced in July 2016 due to alarming terroristic behavior
5 that occurred in the several months leading up to and around the time of the
6 Dallas Shooting in July 2016, *i.e.*, at the height of the ISIS terrorist attacks
7 in the U.S. and around the world broadcast on an overwhelming majority of
8 U.S. news outlets. *Please see Exhibits 94 - 140.*

9 29. As further explained below, Photograph 2, titled, “Tiffany
10 Pro,” (*see Exhibit 2*), that John Doe(s) illegally used to create Infringing
11 Work #6 (*see Exhibit 13*), was taken from Ms. Dehen’s LinkedIn profile.

12 30. To further corroborate the direct evidence regarding the
13 identities of at least John Doe 1-2, two individuals from USD Law School
14 viewed Ms. Dehen’s LinkedIn profile in the immediate days leading up to
15 the creation and execution of the unlawful Twitter account. *See Exhibit 52.*

16 31. The conduct which ultimately resulted in direct intervention
17 by the FBI including the aforementioned federal criminal investigation is
18 linked to conduct that occurred on USD property, at USD sponsored
19 events, and in connection with USD students.

20 **University of San Diego**

21 32. USD ensnared Plaintiff in a fraudulent scheme nationwide to
22 sell safe education.

23 33. USD uniformly misled Plaintiff more than once that she would
24 learn at USD in safety.

25 34. USD promised a safe university, which it did not deliver.
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1 35. USD expressly set out to leverage its commitment for safety.
 2 For example, on the USD website, USD expressly states it is, “[c]omitted
 3 to safety through education.” See <https://www.sandiego.edu/safety/>.

4 36. The USD Public Safety webpage continues:
 5 The Department of Public Safety is located on the south
 6 side of Hughes Administration Hall, and is open 24 hours a day, 7 days a
 7 week. The Department of Public Safety supports the mission and goals of
 8 the University of San Diego by providing a full range of community-
 oriented crime prevention and crime control services to contribute to the
 safety and security of the campus community. This is not a job that we can
 do alone. Your help is essential.

9 See <https://www.sandiego.edu/safety/>.

10 37. Defendant USD marketed USD as a safe university.

11 38. USD expressly claims to keep a record of crime alerts
 12 “provided to keep all members of the University of San Diego community
 13 up to date with and aware of all ongoing criminal acts.” See
 14 <https://www.sandiego.edu/safety/prevention/alerts.php>.

15 39. USD expressly states:
 16 Our Public Safety Officers are responsible for a wide
 17 range of activities, including developing crime prevention programs, taking
 18 crime and accident reports, initiating investigations, responding to medical
 19 and fire emergencies, controlling parking and traffic, and enforcing certain
 local and state laws, as well as rules developed by the University to address
 campus-related concerns. Emergencies on campus should be reported
 directly to the Department of Public Safety by dialing extension x2222
 from any on-campus phone, 24 hours a day.

20 See <https://www.sandiego.edu/safety/about/>.

21 40. USD expressly provides:
 22 The University of San Diego Department of Public
 23 Safety is committed to the support of the University’s greater mission of
 24 excellence in education and service to the community. As an integral part
 of the University, we pledge ourselves to a continuing partnership with the
 campus community to provide a safe and secure environment through
 community based public safety. We will achieve our goals by service to the
 community that reflects respect for the law, dignity of all persons and pride
 in our profession.

25 See <https://www.sandiego.edu/safety/about/mission.php>.

26 41. USD expressly provides its Department of Public Safety motto
 27 as follows:
 28

Service to Our Community. People in our campus community are our most important customers. Our motto: "Committed to Safety Through Education" is not just a slogan it is our way of life. We pledge to work in partnership with the USD community and do our best to provide for its public safety needs. Commitment to Integrity. Integrity is our standard. We are proud of our profession and will conduct ourselves in a manner that merits the respect of all people. We will demonstrate honest, ethical behavior in all our interactions. We must have the courage to always do what is right. Respect for People. The dignity of mankind is a value that we treasure. We believe in treating all people with respect. We show concern for the victims of crime and treat violators of the law with fairness at all times. Commitment to Leadership. Managers, supervisors and team leaders need to be leaders in their areas of responsibility. Making certain that our values become part of our day to day work life is our mandate. We encourage our employees to submit ideas, we listen to their suggestions, and we help them develop to their maximum potential.

See <https://www.sandiego.edu/safety/about/mission.php>.

42. USD expressly provides:

Hate Crimes/Acts of Intolerance

USD is a diverse community of which we are proud. Sometimes, some of our newer students come from environments that are not as rich in cultural and religious diversity. Hateful speech and conduct against others of different backgrounds and cultures is unacceptable at a university which prides itself on the recognition of the dignity of each individual (USD Mission Statement). "The university is committed to creating a welcoming, inclusive and collaborative community accentuated by a spirit of freedom and charity; and marked by protection of the rights and dignity of the individual. The university values students, faculty and staff from different backgrounds and faith traditions and is committed to creating an atmosphere of trust, safety and respect in a community characterized by a rich diversity of people and ideas." Harassment of others because of a persons race, religion, ancestry, national origin, disability, gender, sexual orientation, or because he/she perceives that the other person has one or more of these characteristics is against the law and will not be tolerated by the University. Severe disciplinary action and possible criminal prosecution will follow.

See <https://www.sandiego.edu/safety/reporting/hate-crimes/>.

43. University of San Diego provides a Code with Rules of Conduct outlining specific prohibitions, policies, and procedures that each student is responsible for understanding and following.

44. USD Rules of Conduct can be found online at:
<https://www.sandiego.edu/conduct/the-code/rules-of-conduct.php>.

45. The USD Rules of Conduct provide the following:
The following conduct is prohibited on University premises or at University events, wherever they may occur. This same

conduct, though occurring off University premises and not at University events, may nonetheless be subject to University sanctions when it adversely affects the University, its educational mission or its community. Violation of these standards, policies, and procedures may subject an individual or group to disciplinary action as determined by the Assistant Vice President for Student Affairs/Dean of Students or his or her designee, pursuant to the provisions of the Code.

46. The Rules outlined in the Code of Conduct include, in relevant part, the following:

2. Disruption of teaching, research, administration, conduct proceedings or any other institutional activity.
3. Abuse of any person, including but not limited to physical abuse, threats, verbal intimidating, harassment, stalking, coercion and/or other conduct which threatens the health or safety of any person.
6. Conduct that is disorderly, lewd, indecent or obscene.

47. Upon information and belief, Plaintiff and University of San Diego entered into a written contract pursuant to the aforementioned Code of Student Conduct when Ms. Dehen enrolled in the USD School of Law in August 2013 and again in January 2015 when Ms. Dehen re-enrolled in the USD School of Law. Plaintiff alleges USD has a copy of a signed agreement in the form of signed acknowledgement of the student code of conduct and is better positioned to present the original copy to the Court during discovery. In the absence of a signed contract, there is an implied contract that the students attending University of San Diego will abide by the Student Code of Conduct.

48. In consideration of Plaintiff accepting USD's offer to attend USD law school, paying USD over a hundred thousand dollars for education and agreeing to abide by the student code of conduct, USD promised to provide a safe learning environment to Plaintiff, free of threat of physical harm and free of the school violating federal law to Plaintiff's harm. Plaintiff alleges USD Law Financial Office expressly confirmed its alleged commitment to follow and abide by federal law both in writing and orally on numerous occasions to Plaintiff personally.

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JOHN DOES

48. Plaintiff alleges that ~~in November~~ on Tuesday, October 20, 2015 on USD campus during a USD sponsored event, the USD Law School October "Dean's Mixer", a USD law student named Mr. Mohammed Aly openly declared himself to be an enemy combatant of the United States by openly declaring himself to be in an ISIS sleeper cell in the presence of Plaintiff ~~and at least one other~~, another student, named Mr. Kevin Snow, and a third student named Mr. Eidon Hamamlow whom got distracted and spoke with a professor during Mr. Aly's ISIS comments. Please see Exhibits 130 – 139- and Exhibit xxx.

~~49. Plaintiff alleges a student witness of the terrorist remark~~
 later Plaintiff alleges that on October 20, 2015, Mr. Aly (thought to comprise John Doe 1) said to Plaintiff (in the presence of Mr. Kevin Snow), "I'm in an ISIS Sleeper Cell." Plaintiff was angered by this comment which she presumed was made in retaliation of a prior Facebook conversation in which she supported Mr. Donald J. Trump for President that ended when Ms. Dehen blocked Mr. Aly after he made vicious lewd comments directed towards Plaintiff. Ms. Dehen replied to Mr. Aly, "what do you mean by "sleeping"?" To which Mr. Aly replied, "until I'm activated," with a smug look of satisfaction on his face. Mr. Snow, whom Plaintiff did not know by name at the time, laughed at the exchange and Mr. Hamamlow was conversing with a professor at the time of the exchange. Plaintiff's recollection of the event was true and accurate on October 20, 2015 and remains true and accurate, as it was a memorable event which inflicted extreme emotional distress on Plaintiff, so much so that she was late to her Corporate Taxation class with Professor Howard Abrams, prompting Professor Abrams to yell at Ms. Dehen out of

1 frustration to the point where Professor Abrams apologized to Ms. Dehen
 2 the following class period because the behavior was out of character.
 3 Directly after class on October 20, 2015, Ms. Dehen attempted to call
 4 several friends and family members to discuss the traumatizing event
 5 causing ongoing distress to Ms. Dehen.

6 49. Plaintiff alleges the student witness of the terrorist remark, Mr.
 7 Kevin Snow, publicly declared himself to be actively engaging in terrorism
 8 in March 2016 after engaging in threatening behavior which disrupted the
 9 entire university and sent the law school student body and faculty into a
 10 widespread panic which interrupted normal business operations on campus
 11 for several days, weeks for some individuals, including Plaintiff. Please
 12 see Exhibits 94 – 139.

13 On Wednesday, March 9, 2016 at 8:38 p.m., Ms. Dehen emailed
 14 USD Law School Dean D'Angelo screenshots of her Facebook
 15 conversation with Mr. Kevin Snow from that day where Ms. Dehen said to
 16 Mr. Snow, "hey kevin I'm not sure if we have talked a whole lot but I just
 17 wanted to check in and see how you're doing. I went through a lot of stress
 18 last year so I can relate if you want to talk about anything? I'm worried
 19 about you". Please see Exhibit 97.

20 To which Mr. Snow responded, "Who the fuck are you?????????
 21 Fuck off Nazi bitch I'm better than I've ever been quit trying to make me
 22 someone that should give a shit about you the only reason you're my
 23 Facebook friend is because you're amazed at what I'm doing with my life.
 24 Fucking Nazi. Wtf. Don't pretend like I don't know you're on the deck
 25 right now. She does nothing." Please see Exhibit 97.

1 Ms. Dehen responded, "I'm not on your deck I'm at my house. I am
 2 really worried about you." Please see Exhibit 97. Mr. Snow responded,
 3 "If you want friends go join the Ben Carson campaign." Id.

4 On Thursday, March 10, 2016 at 7:14 a.m., Ms. Dehen emailed Dean
 5 D'Angelo, Dean Ferruolo and Professor Sichelman, "Obviously the matter
 6 has not been resolved and he is still not being helped. "Liberation day"
 7 does not sound good. Everyone is scared of his unpredictability. I haven't
 8 been able to find one person who is close to him. He is very antisocial.
 9 Not good signs," with a .PNG image attached, further explained below.
 10 Please see Exhibit 103.

11 On or around March 10, 2016, Mr. Snow posted on Facebook, "I am
 12 Still building the bonfire for the 420Am roast and commencement of Russ.
 13 Today is day four. The last day of attending class. Liberation day. Or as
 14 we like to say, Prude day because it's the last day of getting slut shamed by
 15 the virgin Catholics gøys and also the last day our/their Nazi Catholic kids
 16 are virgins. #bitchimmadonna," and "Eight hours a night. [devil emoji] Ha
 17 [devil emoji] ha [devil emoji] ha [devil emoji] what is this a Nazi prom?"
 18 Please see Exhibit 104.

19 The threatening behavior consisted of, among other things, the
 20 student calling all USD law Mr. Snow accosting students Nazi's, as well as
 21 personally and directly calling Plaintiff a Nazi, and engaging in alarming on
 22 campus, disrupting classes for two weeks leading up to the incidents being
 23 publicly recognized by USD, threatening statements on social media made
 24 with the intent to incite mass hysteria on USD campus and making
 25 statements directed towards Plaintiff personally which, considered in
 26 totality of the circumstances, led Plaintiff to reasonably believe her safety,
 27
 28

1 Mr. Snow's safety, and/or the safety of fellow USD students and faculty
 2 were at stake.

3 To view a sampling of Mr. Snow's behavior further shown in and
 4 statements, as well as a sampling of the email exchanges occurring between
 5 students such as Plaintiff and the University of San Diego during this time
 6 period, please see Exhibits 94 – 139.

7 On or around March 10, 2016, Mr. Snow posted on Facebook, "Has
 8 Obama not delivered on his promises???? Ha. I just got the email excusing
 9 me of terrorism. Ha. Omg. What do we have to do to appease these Nazis?
 10 [fourteen car emoji's] ha". Please see Exhibit 114.

11 Ms. Dehen alleges various students expressed fear, to both Ms.
 12 Dehen and to USD, that this student brought a bomb to school and/or was
 13 planning to harm himself and/or USD students and faculty. Please see
 14 Exhibits 94 - 139.

15 50. In March 2016 Plaintiff ~~and~~ relayed, on more than one
 16 occasion, in addition to several other students and faculty members at USD
 17 relayed, on more than one occasion for at least two weeks leading up to the
 18 incident documented in Exhibits 94 – 139, the alarming erratic behavior to
 19 USD Law Administration, USD Administration, the President of USD,
 20 USD Department of Public Safety, San Diego Police Department, as well
 21 as various attempts to federal and state agencies by Plaintiff personally.
 22 Please see Exhibits 94 - 139.

23 Plaintiff's mother, Mrs. Lili Dehen, was in contact with Mr. Snow's
 24 mother, Mrs. Katherine Snow, in the days proceeding the March 2016
 25 incident in which she expressed to Mrs. Dehen that USD would not help
 26 her obtain medical or other help for her son. Please see Exhibits 125 - 128.

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1 51. Plaintiff alleges USD not only failed to adhere by federal law
2 in dealing with sensitive allegations such as the ones Plaintiff personally
3 relayed to USD, but USD went so far as to shut down the local law
4 enforcement investigation and refused to cooperate with federal law
5 enforcement to Plaintiff's detriment. *Please see Exhibits 94 - 139.*

6 52. Not only did USD fail to adequately address the serious
7 threats which threatened to harm and actually harmed Ms. Dehen as USD
8 expressly represented it would, but USD gave preferential treatment to both
9 aforementioned students, whom Plaintiff alleges comprise John Does 1 & 2
10 in this litigation. Not only did neither student face disciplinary action, but
11 *both students received preferential treatment to complete their schooling.*
12 *Please see Exhibits 94 - 139.*

13 53. Due to USD's failure to address the serious situations as it
14 promised repeatedly it would do in its stated policies as well as express
15 repeated promises made during the situations by agents of USD to Plaintiff
16 and several other law students and faculty members, the situations
17 escalated to the point where the Federal Bureau of Investigation intervened
18 in July 2016 when one of the aforementioned self-proclaimed enemy
19 combatants of the United States stalked Plaintiff at her residence in San
20 Diego, California. *Please see Exhibits 94 - 139.*

21 54. Plaintiff lived, and continues to live, in grave fear of danger to
22 her personal body, safety, economic interests, personal relationships, family
23 members' and friends' safety, among other injuries for which Plaintiff can
24 and will prove to this Court through this litigation.

25 55. Plaintiff alleges USD became aware of the serious allegations
26 in March 2016. Plaintiff alleges USD then owed a heightened duty to
27 Plaintiff beginning in or around March 2016 when it was put on notice of
28

1 the serious behavior in violation of both federal and state law, which it
2 failed to uphold, hence this litigation. *Please see* Exhibits 94 – 139.

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3 On Friday, July 8, 2016 at 10:51 p.m., Ms. Dehen emailed Professor
4 Sichelman, the professor who ultimately ensured Department of Public
5 Safety became involved with the Mr. Snow matter after disruption of the
6 MBE class, to inform him of Mr. Aly's ISIS sleeper cell comments made in
7 2015 after Ms. Dehen read an article from Drudge Report regarding ISIS
8 Sleeper Cells being activated. *Please see* Exhibit 130.

9 On July 9, 2016, when Plaintiff was still a student at USD Law
10 School and actively attending two summer school classes, Professional
11 Responsibility and an externship with the USD Federal Tax Clinic, Mr. Aly
12 stalked Ms. Dehen at her residence in Pacific Beach, CA no more than 8
13 hours after Ms. Dehen emailed Professor Sichelman regarding the
14 comments Mr. Aly made to Ms. Dehen in 2015. *Please see* Exhibit xxx.

15 Ms. Dehen saw Mr. Aly outside her building at or around 9:30 a.m.
16 on July 9, 2018 and immediately called Ms. Stephanie Myers, an
17 acquaintance of Ms. Dehen whom has federal clearances with the
18 Department of Defense and Homeland Security. *Please see* Exhibit xxx.

19 Ms. Dehen's neighbors witnessed Mr. Aly outside Ms. Dehen's
20 building at 6:30 a.m. sitting in his car with the engine running and
21 confirmed with Ms. Dehen on July 10, 2018.

22 On July 11, 2018, Ms. Dehen emailed the President of USD
23 requesting increased security presence on campus until the end of her
24 summer term at USD. *Please see* Exhibit xxx.

25 On July 12, 2018, Ms. Dehen emailed the Department of Public
26 Safety at USD, specifically Captain Quinton Kawahara, and Law Schools
27 Deans Dean Ferruolo and Dean D'Angelo. *Please see* Exhibit 132.
28

1 59. Pertaining to hateful conduct, Twitter's rules provide, in
2 relevant part, the following:

3 You may not promote violence against or directly attach or
4 threaten other people on the basis of race, ethnicity, national origin, sexual
5 orientation, gender, gender identity, religious affiliation, age disability, or
6 disease. We also do not allow accounts whose primary purpose is inciting
7 harm towards others on the basis of these categories.

8 See <https://support.twitter.com/articles/18311>.

9 60. Twitter provides an Impersonation Policy that can be found
10 online at: <https://support.twitter.com/articles/18366>.

11 61. Twitter's Impersonation Policy provides, in relevant part, the
12 following:

13 Impersonation is a violation of the Twitter Rules. Twitter
14 accounts portraying another person in a confusing or deceptive manner
15 may be permanently suspended under the Twitter impersonation policy.

16 See <https://support.twitter.com/articles/18366>.

17 62. Twitter's Impersonation Policy further provides, "[i]n order to
18 be impersonation, the account must also portray another person in a
19 misleading or deceptive manner."

20 See <https://support.twitter.com/articles/18366>.

21 63. In Twitter's Impersonation Policy, Twitter promises:
22 Upon receipt of an impersonation report, we will investigate
23 the reported accounts to determine if the accounts are in violation of the
24 Twitter Rules. Accounts determined to be in violation of our impersonation
25 policy, or those not in compliance with our parody, commentary, and fan
26 account policy, will either be suspended or asked to update the account(s)
27 so they no longer violate our policies.

28 See <https://support.twitter.com/articles/20170142>.

 64. Twitter provides a Hateful Conduct Policy, that can be found
online at: <https://support.twitter.com/articles/20175050>.

 65. Twitter's Hateful Conduct Policy provides, in relevant part,
the following: "[w]e do not tolerate behavior that harasses, intimidates, or
uses fear to silence another person's voice." See
<https://support.twitter.com/articles/20175050>.

1 66. Twitter's Hateful Conduct Policy provides the following:
 2 Examples of what we do not tolerate includes, but is not
 3 limited to, behavior that harasses individuals or groups of people with:
 4 violent threats; wishes for the physical harm, death, or disease of
 5 individuals or groups; references to mass murder, violent events, or specific
 6 means of violence in which/with which such groups have been the primary
 7 targets or victims; behavior that incites fear about a protected group;
 8 repeated and/or non-consensual slurs, epithets, racist and sexist tropes, or
 9 other content that degrades someone.

10 See <https://support.twitter.com/articles/20175050>.

11 67. Twitter's Hateful Conduct Policy further provides the
 12 following: "[w]e enforce policies when someone reports behavior that is
 13 abusive and targets an entire protected group and/or individuals who may
 14 be members." See <https://support.twitter.com/articles/20175050>.

15 68. Plaintiff and Twitter entered into a written contract including
 16 the terms set forth above at the time Plaintiff accepted Twitter's Terms of
 17 Use and activated her account on October 9, 2015 at 11:11 p.m. See
 18 Exhibit 53.

19 Ironically, Plaintiff's overwhelming motivation for rejoining the
 20 flawed social networking platform she left years prior was to follow and
 21 tweet to then-Presidential Candidate Donald J. Trump and supporters of
 22 Mr. Trump's Make America Great Again movement, evidenced by her early
 23 tweets to and follows of Donald J. Trump (@realdonaldtrump), individuals
 24 close to him, and influential individuals supportive of him and his
 25 movement.

26 **Additional Background Facts**

27 69. Upon information and belief, there is no other "Tiffany
 28 Dehen" in existence, nor is there any other individual using the name
 "Tiffany Dehen" to sell products or render consulting, marketing, or legal
 services anywhere in the United States, or anywhere in the world.

1 70. Merriam Webster Dictionary's definition of Nazi provides the
2 following:

3 (1) a member of a German fascist party controlling Germany
4 from 1933 to 1945 under Adolf Hitler; (2) often not capitalized; (a) one
5 who espouses the beliefs and policies of the German Nazis: Fascist; (b) one
6 who is likened to a German Nazi; a harshly domineering, dictatorial, or
7 intolerant person; a grammar nazi.

8 See <https://www.meriam-webster.com/dictionary/Nazi>.

9 71. Encyclopedia Britannica's definition of Nazi Party provides
10 the following:

11 Nazi Party, byname of National Socialist German Workers'
12 Party, German Nationalsozialistische Deutsche Arbeiterpartei (NSDAP), a
13 political part of the mass movement known as National Socialism. Under
14 the leadership of Adolf Hitler, the party came to power in Germany in 1933
15 and governed by totalitarian methods until 1945.

16 See <https://www.britannica.com/topic/Nazi-Party>.

17 72. Merriam Webster Dictionary's definition of Swastika provides
18 the following:

19 (1) A symbol or ornament in the form of a Greek cross with
20 the ends of the arms extended at right angles all in the same rotary
21 direction; (2) a swastika used a symbol of anti-Semitism or of Nazism.

22 See <https://www.meriam-webster.com/dictionary/swastika>.

23 73. Ms. Dehen is not a member of the National Socialist German
24 Workers' Party (colloquially known as the Nazi Party), nor the Ku Klux
25 Klan (colloquially known as the KKK).

26 74. Further, Ms. Dehen has no relatives that were involved in
27 either the National Socialist German Workers' Party or the Ku Klux Klan.

28 75. Ms. Dehen's late grandfather was ~~Captain~~Retired Colonel
John D. Raikos, awarded the following decorations for his role in the 83rd
Infantry of the United States Army in World War II: Combat Infantryman
Badge, Silver Star Medal, Bronze Star Medal with Oak Leaf Cluster,
Purple Heart with Oak Leaf Cluster, Good Conduct, American Campaign
Medal, WWII Victory Medal, and the EAME Campaign Medal with 5

1 Bronze Stars for the Five Campaigns. *See* Exhibit 1 or visit
 2 http://www.normandytothebulge.be/83rd_JRaikos.html.

3 76. Notably, Ms. Dehen's late grandfather, ~~Captain~~Retired Colonel
 4 John D. Raikos, was honored with the esteemed citation from Yom
 5 H'ashowa Holocaust Remembrance for his role with the 83rd Division's
 6 liberation of Nazi concentration camps. *See* Exhibit 1 or visit
 7 http://www.normandytothebulge.be/83rd_JRaikos.html.

8 77. Upon information, belief, and research into Ms. Dehen's
 9 family tree, Ms. Dehen has at least one relative who was Jewish, *i.e.*, Ms.
 10 Dehen is technically part Jewish.

11 78. Ms. Dehen volunteered as a Summer Camp Counselor at the
 12 Tucson Jewish Community Center ("TJCC") in 2004 and her family
 13 continued and continues to keep a relationship with the TJCC.

14 79. During Mr. President Donald J. Trump's State of the Union
 15 Address on January 30, 2018, he stated, "[w]e must be clear -- terrorists are
 16 not merely criminals; they are unlawful enemy combatants." (*Please see*
 17 Mr. President Donald J. Trump's 2018 State of the Union Address).

18 80. President Donald J. Trump also stated, "[i]n the past, we have
 19 foolishly released hundreds and hundreds of dangerous terrorists, only to
 20 meet them again on the battlefield, including the ISIS leader al-Baghdadi,
 21 who we captured, who we had, who we released." (*Id.*)

22 **Copyrighted Works**

23 81. On June 20, 2013, Plaintiff created Photograph 1, titled,
 24 "Tiffany Pro," in Scottsdale, Arizona and published to LinkedIn
 25 06/20/2013. *See* Exhibit 2.

26 82. "Tiffany Pro," is registered with the United States Copyright
 27 Office, which constitutes, "prima facie evidence of the validity of the
 28

1 copyright and of the facts stated in the certificate.” *See* 17 U.S.C. §410(a).
2 “Tiffany Pro,” is assigned Registration Number: VA 2-069-923, with April
3 01, 2017 as the Effective Date of Registration. *Please see* Exhibit 68.

4 83. On April 2, 2016, Plaintiff created Photograph 2, titled,
5 “Tiffany DC,” in front of Trump Tower in Washington D.C, and published
6 to Twitter on 04/02/2016, and Facebook on 09/15/2016. *See* Exhibit 3.

7 84. “Tiffany DC,” is registered with the United States Copyright
8 Office, which constitutes, “prima facie evidence of the validity of the
9 copyright and of the facts stated in the certificate.” *See* 17 U.S.C. §410(a).
10 “Tiffany DC,” is assigned Registration Number: VA 2-073-279, with
11 March 31, 2017 as the Effective Date of Registration. *Please see* Exhibit
12 69.

13 85. On April 28, 2016, Plaintiff created Photograph 3, titled,
14 “Tiffany MAGA,” in front of the Trump rally in Orange County,
15 California, and posted to Twitter on 04/28/2016. *See* Exhibit 4.

16 86. “Tiffany MAGA,” is registered with the United States
17 Copyright Office, which constitutes, “prima facie evidence of the validity
18 of the copyright and of the facts stated in the certificate.” *See* 17 U.S.C.
19 §410(a). “Tiffany MAGA,” is assigned Registration Number: VA 2-069-
20 924, with April 01, 2017 as the Effective Date of Registration. *Please see*
21 Exhibit 70.

22 87. On December 18, 2016, Plaintiff created Photograph 4, titled,
23 “Tiffany Christmas MAGA,” in Pacific Beach, California, and posted to
24 Instagram, Facebook, and Twitter on 12/23/2016. *See* Exhibit 5.

25 88. “Tiffany Christmas MAGA,” is registered with the United
26 States Copyright Office, which constitutes, “prima facie evidence of the
27 validity of the copyright and of the facts stated in the certificate.” *See* 17
28

1 U.S.C. §410(a). "Tiffany Christmas MAGA," is assigned Registration
 2 Number: VA 2-069-747, with April 01, 2017 as the Effective Date of
 3 Registration. *Please see* Exhibit 71.

4 **Twitter Account With Domain @tiffanydehen**

5 89. On or about January 26, 2017, John Doe(s) created a Twitter
 6 account with the domain @tiffanydehen, with the description, "[p]arody
 7 account; Fiction and political satire about Republican white women", yet
 8 used Tiffany Dehen's legal name in the domain @tiffanydehen, and Ms.
 9 Dehen's copyrighted photos. *See* Exhibit 9.

10 90. The natures of the posts, described below, are so egregious as
 11 to deny Doe(s)'s protection under the First Amendment, further explained
 12 below.

13 91. Due to the ongoing terrorism investigation led by the Federal
 14 Bureau of Investigation, and on advice of the FBI, Tiffany Dehen was no
 15 longer using the domain @tiffanydehen in connection with her social
 16 media accounts.

17 92. On or about January 26, 2017, Doe(s), using the Twitter
 18 domain @tiffanydehen, followed various Twitter users including the
 19 following:

20 "Helmut Pepe Thick @HelmutThick," "Vladimir Putin
 21 @realtalkputin," "Donald J. Trump @realDonaldTrump," "Ann
 22 Coulter @AnnCoulter," "Paul Ryan @SpeakerRyan," "Bill O'Reilly
 23 @oreillyfactor," "Sean Hannity @seanhannity," "The White House
 24 @WhiteHouse," "Eric Trump @EricTrump," "Kellyanne Conway
 25 @KellyannePolls," "Donald Trump Jr. @DonaldJTrumpJr," "Ivanka
 26 Trump @IvankaTrump," "Mike Pence @mike pence," "Dr. Ben
 27 Carson @RealBenCarson," "Fox News @FoxNews," "Milo
 28 Yiannopoulos @DontGoAwayM4d," "Adolf Hitler
 @AdolfHitlerFuhr," "Vladimir Putin @realtalkputin," "Donald J.
 Trump @realDonaldTrump," "Klu Klux Klan @TheeKluKluxKlan,"
 "klu klux klan @FuckTheNiggers," and "Breitbart News
 @BreitbartNews."

See Exhibits 6-8, and 44-47.

1 93. On or about January 27, 2017, Doe(s), using the Twitter
2 domain @tiffanydehen, tweeted, "@realDonaldTrump is gonna stop these
3 alien abductions plaguing our nation y'all. These anal probes gotsa stop.
4 #MakeAmericaGreatAgain #ufos". See Exhibit 43.

5 94. On or about January 27, 2017, Doe(s), using the Twitter
6 domain @tiffanydehen, tweeted "I'm all for building that wall over mexico
7 but the real aliens come from above #buildthatwall
8 #MakeAmericaGreatAgain @realDonaldTrump #ufos". See Exhibits 42-
9 44.

10 95. On or about January 27, 2017, Doe(s), using the Twitter
11 domain @tiffanydehen, tweeted, "The only better time to be a woman in
12 America beside 2day was the day Jesus was crucified #witness #amen
13 #Jesusfirst #MakeAmericaGreatAgain". See Exhibits 42-43.

14 96. On or about January 28, 2017, Doe(s), using the Twitter
15 domain @tiffanydehen, tweeted, "Me+my girls today. If you can't bring
16 back an 80's dye job, U DON'T DESERVE TO BE AMERICAN!!!
17 #MakeAmericaGreatAgain #SexyLikeCockatoos #grl". See Exhibit 41.

18 97. On or about January 28, 2017, Doe(s), using the Twitter
19 domain @tiffanydehen, tweeted, "My gawd Who is that lucky lady?
20 @POTUS @realDonaldTrump My pastor wouldn't be happy with my
21 inside-outies right now? #MakeAmericaGreatAgain". See Exhibit 40.

22 98. On or about January 28, 2017, Doe(s), using the Twitter
23 domain @tiffanydehen, tweeted, "TO HELL WITH MUSLIMS WHO
24 WANT TO BAN OUR AMERICAN VALUES! U NEVER PUT ME IN A
25 BURKA! #MuslimBan #MakeAmericaGreatAgain @POTUS
26 #BuildTheWall". See Exhibit 39.

1 99. On or about January 28, 2017, Doe(s), using the Twitter
2 domain @tiffanydehen, tweeted, "Just found this lovely pic of our
3 #firstladymelania Pearl necklaces 4 every girl about time
4 @MELANIATRUMP @POTUS #MakeAmericaGreatAgain". See
5 Exhibits 37-38.

6 100. On or about January 28, 2017, Doe(s), using the Twitter
7 domain @tiffanydehen, tweeted, "Have y'all noticed the blacks are on all
8 the magazines nowadays? Time 4 change!! White women are the silent
9 majority in the lamestream media". See Exhibits 35-36.

10 101. On or about January 28, 2017, Doe(s), using the Twitter
11 domain @tiffanydehen, tweeted, "Nothing like my own personal welcome
12 team on Twitter. Thanks @AdolfHitlerFuhr XOXO Let's
13 #MakeAmericaGreatAgain studcakes #MuslimBan", and included a photo
14 stating, "Fuhrer welcomes you" showing the Adolf Hitler Twitter account
15 that Doe followed using the Twitter domain @tiffanydehen. See Exhibits
16 35-36.

17 102. On or about January 29, 2017, Doe(s), using the Twitter
18 domain @tiffanydehen, tweeted, "Donated some eggs today! Don't know
19 why sept they told me they were tax deductible!
20 #MakeAmericaGreatAgain", with Infringing Work #1 (see Exhibit 34),
21 which comprises of Photograph #2 titled, "Tiffany DC," (see Exhibit 3)
22 copyrighted by Plaintiff, (presumed to be taken directly from Ms. Dehen's
23 personal Twitter account,) altered with the word, "MURIKKKA!", and two
24 drawn in Swastikas. See Exhibits 32-33.

25 103. On or about January 29, 2017, Doe(s), using the Twitter
26 domain @tiffanydehen, tweeted, "Throwing this dog over this cliff!
27 Animals don't deserve special rights! Down with special interists!
28

1 #MakeAmericaGreatAgain @POTUS”, with Infringing Work #2 (*see*
 2 Exhibit 31), which comprises of Photograph #4 titled, “Tiffany Christmas
 3 MAGA,” (*see* Exhibit 5) copyrighted by Plaintiff, (presumed to be taken
 4 directly from Ms. Dehen’s personal Twitter account,) and altered with the
 5 words, “DOWN WITH THEM SPESHUL INTRISTS!”. *See* Exhibit 29-
 6 30.

7 104. On or about January 29, 2017, Doe(s), using the Twitter
 8 domain @tiffanydehen, tweeted, “Saving myself for marriage! My man
 9 knows we can have sex 3 times: honeymoon, Trumps reelection, & jesus 2nd
 10 coming! #MakeAmericaGreatAgain”, with Infringing Work #3 (*see* Exhibit
 11 28), which comprises of Photograph 3 titled, “Tiffany MAGA,” (*see*
 12 Exhibit 4) copyrighted by Plaintiff, (presumed to be taken directly from
 13 Ms. Dehen’s personal Twitter account,) and altered with the top of Ms.
 14 Dehen’s hat whited out with the words, “MAKE AMERICA GRATE
 15 AGAIN”, written instead. *See* Exhibits 26-27.

16 105. On or about January 29, 2017, Doe(s), using the Twitter
 17 domain @tiffanydehen, tweeted “Why do the gays hate this hate? I thought
 18 they all liked fashion! #snowflakes #EndSpecialInterests
 19 #ReligiousFreedom #MakeAmericaGreatAgain”, with Infringing Work #4
 20 (*see* Exhibit 25), which, again, comprises of Photograph 3 titled, “Tiffany
 21 MAGA,” (*see* Exhibit 4) copyrighted by Plaintiff, (presumed to be taken
 22 directly from Ms. Dehen’s personal Twitter account,) and altered with the
 23 top of Ms. Dehen’s hat whited out with the words, “BRING BACK (with a
 24 symbol that looks like a vagina)”, written instead. *See* Exhibits 23-24.

25 106. On or about January 29, 2017, Doe(s), using the Twitter
 26 domain @tiffanydehen, tweeted “That’ll teach them terrorist saudis!
 27 #MuslimBan #MakeAmericaGreatAgain my hero! @POTUS
 28

1 @realDonaldTrump”, with a photo showing the countries of President
2 Donald J. Trump’s temporary ban on refugees. *See* Exhibits 21-22.

3 107. On or about January 29, 2017, Doe(s), using the Twitter
4 domain @tiffanydehen, tweeted, “CNN is fake news! Serena won the
5 Australian open!”, with an article to CNN Breaking News @cnnbrk,
6 “Roger Federer beats Rafael Nadal in a five-set match in the Australian
7 Open Men’s Final winning his 18th grand slam”. *See* Exhibits 20-21.

8 108. On or about January 29, 2017, Doe(s), using the Twitter
9 domain @tiffanydehen, retweeted a post from Paul Ryan @SpeakerRyan,
10 “RT if you agree It’s time to rebuild our partnership with #Israel and
11 reaffirm our commitment to her security”, but Doe added, “I agree with
12 @SpeakerRyan do what you can to keep them Jews out of our Christian
13 country!! #AmericaFirst #MakeAmericaGreatAgain #Muslim Ban”. *See*
14 Exhibit 20.

15 109. On or about January 29, 2017, Doe(s), using the Twitter
16 domain @tiffanydehen, tweeted, “Fuck throwing this dog off a cliff. Ima
17 eat him instead! What a #snowflake @peta #MakeAmericaGreatAgain
18 Animals don’t deserve extra rights!”, with Infringing Work #5 (*see* Exhibit
19 19), which, again, comprises of Photograph 4 titled, “Tiffany Christmas
20 MAGA,” (*see* Exhibit 5) copyrighted by Plaintiff, (presumed to be taken
21 directly from Ms. Dehen’s personal Twitter account), and altered with the
22 words “DOWN WITH THEM SPESHUL INTRISTS!”. *See* Exhibits 16-
23 18.

24 110. On or about January 29, 2017, Doe(s), using the Twitter
25 domain @tiffanydehen, tweeted, “I’m so excited for my audition for TV! I
26 can’t wait to make America proud! #MakeAmericaGreatAgain
27 #AmericaFirst #AmericaFirstOnly @POTUS”, with a photo of Tomi
28

1 Lahren and the word "TIFF" added, and added text above the photograph
2 that reads, "BRAVO'S The Real Housewives of Nazi-Occupied Russian
3 Territory Formerly Known as America *twirls* "If he's not Aryan, we're
4 not marryin'!" See Exhibits 15-16.

5 111. On or about January 30, 2017, Doe(s), using the Twitter
6 domain @tiffanydehen, tweeted, "Here's my mom and her bible study
7 sisters being saved from an evil Muslim palace. If I'm not her spitting
8 image...GO TRUMP GO! @POTUS", with a photo of President Donald J.
9 Trump and three women. See Exhibit 14.

10 112. On or about January 30, 2017, Doe(s), using the Twitter
11 domain @tiffanydehen, tweeted, "All ready for my job interview. Too
12 much??? #AmericaFirst #AmericaFirstOnly Help me fashion queens!!!
13 @MELANIATRUMP @KellannePolls", with Infringing Work #6 (see
14 Exhibit 13), which comprises of Photograph 1 titled, "Tiffany Pro," (see
15 Exhibit 2) copyrighted by Plaintiff, (presumed to be taken directly from
16 Ms. Dehen's LinkedIn account this time), altered with a black headband
17 containing a Swastika drawn in, as well as a red Swastika added to Ms.
18 Dehen's chest. See Exhibits 11-12.

19 113. On or about January 30, 2017, Doe(s), using the Twitter
20 domain @tiffanydehen, retweeted one of Ms. Dehen's personal tweets
21 where she posted an article from *Drudge Report*, and wrote, "That's right
22 @tiffanysundevil we should just get rid of all those countries that aren't
23 america! #AmericaFirst #AmericaFirstOnly." See Exhibits 10-11.

24 114. On or about January 30, 2017, Doe(s), using the Twitter
25 domain @tiffanydehen, tweeted, "We don't need a justice department! fuck
26 impartiality! #MakeAmericaGreatAgain", with a retweet from *Drudge*
27
28

1 *Report @DRUDGE_REPORT that says, "TRUMP FIRES ACTING*
 2 *ATTORNEY GENERAL", with a link to an article. See Exhibit 10.*

3 115. On or about January 30, 2017, Doe(s), using the Twitter
 4 domain @tiffanydehen, tweeted, "ONLY WHITE PEOPLE DESERVE
 5 BENEFITS! america should be great to win I no knowledge of it!
 6 #MakeAmericaGreatAgain @POTUS @realDonaldTrump", with a retweet
 7 from a post by Thomas Paine @Thomas1774Paine that said, "Hey DOJ &
 8 #Yates, welcome back to the real America where you get fired for screwing
 9 up like the rest of us. #Obama's Country Club is closed". See Exhibits 9-
 10 10.

11 116. On January 30, 2017 around 9:50 p.m., Plaintiff became aware
 12 of the account due to the retweet of Plaintiff's tweet referenced above, and
 13 the fact that Doe "liked" 10 of Ms. Dehen's Tweets. See Exhibits 10-11,
 14 and 54.

15 117. Upon inspection of the Twitter account, Plaintiff sought
 16 immediate removal of the impersonating account by utilizing Twitter's
 17 Impersonation Policy through completion of the provided form to "report
 18 an account for impersonation."

19 118. Plaintiff submitted the report for impersonation for Doe(s)'s
 20 defaming Twitter account in the username @tiffanydehen to Twitter on
 21 01/30/2017, thus fulfilling all conditions, covenants, and promises required
 22 on her part to be performed in accordance with the terms and conditions of
 23 the user agreement. See Exhibit 48.

24 119. On January 30, 2017 at 9:56 p.m., Twitter responded to
 25 Plaintiff's request to Case # 50854043 with the following:

26 Hello,
 27 Thanks for sending your report regarding impersonation on Twitter.
 28 Our next steps: First, we need to confirm your identity. Below
 you'll find instructions and a link you can use to upload a copy of
 your valid government-issued photo ID. Then we'll review and

process your report. We can't review your report until the documentation is received.

Your next steps: Review the instructions below and upload the requested documentation. Please make sure to upload a legible copy so we can review the full name and photo on the ID. This information will be kept confidential and your documentation will be deleted.

Instructions: Click on the link below and upload a copy of your valid government issued photo ID (e.g., driver's license or passport). If you are reporting an account that is not using the name that appears on your government-issued photo ID, you must also include documentation demonstrating that the name used by the account you're reporting is associated with you (e.g., proof of registration of your trade name or pseudonym).

Upload link:
<https://twitterinc.secure.force.com/u?e=tiffany.dehen@gmail.com&cn=50854043>

Please note that accounts in compliance with Twitter's parody, commentary, and fan accounts policy (<https://support.twitter.com/entries/106373>) are not considered in violation of our impersonation policy (<https://support.twitter.com/articles/18366>).

Thank you,
 Twitter

See Exhibit 48.

120. On February 1, 2017 Ms. Dehen was involved in an automobile collision on the I-5 freeway southbound on her way to Federal Court to commence suit that she luckily walked away from with only neck and back pains felt at the time. *See Exhibits 57-58.*

121. Fearing for her personal safety and under severe emotional distress, Ms. Dehen first submitted the initial complaint with the Court in order to get the alleged conduct on federal record.

122. Thereafter Ms. Dehen went to the emergency room, where she submitted the requested proof of identity via photo of her state issued driver's license to Twitter, in completion of the additional action Twitter requested in order to enforce its stated policies. *See Exhibit 49.*

123. On February 1, 2017 around 4:30 p.m., Doe, using the Twitter domain @tiffanydehen, tweeted, "Black history month? More like "excuse to complain more" month." *See Exhibit 50.*

1 124. On February 2, 2017 at 8:51 a.m., Twitter replied to the
2 second report Ms. Dehen submitted for Impersonation (Case # 50854043),
3 with the following:

4 Thanks for bringing this to our attention. Parody, newsfeed,
5 commentary and fan accounts are permitted on Twitter so long as
6 they comply with our policy for such accounts. In response to your
7 complaint, we're providing the user with instructions on how to
8 comply with our policy. Please allow 48 hours from the receipt of
9 this email if you'd like to file a follow-up complaint about the
10 account. Note that Twitter will not proactively monitor the account,
11 but will respond to all valid follow-up complaints.

12 *See* Exhibit 51.

13 125. After receiving Plaintiff's second Impersonation Request, it
14 took Twitter more than 12 additional hours to suspend the tweets on the
15 account, which also could have been due in part or in whole to the fact that
16 Plaintiff had already commenced this action, as Plaintiff found her initial
17 complaint posted on Twitter the day prior, February 2, 2017. *See* Exhibits
18 72-73.

19 126. Ms. Dehen checked Twitter around 5 a.m. on February 3,
20 2017, and the offending account was still active.

21 127. When Ms. Dehen checked the account again around 10 a.m.
22 on February 3, 2017, the account was disabled with the main profile photo
23 still visible and the account still accessible through a search on Twitter.

24 128. The main account page stayed active for days following the
25 disabling of the tweets. Days later, Plaintiff noticed the account was taken
26 down altogether.

27 129. Twitter is in a better position than Ms. Dehen to present to the
28 Court the exact timeframe of the creation and disabling of the defaming
Twitter account through discovery because that information is now
unavailable to Plaintiff.

1 130. Plaintiff can and will show monetary damages as well as
 2 reputational and emotional damages, in addition to the statutory and
 3 punitive damages she is entitled under the law. For example, Plaintiff was
 4 so intimidated, frightened and ashamed in the immediate days after finding
 5 the offending Twitter account that she missed an attorney networking event
 6 which she was supposed to be a volunteer witness for the week of 1/31/17.
 7 *Please see Exhibit 94.*

8 Ms. Dehen tweeted and continues to tweet to President Donald J.
 9 Trump all the time. Ms. Dehen literally only started using Twitter again
 10 because of Mr. President Donald J. Trump (then Presidential Candidate).
 11 The fact that John Doe tweeted damaging tweets to Mr. Donald J. Trump is
 12 significantly more damaging than the heinous nature of the illegal account
 13 to begin with because Plaintiff has been working towards working with Mr.
 14 President Donald J. Trump since he announced his presidential campaign in
 15 2015. The amount of damages Plaintiff is entitled is not to be taken lightly,
 16 especially considering the fact Mr. President Donald J. Trump is a
 17 billionaire.

19 **RELEVANT FACTS AFTER COMMENCING SUIT**

20 131. On February 1, 2017, Plaintiff Ms. Dehen rushed to file suit
 21 out of fear for her safety and well-being due to the aforementioned
 22 terroristic behavior, including threats to her personal safety and the safety
 23 of Ms. Dehen's dog, Mitty, in order to ensure there was in fact a federal
 24 record started somewhere, as Ms. Dehen previously thought the FBI was
 25 taking care of it but became worried the FBI did not have the threat under
 26 control as Ms. Dehen was still being subjected to escalating illegal
 27 threatening conduct continuing to harm her.

1 132. On February 2, 2017, Ms. Dehen's initial complaint she filed
2 under duress went public to her surprise. Ms. Dehen became apprised of
3 the fact that her complaint went public when she received harassing
4 messages and tweets on Twitter in response to her lawsuit. Plaintiff
5 requests the record to reflect that the Twitter account in question with
6 domain @TiffanyDehen was still public at this time that her initial
7 complaint was public, and was only taken down by Twitter *after* a copy of
8 Ms. Dehen's initial complaint was all over Twitter.

9 133. On February 2, 2017, out of continued fear for her personal
10 safety, Ms. Dehen went straight to Federal Court to attempt to be seen by
11 the Judge. Unsuccessful, Ms. Dehen left a rushed note for the Judge under
12 duress. Ms. Dehen then went straight to the Federal Bureau of
13 Investigation and refused to leave the premises until an agent came down to
14 notate the new information pertaining to a case which Ms. Dehen thought
15 was ongoing with the FBI regarding the aforementioned terroristic threats
16 to Ms. Dehen personally and to the United States. The FBI made clear to
17 Ms. Dehen that in spite of the new intel revealing continued threats and
18 harassment, the bureau was still under no duty whatsoever to disclose any
19 updates regarding the ongoing investigation, or Ms. Dehen's safety, to Ms.
20 Dehen, unless her name was picked up as "terrorism chatter" by "known
21 terrorists".

22 134. After the February 2, 2017 meeting with the FBI, Ms. Dehen
23 noticed Mohammed's Instagram account (the student who self-proclaimed
24 himself to be an enemy combatant of the United States, *i.e.*, in an ISIS
25 Sleeper Cell) was finally taken down.

26 135. On February 3, 2017, the day after Ms. Dehen's initial
27 complaint went public, Mr. Mike Masnick with Tech Dirt published a
28

1 biased negative news article on Ms. Dehen without the correct facts and
2 without any attempt whatsoever by Mr. Masnick to contact Ms. Dehen for
3 facts. *Please see*

4 [https://www.techdirt.com/articles/20170202/16511636619/recent-law-](https://www.techdirt.com/articles/20170202/16511636619/recent-law-school-grad-sues-twitter-because-someone-made-parody-twitter-account.shtml)
5 [school-grad-sues-twitter-because-someone-made-parody-twitter-](https://www.techdirt.com/articles/20170202/16511636619/recent-law-school-grad-sues-twitter-because-someone-made-parody-twitter-account.shtml)
6 [account.shtml](https://www.techdirt.com/articles/20170202/16511636619/recent-law-school-grad-sues-twitter-because-someone-made-parody-twitter-account.shtml).

7 136. On February 6, 2017, four days after Ms. Dehen's initial
8 complaint went public, Mr. Dorian Hargrove with the San Diego Reader
9 published an article on Ms. Dehen's initial filing without any attempt to
10 reach out to Ms. Dehen for comment. *Please see*

11 [https://www.sandiegoreader.com/news/2017/feb/06/ticker-fake-twitter-](https://www.sandiegoreader.com/news/2017/feb/06/ticker-fake-twitter-account-prompts-lawsuit/#)
12 [account-prompts-lawsuit/#](https://www.sandiegoreader.com/news/2017/feb/06/ticker-fake-twitter-account-prompts-lawsuit/#).

13 137. On February 9, 2017, seven days after Ms. Dehen's initial
14 complaint went public, Ms. Kristina Davis with the San Diego Union
15 Tribune published an article on Ms. Dehen's initial filing without any
16 attempt to reach out to Ms. Dehen for comment. *Please see*

17 [http://www.sandiegouniontribune.com/news/courts/sd-me-twitter-lawsuit-](http://www.sandiegouniontribune.com/news/courts/sd-me-twitter-lawsuit-20170209-story.html)
18 [20170209-story.html](http://www.sandiegouniontribune.com/news/courts/sd-me-twitter-lawsuit-20170209-story.html).

19 138. On February 17, 2017, Ms. Dehen's friend helped her create a
20 website using the domain www.TiffanyDehen.com, where she made clear
21 she was not backing down with her lawsuit.

22 139. On February 17, 2017, Ms. Dehen received a letter from
23 "Adolf Hitler" with the email address Mod@aol.com and phone number of
24 8585676545 at 8:07:24 PM that said, "Heil Hitler u racist dumb broad".

25 *Please see Exhibit 74.*

26 140. On February 18, 2017 at 9:38 a.m., www.TiffanyDehen.com
27 had 4444 views. *Please see Exhibit 75.*

1 141. On February 18, 2017 at 10:53:21 a.m., a John Doe claiming
2 the name "Anon" with the email address anon@anon.co sent Ms. Dehen a
3 message through her website contact that stated the following:

4 You are seriously an idiot. It's called the 1st amendment.
5 Maybe your law school allows idiots in, maybe it's just you. The account
6 said parody. Good luck finding an attorney willing to pursue such a
7 frivolous claim. Makes sense that you supported Trump; which is much
8 different than just voting for the idiot. Your shit-stained eyes can't tell
parody from defamation with a disclaimer! Maybe get your head out of
your ass? –An IP Attorney

9 *Please see Exhibit 76.*

10 142. On February 20, 2017, 18 days after Plaintiff Ms. Dehen's
11 initial complaint went public, Ms. Dehen was involved in a serious
12 automobile collision in Pacific Beach that totaled her car and left her with
13 serious back and neck injuries, for which she sought medical treatment for
14 almost a year, and continues to seek alternative pain management
15 treatments. *Please see Exhibits 59, 77 - 82.* The San Diego Police
16 Department refused to record an incident report regarding the accident,
17 even after requested by Ms. Dehen. *Please see Exhibits 81 & 82.*

18 143. On February 21, 2017, Ms. Dehen, in excruciating back and
19 neck pain, went to the San Diego Police Department to again, request for
20 them to file a police report regarding the serious collision the day prior.
21 San Diego Police Department refused. Ms. Dehen called the FBI outside
22 of the Police Department and relayed all of the information regarding the
23 automobile collision to the Bureau, out of fear and suspicion that the
24 accident was intentional and related to either the underlying threatening
25 terroristic behavior or the freshly filed federal complaint Ms. Dehen filed
26 19 days prior, or both. Plaintiff Ms. Dehen respectfully requests the Court
27
28

1 to compel from the FBI a copy of the recording of her phone call to the
2 Bureau on February 21, 2017 to enter into evidence.

3 144. On February 22, 2017, a professor from USD reached out to
4 Ms. Dehen via the contact form on her website.

5 145. On February 24, 2017 at 10:35:38 a.m., a Mr. John Roberts,
6 C.J. with the claimed email address of Roberts@supremecourt.gov and
7 phone number of 202-228-7343 sent a message to Ms. Dehen through her
8 website contact form that said the following:

9 You do realize that you will never get a legal job after filing
10 that complaint? The complaint demonstrates that you learned nothing in
11 law school. Nothing. It also demonstrates that you are many sandwiches
short of a picnic basket. Seek therapy.

12 *Please see Exhibit 83.*

13 146. On February 24, 2017 at 11:37:35 a.m. a Mr. Ben Hayes with
14 the email address bthayes125@gmail.com and phone number 434-284-
15 3221 sent a message to Ms. Dehen through her website contact form that
said the following:

16 Hello Ms. Dehen, Your lawsuit came to my attention through
17 the blog, Above the Law. In reading it, one thing in particular caught my
18 eye. I was just curious if you are now aware that Adolf Hitler was not a
19 "socialist communist" dictator. He was the leader of the Nazi party, which
20 was National Socialist Democratic German Workers Party. There are pretty
21 significant differences in the two, and I would be happy to send resources
to aid in your understanding, but I am first genuinely curious to see if you
know this or not. Best, Ben.

22 *Please see Exhibit 84.*

23 147. On February 28, 2017, William Vogeler, Esq. with Find Law
24 published a biased negative news article on Plaintiff Ms. Dehen without the
25 correct facts and without any attempt whatsoever by Mr. Vogeler to reach
26 out to Ms. Dehen for facts. *Please see*

1 [http://blogs.findlaw.com/greedy_associates/2017/02/jd-sues-twitter-and-](http://blogs.findlaw.com/greedy_associates/2017/02/jd-sues-twitter-and-her-alma-mater.html?utm_source=dlvr.it&utm_medium=twitter)
2 [her-alma-mater.html?utm_source=dlvr.it&utm_medium=twitter.](http://blogs.findlaw.com/greedy_associates/2017/02/jd-sues-twitter-and-her-alma-mater.html?utm_source=dlvr.it&utm_medium=twitter)

3 148. On March 25, 2017, a second professor from USD reached out
4 to Ms. Dehen via the contact form on her website.

5 149. While Ms. Dehen would like to believe that the two
6 aforementioned professors who reached out to Ms. Dehen did so out of
7 fondness for Ms. Dehen as their student, in light of the surrounding
8 circumstances Ms. Dehen chose to be cautious. Ms. Dehen has not
9 communicated with either of the two professors who reached out to her
10 about any of the events at school leading up to this cause of action. After
11 they reached out to Ms. Dehen, she decided not to talk to them directly
12 regarding the case or any claims against USD in order not to taint the
13 evidence since both professors would have testimony that Ms. Dehen
14 alleges shed light on the illegal conduct complained of herein.

15 150. Ms. Dehen asked the FBI to reach out to the first professor
16 during her home interview with the FBI because Ms. Dehen was briefly
17 enrolled in a class taught by this professor in which the student who
18 declared himself to be an enemy combatant of the United States was also a
19 student (before he made the alarming statements to Ms. Dehen). In this
20 class, as Ms. Dehen relayed to the FBI, she specifically remembers this
21 student going off on an Islam rant, though did not have any reason *at the*
22 *time* to be alarmed by the statements made in class.

23 151. As for the second professor who reached out to Ms. Dehen,
24 Ms. Dehen alleges that immediately following the university sponsored
25 event during which the student proclaimed himself to be an enemy
26 combatant of the United States, Ms. Dehen walked into class late with one
27 other student from the Dean's Mixer and was yelled at by this particular
28

1 professor. This was a memorable evening for Ms. Dehen since she had just
 2 been told by a fellow law student that he was “in an ISIS sleeper cell”
 3 “until he’s activated” and then was yelled at by one of her favorite
 4 professors for being late which was out of the ordinary because Ms. Dehen
 5 was never late to this class. Ms. Dehen did not take hardly any notes
 6 during this class period completely out of character for Ms. Dehen and
 7 appeared visibly distraught throughout the entire class period. This
 8 particular professor approached Ms. Dehen the following class to
 9 apologize, conceding the fact that he had been harsh on her especially since
 10 her conduct was out of the norm for Ms. Dehen.

11 152. On May 9, 2017 at 6:04:59 p.m., a John Doe claiming the
 12 name “Sad!” with an email address of johnsmith@yahoo.com wrote the
 13 following to Plaintiff Ms. Dehen through her website contact form:

14 Fuck off. You’re a sad excuse for a person if you support that
 15 asswipe of a President, and a terrible excuse for a wanna-be lawyer. You
 16 think you stand for the constitution and ‘Merican values? What a laugh- I
 17 would be my LIFE on the fact that you couldn’t beat me in court regarding
 18 any aspect of our Constitution. Enjoy these words, from someone who’s
 19 actually a member of the bar in their state. Idiot.

20 *Please see Exhibit 85.*

21 153. On June 22, 2017, Mr. Vogeler published a second biased
 22 negative news article on Ms. Dehen. *Please see*
 23 [http://blogs.findlaw.com/greedy_associates/2017/06/law-grad-sues-her-](http://blogs.findlaw.com/greedy_associates/2017/06/law-grad-sues-her-law-school-and-twitter.html#more)
 24 [law-school-and-twitter.html#more.](http://blogs.findlaw.com/greedy_associates/2017/06/law-grad-sues-her-law-school-and-twitter.html#more)

25 154. On June 23, 2017, Plaintiff Ms. Dehen submitted documents
 26 related to this case with the Southern District of California, where she met
 27 an elderly woman in a wheelchair whom she helped wheel downstairs and
 28 ate lunch with. *Please see Exhibit 88.* Ms. Dehen became uncomfortable
 when it appeared as though this woman was interested in learning details

1 about Ms. Dehen's case not yet disclosed and tried pushing Ms. Dehen to
 2 work on her case at her "office" in downtown San Diego. After Ms. Dehen
 3 left the presence of this woman, the woman contacted Ms. Dehen about ten
 4 or more times the next two days, to the point where Ms. Dehen had to
 5 block this woman from further contact via blocking her phone number.
 6 *Please see Exhibits 89 – 92.* Plaintiff alleges the fact relevant that this
 7 woman's daughter works for Jones Day. *Please see Exhibit 93.* Plaintiff
 8 alleges collusion between Perkins Coie LLP and this woman in an attempt
 9 to extort and intimidate Ms. Dehen because Ms. Dehen alleges this woman
 10 was sent as an agent of Perkins Coie to harass and intimidate Ms. Dehen
 11 from pursuing her claims in court.

12 155. On or around December 11, 2017, Plaintiff Ms. Dehen was
 13 contacted by a reporter with Bloomberg News, who asked Ms. Dehen to
 14 send her a copy of her second amended complaint before she filed it with
 15 the Court. *Please see Exhibit 86.*

16 On August 17, 2018, a Twitter user by the handle @That AC "That
 17 Anonymous Coward – As seen on several dockets." who has been
 18 incessantly harassing Ms. Dehen since June 22, 2017 (please see Exhibit
 19 xxx), tweeted, "'MERIKA!" Please see Exhibit xxx.

20 156. Plaintiff respectfully requests the record reflect she reserves
 21 the right to raise any and all issues related to collusion, intimidation,
 22 extortion, and other claims against all named and unnamed defendants
 23 should discovery reveal direct evidence of such.

24 **COMMUNICATIONS DECENCY ACT § 230**

25 Section 230 of the Communications Decency Act ("CDA") begins
 26 with a statement of findings and a statement of policy, in subsections
 27 230(a) and (b), respectively. See 47 U.S.C. § 230.

1 The findings are rather general, but they illustrate Congress'
 2 appreciation for the Internet as a "forum for a true diversity of political
 3 discourse, unique opportunities for cultural development, and myriad
 4 adventures for intellectual activity," which "ha[s] flourished, to the benefit
 5 of all Americans, with a minimum of government regulation." See 47
 6 U.S.C. § 230(a)(3)-(4).

7 Congress further expressed, "[i]ncreasingly Americans are relying on
 8 interactive media for a variety of political, educational, cultural, and
 9 entertainment services." See 47 U.S.C. § 230(a)(5).

10 CDA § 230 provides, in relevant part, as follows:

11 (c) Protection for "Good Samaritan" blocking and screening of
 12 offensive material.

13 (1) Treatment of publisher or speaker. No provider or user of an
 14 interactive computer service shall be treated as the publisher or
 15 speaker of any information provided by another information content
 16 provider.

17 (2) Civil liability. No provider or user of an interactive computer
 18 service shall be held liable on account of—

19 (A) any action voluntarily taken in good faith to restrict access to or
 20 availability of material that the provider or user considers to be
 21 obscene, lewd, lascivious, filthy, excessively violent, harassing, or
 22 otherwise objectionable, whether or not such material is
 23 constitutionally protected; or

24 (B) any action taken to enable or make available to information
 25 content providers or others the technical means to restrict access to
 26 material described in paragraph (1) [subparagraph (A)].

27 See 47 U.S.C. § 230(c).

28 Section 230 further provides the following in relevant part:

Nothing in this section shall be construed to prevent any State
from enforcing any State law that is consistent with this
section. No cause of action may be brought and no liability

1 may be imposed under any State or local law that is
 2 inconsistent with this section.

3 Id. At § 230(e)(3).

4 Section 230 further states in relevant part as follows:

5 (1) Internet. The term "Internet" means the international computer
 6 network of both Federal and non-Federal interoperable packet
 7 switched data networks.

8 (2) Interactive Computer Service. The term "interactive computer
 9 service" means any information service, system, or access software
 10 provider that provides or enables computer access by multiple users
 11 to a computer server, including specifically a service or system that
 12 provides access to the Internet and such systems operated or services
 13 offered by libraries or educational institutions.

14 (3) Information Content Provider. The term "information content
 15 provider" means any person or entity that is responsible, in whole or
 16 in part, for the creation or development of information provided
 17 through the Internet or any other interactive computer service.

18 (4) Access software provider. The term "access software provider"
 19 means a provider of software (including client or server software), or
 20 enabling tools that do any one or more of the following:

21 (A) filter, screen, allow, or disallow content;

22 (B) pick, choose, analyze, or digest content; or

23 (C) transmit, receive, display, forward, cache, search, subset,
 24 organize, reorganize, or translate content.

25 See 47 U.S.C. § 230(f).

26 **CDA § 230 IS UNCONSTITUTIONAL**

27 157. Perkins Coie LLP, on behalf of Twitter, asserted CDA § 230
 28 bars jurisdiction of United States Federal District Court over this case,
 please see Perkins Coie LLP's Answer to Plaintiff's First Amended
 Complaint on behalf of Twitter Inc. The fact that Perkins Coie LLP already
 tried to assert CDA § 230 as a bar to Plaintiff's claims against Twitter
 merely provides further evidence in favor of Plaintiff's argument that CDA

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1 § 230 is unconstitutional and needs to be stricken down by this Court
2 immediately.

3 158. CDA § 230 does not bar claims arising from breach of
4 contract, *please see Baldino's Lock & Key Service, Inc. v. Google LLC*,
5 2018 WL 400755 at *1 (D.D.C., 2018), nor does CDA § 230 bar claims
6 arising from promissory estoppel, *please see Barnes v. Yahoo!*, 570 F.3d
7 1096 (9th Cir. 2009). Contrary to Perkins Coie LLP's absurd assertion,
8 Plaintiff's claims against Defendant Twitter are not barred by CDA § 230
9 as Plaintiff alleges claims against Defendant Twitter for actions taken by
10 Twitter, not that of a third party, which consist of fraud in the form of
11 fraudulent misrepresentation to Plaintiff personally on more than one
12 occasion, indicating a pattern of racketeering in violation of 18 U.S.C. §
13 1962, further explained below. Twitter then attempted to intimidate and
14 extort Ms. Dehen into dropping her legal claims against Twitter, again, not
15 considered activity of a third party for which CDA § 230 is used to bar.

16 **CDA § 230 Exceeds Legislative Power**

17 159. Plaintiff respectfully requests that the record reflect she
18 reserves the right to argue the CDA § 230 exceeds legislative power should
19 this Court not strike down CDA § 230 as unconstitutional for violating the
20 First Amendment.

21 **CDA § 230 Violates The First Amendment**

22 160. Plaintiff hereby incorporates by reference all stated paragraphs
23 as though fully set forth herein.

24 161. As the plaintiffs in *American Freedom Defense Initiative, et*
25 *al., v. Loretta Lynch* 2016 WL 3881116 (D.D.C.) argue, Plaintiff argues
26 CDA § 230 is in violation of the First Amendment of the United States
27 Constitution. Should this case uphold the constitutionality of CDA § 230,
28

1 Plaintiff reserves the right to bring claims against Twitter and Perkins Coie,
2 LLP for First Amendment violations against Plaintiff.

3 162. Section 230 of the CDA, facially and as applied, is a content
4 and viewpoint based restriction on speech in violation of the First
5 Amendment.

6 163. Section 230 of the CDA, facially and as applied, is vague and
7 overbroad and lacks any objective criteria for suppressing speech in
8 violation of the First Amendment. In *O'Kroley v. Fastcase, Inc.*, 831 F.3d
9 352, 355 (6th Cir. 2016), the Sixth Circuit reasoned that "the CDA
10 immunizes a search engine's 'automated editorial acts.'" *Baldino's Lock &*
11 *Key Service, Inc. v. Google LLC*, 2018 WL 400755 at *5 (D.D.C., 2018)
12 citing *O'Kroley v. Fastcase, Inc.*, 831 F.3d 352, 355 (6th Cir. 2016).
13 Plaintiff argues 'automated editorial acts' could and does include editorial
14 acts which are discriminatory against a certain viewpoint based on the
15 content in violation of the First Amendment, such as censorship alleged
16 against Twitter, YouTube, Facebook, Google, whether it be intentional or
17 through their algorithms.

18 164. The Sixth Circuit continued, "[w]hen a search engine re-
19 publishes information originally created by a third party, CDA immunity
20 applies even when confusion may result." *Baldino's Lock & Key Service,*
21 *Inc. v. Google LLC*, 2018 WL 400755 at *5 (D.D.C., 2018) citing *O'Kroley*
22 *v. Fastcase, Inc.*, 831 F.3d 352, 355 (6th Cir. 2016). In "common sense
23 terms", no companies should be given free reign over censoring American
24 citizens' freedom of speech in exchange for no risk of liability, extending
25 all the way to barring any potential causes of action. No policy interest
26 here outweighs the importance of free speech. Plaintiff alleges her freedom
27 of speech has been censored and suppressed via intimidation through
28

1 express terroristic threats made against herself and her dog which was then
2 exacerbated by Twitter's fraudulent misrepresentations and failure to
3 uphold its contractual obligations.

4 165. Section 230 of the CDA, facially and as applied, permits
5 Twitter and similar companies such as Facebook, YouTube and Google to
6 engage in government-sanctioned discrimination and censorship of free
7 speech in violation of the First Amendment, such as alleged in *American*
8 *Freedom Defense Initiative, et al., v. Loretta Lynch* 2016 WL 3881116
9 (D.D.C.). These same companies are alleged to make similar fraudulent
10 misrepresentations as Twitter without enforcing their expressly stated
11 promises, such as alleged against YouTube for example in *Prager*
12 *University v. Google LLC*, No. 17-CV-06064-LHK, 2018 WL 1471939,
13 (N.D. Cal. Mar. 26, 2018).

14 166. Section 230 of the CDA, facially and as applied, permits
15 Twitter and similar companies such as Facebook, YouTube and Google to
16 engage in government-sanctioned discrimination that would otherwise
17 violate California Civil Code § 51. *Please see American Freedom Defense*
18 *Initiative, et al., v. Loretta Lynch* 2016 WL 3881116 (D.D.C.).

19 167. Section 230 of the CDA, facially and as applied, permits
20 Twitter and similar companies such as Facebook, YouTube and Google to
21 engage in government-sanctioned censorship of speech that would
22 otherwise violate Article I, section 2 of the California Constitution. *Id.*

23 168. Section 230 of the CDA, facially and as applied, confers broad
24 powers of censorship upon Twitter and similar companies like Facebook,
25 YouTube and Google officials, who can censor constitutionally protected
26 speech and engage in discriminatory business practices with impunity by
27
28

1 virtue of this power conferred by the federal government in violation of the
2 First Amendment. *Id.*

3 169. Section 230 of the CDA, facially and as applied, grants Twitter
4 and similar companies like Facebook, YouTube and Google and their
5 officers, agents, and employees unbridled discretion to censor speech such
6 that their decisions to limit speech are not constrained by objective criteria,
7 but may rest on ambiguous and subjective reasons in violation of the First
8 Amendment. *Id.*

9 170. Plaintiff argues if large online companies such as Twitter,
10 Facebook, and Google don't have the manpower to appropriately respond
11 to illegal conduct harming American citizens as *they explicitly promise to*
12 *do*, these international companies should not be able to use their large size
13 as an excuse or shield protecting them from civil liability. Plaintiff does
14 not take issue with the size of the company, rather Plaintiff takes issue with
15 these companies citing impossibility as a valid concern contributing to their
16 unfair unilateral unconstitutional protection afforded by the CDA.

17 171. The United States Constitution does not guarantee freedom of
18 speech to *citizens of the world*, or any of the powers vested therein. The
19 United States Constitution grants freedom of speech to citizens of the
20 United States. *Please see* U.S. Const. Am. 1. As just a few examples,
21 Facebook claiming protection of CDA § 230 used the safe harbor to bar
22 allegations that Facebook allowed Palestinian terrorist organization and its
23 members to operate accounts to further their aims. *Please see Cohen v.*
24 *Facebook, Inc.*, 252 F. Supp. 3d 140, 146 (E.D.N.Y. 2017). Google
25 successfully asserted immunity under CDA § 230 against claims brought
26 by family members of deceased victim of terrorist attack under Anti-
27 Terrorism Act alleging Google provided material support to ISIS. *Please*
28

1 *see Gonzalez v. Google, Inc.*, 282 F. Supp. 3d 1150 (N.D. Cal. 2017).
 2 American citizens' freedom of speech are being suppressed for their
 3 content and viewpoint by these same companies under CDA § 230. *Please*
 4 *see Green v. YouTube Inc. et al.*, No. 18-CV-203-PB (D.N.H. 2018).

5 172. The unconstitutional CDA is wasting precious judicial
 6 resources. There are countless cases pending before various federal and
 7 state courts, in addition to numerous published cases alleging wrongdoing
 8 of companies which fall under the broad scope of the CDA, a fraction of
 9 which are cited in this complaint. On Westlaw there are 7,000 cases that
 10 cite to CDA § 230. *Please see* Exhibit 87.

11 Please see below a few examples of how the big tech companies
 12 claiming protection of the CDA § 230 are censoring American citizens in
 13 direct violation of the First Amendment through government action being
 14 the enactment of the CDA § 230 (list compiled by Mr. Green and located at
 15 www.antischool.us/single-post/2018/08/17/Censorship-of-Conservative-
 16 Voices-and-the-Social-Media-Monopoly):

17 On June 28, 2016, Breitbart reported *Death Threats Made Towards*
 18 *Republican Senators Remain On Twitter For Weeks Without Deletion.*
 19 *Please see* [https://www.breitbart.com/tech/2016/06/28/death-threats-made-](https://www.breitbart.com/tech/2016/06/28/death-threats-made-to-republican-senators-remain-for-weeks/)
 20 [to-republican-senators-remain-for-weeks/](https://www.breitbart.com/tech/2016/06/28/death-threats-made-to-republican-senators-remain-for-weeks/).

21 On July 19, 2016, Breitbart Tech editor Milo Yiannopoulos was
 22 permanently suspended from Twitter minutes before 'Gays For Trump'
 23 party at the Republican National Convention. *Please see*
 24 [https://www.breitbart.com/milo/2016/07/19/breaking-milo-suspended-](https://www.breitbart.com/milo/2016/07/19/breaking-milo-suspended-twitter-20-minutes-party/)
 25 [twitter-20-minutes-party/](https://www.breitbart.com/milo/2016/07/19/breaking-milo-suspended-twitter-20-minutes-party/).

26 On October 29, 2017, DailyMail.com reported *Trump ally Roger*
 27 *Stone banned from Twitter FOR LIFE after attacking CNN anchors Don*
 28

1 Lemon and Jake Tapper over the Russia probe. Please see

2 [http://www.dailymail.co.uk/news/article-5028221/Trump-ally-Roger-](http://www.dailymail.co.uk/news/article-5028221/Trump-ally-Roger-Stone-banned-Twitter-LIFE.html)
3 [Stone-banned-Twitter-LIFE.html](http://www.dailymail.co.uk/news/article-5028221/Trump-ally-Roger-Stone-banned-Twitter-LIFE.html).

4 On November 3, 2017, Mr. President Donald J. Trump's Twitter
5 account was taken down by an employee on their last day. Please see
6 [https://www.express.co.uk/news/world/874903/Donald-Trump-Twitter-](https://www.express.co.uk/news/world/874903/Donald-Trump-Twitter-down-human-error-social-media-President-webiste)
7 [down-human-error-social-media-President-webiste](https://www.express.co.uk/news/world/874903/Donald-Trump-Twitter-down-human-error-social-media-President-webiste).

8 On January 11, 2018, Project Veritas exposed Twitter "shadow-
9 banning" pro-Trump content in an undercover video investigation where
10 eight current and former Twitter employees are on camera explaining steps
11 the social media giant is taking to censor political content that they don't
12 like. Please see <https://www.youtube.com/watch?v=64gTjdUrDFQ>.

13 On April 5, 2018, The Gateway Pundit reported Conservative
14 Comedian Owen Benjamin Banned From Twitter & YouTube: "my ability
15 to make an income has been revoked." Please see
16 [https://www.thegatewaypundit.com/2018/04/conservative-comedian-owen-](https://www.thegatewaypundit.com/2018/04/conservative-comedian-owen-benjamin-banned-from-twitter-youtube-my-ability-to-make-an-income-has-been-revoked/)
17 [benjamin-banned-from-twitter-youtube-my-ability-to-make-an-income-](https://www.thegatewaypundit.com/2018/04/conservative-comedian-owen-benjamin-banned-from-twitter-youtube-my-ability-to-make-an-income-has-been-revoked/)
18 [has-been-revoked/](https://www.thegatewaypundit.com/2018/04/conservative-comedian-owen-benjamin-banned-from-twitter-youtube-my-ability-to-make-an-income-has-been-revoked/).

19 On April 13, 2018, Breitbart reported Conservative Street Artist
20 'SABO' Banned From Twitter. Please see
21 [https://www.breitbart.com/tech/2018/04/13/conservative-street-artist-sabo-](https://www.breitbart.com/tech/2018/04/13/conservative-street-artist-sabo-banned-from-twitter/)
22 [banned-from-twitter/](https://www.breitbart.com/tech/2018/04/13/conservative-street-artist-sabo-banned-from-twitter/).

23 On August 6, 2018, Fox News reported Twitter apologizes after
24 conservative commentator Candace Owens was briefly locked out of her
25 account. Please see
26 <http://www.foxnews.com/entertainment/2018/08/06/twitter-apologizes->
27 <http://www.foxnews.com/entertainment/2018/08/06/twitter-apologizes->
28

1 after-conservative-commentator-candace-owens-was-briefly-locked-out-
 2 her-account.html.

3 On August 9, 2018, *Infowars.com* reported *Apple Says It Is*
 4 *'Monitoring' The Infowars App: Threatens To Censor If It Becomes*
 5 *'Harmful'*, "App has shot to number one on the charts after big tech
 6 censorship". Please see [https://www.newswars.com/apple-says-it-is-](https://www.newswars.com/apple-says-it-is-monitoring-the-infowars-app-threatens-to-censor-if-it-becomes-harmful/)
 7 [monitoring-the-infowars-app-threatens-to-censor-if-it-becomes-harmful/](https://www.newswars.com/apple-says-it-is-monitoring-the-infowars-app-threatens-to-censor-if-it-becomes-harmful/).

8 On August 10, 2018, *Breitbart* reported *Twitter Bans Conservative*
 9 *Commentator Gavin McInnes*. Please see
 10 [https://www.breitbart.com/tech/2018/08/10/twitter-bans-conservative-](https://www.breitbart.com/tech/2018/08/10/twitter-bans-conservative-commentator-gavin-mcinnis/)
 11 [commentator-gavin-mcinnis/](https://www.breitbart.com/tech/2018/08/10/twitter-bans-conservative-commentator-gavin-mcinnis/).

12 On August 15, 2018, *NewsWars.com*, an *InfoWars.com* outlet with
 13 Mr. Alex Jones, reported, *Alex Jones suspended from Twitter after tweet*
 14 *calling to end censorship*, "according to Twitter, a tweet by Jones one day
 15 earlier was considered to be "targeted harassment."". Please see
 16 [https://www.newswars.com/alex-jones-suspended-from-twitter-after-tweet-](https://www.newswars.com/alex-jones-suspended-from-twitter-after-tweet-calling-to-end-censorship/)
 17 [calling-to-end-censorship/](https://www.newswars.com/alex-jones-suspended-from-twitter-after-tweet-calling-to-end-censorship/) and [https://www.rt.com/usa/435974-alex-jones-](https://www.rt.com/usa/435974-alex-jones-banned-twitter/)
 18 [banned-twitter/](https://www.rt.com/usa/435974-alex-jones-banned-twitter/).

19 On August 16, 2018, *Breitbart* reported *Twitter Purges Accounts*
 20 *Across The Platform – Again*. Please see
 21 [https://www.breitbart.com/tech/2018/08/16/twitter-purges-accounts-across-](https://www.breitbart.com/tech/2018/08/16/twitter-purges-accounts-across-the-platform-again/)
 22 [the-platform-again/](https://www.breitbart.com/tech/2018/08/16/twitter-purges-accounts-across-the-platform-again/).

23 On August 16, 2018, *NewsWars.com* reported in *From 'menace' to*
 24 *assets: Soros now buying social media shares that*, "News of Soros's
 25 acquisitions have raised suspicions in circles that have long seen Soros as a
 26 foe of copyrights". Please see [https://www.newswars.com/from-menace-](https://www.newswars.com/from-menace-to-assets-soros-now-buying-social-media-shares/)
 27 [to-assets-soros-now-buying-social-media-shares/](https://www.newswars.com/from-menace-to-assets-soros-now-buying-social-media-shares/). The article continues,
 28

1 “Months after denouncing social media as a “menace to society,”
 2 controversial billionaire George Soros is again investing into Facebook,
 3 Twitter and streaming services Spotify and Pandora, while scaling back his
 4 Google holdings.” *Id.*

5 On August 18, 2018, *The Gateway Pundit* reported *TRUMP GOES*
 6 *OFF On Social Media ‘Censorship’ and ‘Discrimination’ Against*
 7 *Conservative Voices.* Please see

8 [https://www.thegatewaypundit.com/2018/08/trump-goes-off-on-social-](https://www.thegatewaypundit.com/2018/08/trump-goes-off-on-social-media-censorship-and-discrimination-against-conservative-voices/)
 9 [media-censorship-and-discrimination-against-conservative-voices/](https://www.thegatewaypundit.com/2018/08/trump-goes-off-on-social-media-censorship-and-discrimination-against-conservative-voices/).

10 On August 18, 2018, *Diamond and Silk Inc.* reported Facebook
 11 censors pro-Trump Diamond and Silk again and blocks ad for upcoming
 12 movie. Please see

13 [https://www.diamondandsilkinc.com/tabletalknews/2018/8/18/facebook-](https://www.diamondandsilkinc.com/tabletalknews/2018/8/18/facebook-censors-diamond-and-silk-again-blocks-ad-for-upcoming-movie)
 14 [censors-diamond-and-silk-again-blocks-ad-for-upcoming-movie](https://www.diamondandsilkinc.com/tabletalknews/2018/8/18/facebook-censors-diamond-and-silk-again-blocks-ad-for-upcoming-movie).

15 On August 19, 2018, *Zero Hedge* reported Twitter CEO Jack Dorsey
 16 admitted to CNN’s Brian Stelter (fake news) on Saturday that Twitter
 17 employees have “more left-leaning” bias. Please see

18 [https://www.zerohedge.com/news/2018-08-19/shocking-admission-jack-](https://www.zerohedge.com/news/2018-08-19/shocking-admission-jack-dorsey-admits-twitters-left-leaning-bias)
 19 [dorsey-admits-twitters-left-leaning-bias](https://www.zerohedge.com/news/2018-08-19/shocking-admission-jack-dorsey-admits-twitters-left-leaning-bias).

20 On Sunday, August 19, 2018, *NewsWars.com* reported *How the Left*
 21 *Is Outsourcing Censorship of the Internet*, “So liberals have outsourced
 22 censorship of the internet to the tech titans of Silicon Valley”. Please see
 23 [https://www.newswars.com/how-the-left-is-outsourcing-censorship-of-the-](https://www.newswars.com/how-the-left-is-outsourcing-censorship-of-the-internet/)
 24 [internet/](https://www.newswars.com/how-the-left-is-outsourcing-censorship-of-the-internet/).

25 Further evidence of bias by Twitter, made possible by government
 26 action via enactment of the CDA § 230, includes the following:

1 On June 6, 2018, The Daily Caller reported Facebook, Amazon,
 2 Google and Twitter All Work With Left-Wing SPLC (Southern Poverty Law
 3 Center). Please see [http://dailycaller.com/2018/06/06/splc-partner-google-](http://dailycaller.com/2018/06/06/splc-partner-google-facebook-amazon/)
 4 [facebook-amazon/](http://dailycaller.com/2018/06/06/splc-partner-google-facebook-amazon/).

5
 6 **IF THIS COURT ERRONEOUSLY HOLDS CDA § 230**
 7 **CONSTITUTIONAL, IT DOES NOT APPLY IN THIS CASE**

8 173. “[A] website does not create or develop content when it
 9 merely provides a neutral means by which third parties can post
 10 information of their own independent choosing online.” *Baldino’s Lock &*
 11 *Key Service, Inc. v. Google LLC*, 2018 WL 400755 (D.D.C., 2018), quoting
 12 *Klayman v. Zuckerberg*, 753 F.3d 1354, 1357 (D.C. Cir. 2014). Plaintiff
 13 avers that the operating word in that sentence is “neutral,” of which
 14 Plaintiff alleges Twitter is not. Plaintiff alleges Twitter does not provide a
 15 neutral means by which third parties can post information of their own
 16 independent choosing online, but Twitter is actually quite the opposite.

17 174. “[P]ublication involves reviewing, editing, and deciding
 18 whether to publish or to withdraw from publication third-party content.”
 19 *Barnes v. Yahoo!, Inc.*, 570 F.3d 1096, 1102 (9th Cir. 2009). (A publisher is
 20 one who “reviews material submitted for publication, perhaps edits it for
 21 style or technical fluency, and then decides whether to publish it.”); *Doe v.*
 22 *Internet Brands, Inc.*, 824 F.3d 846, 852 (9th Cir. 2016) (“Jane Doe’s failure
 23 to warn claim has nothing to do with Internet Brands’ efforts, or lack
 24 thereof, to edit, monitor or remove user generated content.”).

25 Plaintiff provides the following evidence, and can provide additional
 26 evidence, proving that Twitter, Inc. is reviewing, editing, and deciding
 27 whether to publish or to withdraw from publication third-party
 28

1 179. Twitter engaging in fraud is not publishing under these
2 definitions because it does not involve reviewing, editing or deciding
3 whether to publish or withdraw tweets.

4 180. Similarly, Twitter fraudulently misrepresenting in its posted
5 Terms of Use is not publishing under these definitions because it does not
6 involve reviewing, editing or deciding whether to publish or withdraw
7 tweets.

8 **CDA § 230 Does Not Bar Extortion Claims**

9 181. Twitter engaging in extortion is not publishing under these
10 definitions because it does not involve reviewing, editing or deciding
11 whether to publish or withdraw tweets.

12 **CDA § 230 Does Not Bar Conspiracy Claims**

13 182. Twitter engaging in a criminal and/or civil conspiracy is not
14 publishing under these definitions because it does not involve reviewing,
15 editing or deciding whether to publish or withdraw tweets as a publisher.

16 183. Plaintiff further reserves the right to allege that Twitter
17 illegally conspired as a co-conspirator in the fraudulent scheme amounting
18 to a violation of the Sherman Act, a conspiracy in the restraint of trade in
19 interstate commerce, with both Perkins Coie LLP and social media
20 companies including, but not limited to, Facebook and Google.

21 **SHERMAN ANTITRUST ACT**

22 15 U.S.C. § 1 provides the following:

23
24 Every contract, combination in the form of trust or otherwise, or
25 conspiracy, in restraint of trade or commerce among the several States, or
26 with foreign nations, is declared to be illegal. Every person who shall
27 make any contract or engage in any combination or conspiracy hereby
28 declared to be illegal shall be deemed guilty of a felony, and, on conviction
thereof, shall be punished by fine not exceeding \$100,000,000 if a
corporation, or, if any other person, \$1,000,000, or by imprisonment not

1 exceeding 10 years, or by both said punishments, in the discretion of the
 2 court.

3 See 15 U.S.C. § 1

4 **FIRST CAUSE OF ACTION**

5 **Willful Copyright Infringement**

6 **Against John Doe(s)**

7 184. Plaintiff hereby incorporates by reference all stated paragraphs
 8 as though fully set forth herein.

9 185. Plaintiff is, and at all relevant times has been, the legal
 10 copyright owner, under U.S. Copyright Law, 17 U.S.C. § 201(a), of the
 11 copyrighted photographs referenced above. Registration Numbers have
 12 been officially issued by the U.S. Copyright Office of the copyright
 13 registrations identified in Exhibits 68, 69, 70, and 71 attached hereto,
 14 which is the subject of a valid Certificate of Copyright Registration issued
 15 by the United States Copyright Office.

16 186. Registration is a prerequisite to filing a lawsuit for copyright
 17 infringement involving a U.S. work. *See* 17 U.S.C. § 411(a); *see also*
 18 *Petrella v. Metro-Goldwyn-Mayer, Inc.*, 132 S. Ct. 1629, 1644 (2014)
 19 (“Although registration is ‘permissive,’ both the certificate and the original
 20 work must be on file with the Copyright Office before a copyright owner
 21 can sue for infringement.”); *Alaska Stock, LLC v. Houghton Mifflin*
 22 *Harcourt Publishing Co.*, 747 F.3d 673, 678 (9th Cir. 2014) (“Though an
 23 owner has property rights without registration, he needs to register the
 24 copyright to sue for infringement.”).

25 187. Plaintiff submitted federal copyright registration applications
 26 for all four photographs on 03/31/2017 and 04/01/2017, which she is
 27
 28

1 entitled to do under 17 U.S.C. § 410 within five years after first publication
2 of the works.

3 188. Among the exclusive rights granted to Plaintiff under the U.S.
4 Copyright Act is the exclusive right to reproduce the Copyrighted Works
5 and to distribute the Copyrighted Works to the public.

6 189. Plaintiff is informed and believes and thereon alleges that John
7 Doe(s), without the permission or consent of Plaintiff, produced the six
8 Infringing Works, which are substantially similar, not to mention extremely
9 damaging, reproductions of the four Copyrighted Works referenced above.

10 190. Plaintiff is informed and believes and thereon alleges that
11 Doe(s) distributed the Copyrighted Works to the public, and/or made the
12 Copyrighted Works available for distribution to others, and publicly
13 displayed the Infringing Works, including via the Twitter account
14 @tiffanydehen, on Twitter, a social media website with over 313 million
15 active monthly users.

16 191. Through the conduct alleged herein, Doe(s) directly infringed
17 Plaintiff's rights in the Copyrighted Works, including by reproducing,
18 distributing, and publicly displaying the Copyrighted Works, in violation of
19 Sections 106 and 501 of the Copyright Act 17 U.S.C. §§ 106 and 501.

20 192. Defendant Doe(s)'s actions constitute direct infringement of
21 Plaintiff's copyrights and exclusive rights under U.S. Copyright Law.

22 193. Doe(s)'s acts of infringement are willful, intentional and
23 purposeful, in reckless disregard of and with indifference to Plaintiff's
24 rights.

25 194. Doe(s) is/are not entitled to the affirmative defense of fair use
26 in this case because Doe(s)'s use of the infringing works is in the same
27 market as Plaintiff and actually damaging Plaintiff's economic prospects in
28

1 that market. Doe(s)'s use of the Copyrighted Works does not constitute
2 social commentary, criticism, or news reporting because Doe(s) used Ms.
3 Dehen's legal name as the author of the posts, leading the public to believe
4 Ms. Dehen was responsible for the Twitter account. 124. The artistic
5 nature of the Copyrighted Works weighs against fair use, as do the facts
6 that, Doe(s) used the Copyrighted Works in their entirety and Doe's use is
7 negatively impacting the potential market for the Copyrighted Works.

8 195. By means of the actions complained of herein, Doe(s)
9 willfully infringed and may continue to infringe Plaintiff's Copyrighted
10 Works outlined above, by publishing, reproducing, copying, distributing,
11 and using, in whole or in part, Plaintiff's Copyrighted Works.

12 196. As a direct and proximate result of Defendant Doe(s)'s
13 infringement of Plaintiff's copyrights and exclusive rights in the
14 Copyrighted Works under U.S. Copyright Law, Plaintiff is entitled to
15 recover actual damages, pursuant to 17 U.S.C. § 504(b), for her lost profits
16 as a result of Defendant's infringement, in an amount to be proven at trial.

17 197. Had Plaintiff registered her copyright three days earlier than
18 04/01/2017 in the work titled, "Christmas MAGA," Plaintiff would further
19 be entitled to statutory damages in an amount to be determined by the trier
20 of fact, attorneys' fees and costs pursuant to 17 U.S.C. §§ 412(c), 504, 505
21 since the date the infringement began was 01/29/2017. Plaintiff would
22 have also been entitled to an enhancement of her statutory damages award,
23 up to \$150,000 for each infringement, pursuant to 17 U.S.C. § 504(c)(2).

24 198. As a direct and proximate result of the foregoing acts and
25 conduct, Plaintiff has sustained and will continue to sustain substantial,
26 immediate, and irreparable injury, for which there is no adequate remedy at
27 law.

1 199. Plaintiff is informed and believes and on that basis alleges that
 2 unless enjoined and restrained by this Court, Defendant will continue to
 3 infringe Plaintiff's rights in the Copyrighted Works and cause Plaintiff
 4 irreparable injury that cannot be fully compensated.

5 200. Therefore, pursuant to 17 U.S.C. §§ 502 and 503, Plaintiff is
 6 entitled to preliminary and permanent injunctive relief to restrain and
 7 enjoin Defendant's continuing infringing conduct, including, but not
 8 limited to, an order prohibiting Defendant Doe(s) from further infringing
 9 Plaintiff's copyrights and directing Defendant to destroy the Infringing
 10 Works and all identical and substantially similar copies thereof made in
 11 violation of Plaintiff's exclusive rights.

12 **SECOND CAUSE OF ACTION**

13 **Malicious Defamation Through Libel Per Se**

14 **Against John Doe**

15 201. Plaintiff hereby incorporates by reference all stated paragraphs
 16 as though fully set forth herein.

17 202. Doe(s)'s intentional publications by Internet were and are
 18 false, unprivileged, have a natural tendency to injure, and cause special
 19 damage, and thus constitute defamation per se under California Civil Code
 20 sections 44, 45, and under the common law and case law of California.

21 203. Plaintiff is informed and believes, and thereon alleges, that
 22 Doe(s) intentionally created the Twitter account using the domain
 23 @tiffanydehen, knowing that he was not in fact, Ms. Dehen, and
 24 deliberately posted each one of the aforementioned defaming Tweets.

25 204. Doe(s) expressly referred to Plaintiff in each Tweet because he
 26 used Plaintiff's true and legal name as the username. Further, Defendant
 27
 28

1 used actual photographs of Ms. Dehen to represent Ms. Dehen and
2 retweeted Ms. Dehen's personal Twitter account.

3 205. Doe(s) claimed to be a parody account of "Republican White
4 Women," yet posted no other tweets from any "Republican White Women"
5 other than Ms. Dehen.

6 206. Doe(s)'s actions are clearly intentional, as evidenced by the
7 fact that Doe(s) expended a considerable amount of time and effort creating
8 the false Twitter account, following the aforementioned 22 Twitter users,
9 meticulously downloading and altering the 4 copyrighted photos from both
10 Twitter and LinkedIn, publishing the six Infringing Works, and posting the
11 24 defaming tweets.

12 207. The defamatory tweets were not privileged.

13 208. Doe(s) did not engage in a one-time piece of snideness, but
14 rather a campaign against Ms. Dehen with defamatory accusations that
15 tarnish and disparage her and hurt her reputation and economic interests.

16 209. Doe(s) deliberately published the Infringing Works with the
17 defaming Swastikas drawn in, with the intent to refer to the National
18 Socialist German Workers' Party, evidenced by the fact he followed Adolf
19 Hitler Fuhr through the Twitter account.

20 210. Plaintiff is informed and believes, and thereon alleges, that the
21 publication by Internet is a communication to the public, and to third
22 parties, who reasonably understood that the defaming tweets and
23 photographs were about Ms. Dehen or posted by Ms. Dehen, and that such
24 third parties further reasonably understood the statements to mean that
25 either Doe(s) or Ms. Dehen wrote the statements in fact, and not merely as
26 a matter of Doe(s)'s opinion.
27
28

1 211. Doe(s) did not lead the public to believe that the defaming
2 account was a parody of Ms. Dehen, but rather a parody of Republican
3 White Women in general, yet only used Ms. Dehen's true name and only
4 drew Swastikas on Ms. Dehen's photographs, thereby contradicting the
5 true nature of the Twitter account.

6 212. Although there were only three followers at the time Ms.
7 Dehen found the account, Ms. Dehen has no way to know how many
8 people actually saw the offending account and various tweets.

9 213. The defaming account actually did cause confusion in the
10 marketplace because at least one of Ms. Dehen's actual followers followed
11 the account, @BrittTaylorGOP, who is Ms. Dehen's follower of her
12 personal Twitter account @tiffanysundevil. See Exhibit 56.

13 214. The representation of Ms. Dehen on the Twitter account is
14 false, as Ms. Dehen is not a supporter of the National Socialist German
15 Workers' Party, nor a supporter of the Ku Klux Klan.

16 215. The tweets are not legitimate criticism, they are not parody,
17 they are not joking, and they are not ironic.

18 216. The defaming statements are particularly malicious and
19 harmful, as Doe(s)'s attacks actually constitute an attack on an aspect of
20 Ms. Dehen's heritage and Ms. Dehen's late grandfather, ~~Captain~~Retired
21 Colonel John D. Raikos suffered extreme emotional distress the duration of
22 his life from what he saw in the war related to the 83rd Infantry's liberation
23 of Nazi concentration camps.

24 217. Further, Doe(s)'s statements have the potential to damage
25 actual professional relationships that exists between Plaintiff and the
26 Tucson Jewish Community Center and between Plaintiff and the State Bar
27 of California.

1 218. Had John Doe(s) acted in good faith, a simple Google search
 2 of Ms. Dehen would have shown Doe(s) that Ms. Dehen's late grandfather
 3 was ~~Captain~~Retired Colonel John D. Raikos, who was awarded the
 4 following decorations for his role in the 83rd Infantry of the United States
 5 Army in World War II: Combat Infantryman Badge, Silver Star Medal,
 6 Bronze Star Medal with Oak Leaf Cluster, Purple Heart with Oak Leaf
 7 Cluster, Good Conduct, American Campaign Medal, WWII Victory Medal,
 8 and the EAME Campaign Medal with 5 Bronze Stars for the Five
 9 Campaigns. See Exhibit 1 or visit
 10 http://www.normandytothebulge.be/83rd_JRaikos.html.

11 219. Plaintiff contends Doe(s)'s actions fall outside the protection
 12 of the First Amendment, even for purposes of anonymous speech, which
 13 can't be remedied by a simple disclaimer of "parody account," while using
 14 Ms. Dehen's true legal name as the username, publishing Ms. Dehen's
 15 copyrighted photographs altered with disparaging Swastikas, and expressly
 16 suggesting Ms. Dehen is affiliated with the National Socialist German
 17 Workers' Party or the Ku Klux Klan.

18 220. The defamatory statements Doe(s) published on Twitter were
 19 of and concerning Plaintiff, cast Ms. Dehen in a false light, were attacks on
 20 her reputation which discouraged members of the public from having a
 21 positive opinion of her, and exposed Ms. Dehen to potential verbal,
 22 physical, and mental abuse.

23 221. The defaming Twitter account is adverse to Plaintiff's
 24 profession and business and the defamatory publications foreseeably
 25 caused substantial damage to her business, career, reputation and her actual
 26 and prospective economic relationships.

1 222. Plaintiff's reputation is subjected to scrutiny in the legal
2 profession, as well as in the Bar application process.

3 223. The injurious character of the defamatory statements on
4 Twitter is self-evident and constitutes defamation per se.

5 224. Plaintiff is not required to allege special damages because
6 Doe's statements are defamatory on their face, such that the statements
7 malign the Plaintiff's profession and business.

8 225. The nature of the Twitter account, related tweets and
9 photographs are so obscene as to lead Plaintiff to allege Doe(s) published
10 the aforementioned tweets maliciously with the intent to cause pain and
11 suffering to Ms. Dehen and to destroy her professional reputation and to
12 cause her to lose clients and job prospects.

13 226. Doe(s)'s intent to act with malice is evidenced by the injurious
14 nature of each of the tweets, the misspelling on the various tweets and
15 photographs, the fact Doe used Ms. Dehen's true and legal name, and the
16 inherently injurious nature of the Twitter accounts Doe followed, such as
17 the Ku Klux Klan and Adolf Hitler.

18 227. Further, Doe(s) knew, or should have known, that Ms. Dehen
19 was actively seeking bar admittance and a position in the legal industry, as
20 evidenced on Ms. Dehen's Twitter account and LinkedIn, both of which he
21 deliberately referenced to obtain Ms. Dehen's personal information and
22 photographs. *See* Exhibits 60-61.

23 228. Upon information and belief, Doe(s) even went to such
24 lengths to create false Facebook accounts and harass Ms. Dehen with
25 several friend requests in an attempt to gain more personal information on
26 Ms. Dehen.
27
28

1 229. Plaintiff believes the actions by Doe(s) may reduce her
 2 chances of passing the bar, which will prevent her from being admitted to
 3 the bar, and thus, could limit her prospects in the legal industry.

4 230. Plaintiff was in the process of pursuing several business
 5 ventures which would rely upon her reputation, and which have been
 6 damaged and put on hold by the injury that led to this cause of action, and
 7 may even limit the future revenue generated by these business ventures.

8 231. Plaintiff's credit has been negatively impacted, which may
 9 affect her ability to finance assets and obtain employment, thus potentially
 10 negatively impacting her quality of life.

11 232. In attempting to defend her name in Court, Plaintiff has been
 12 subjected to widespread criticism and condemnation from various members
 13 of the legal community, as well as certain classmates, family, friends and
 14 acquaintances, in addition to harassment and abuse by some members of
 15 the public.

16 233. Doe(s)'s statements have not only caused damage to Ms.
 17 Dehen's reputation and economic interests, but have also resulted in
 18 emotional distress. *See* Seventh Cause of Action below.

19 234. As a result of Doe(s)'s conduct, Plaintiff has been damaged in
 20 an amount to be proven at trial.

21 235. Doe(s)'s intentional and knowing per se defamation of Ms.
 22 Dehen constitutes malice and oppression under California Civil Code
 23 section 3294, and therefore Plaintiff is entitled to punitive damages against
 24 Twitter in an amount sufficient to punish and set an example of him, which
 25 amount is to be proven at trial.

26 **THIRD CAUSE OF ACTION**

27 **Violation of Cal. Penal Code § 528.5**

Against John Doe(s)

236. Plaintiff hereby incorporates by reference all stated paragraphs as though fully set forth herein.

237. Plaintiff alleges Doe(s) is criminally liable under Cal. Penal Code § 528.5, because Doe credibly impersonated Ms. Dehen, an actual person, online, and without Ms. Dehen's consent, for the purposes of harming, intimidating, or threatening her, which pursuant to Cal. Penal Code § 528.5(e), entitles Ms. Dehen to compensatory damages and injunctive relief, as well as other equitable relief because she suffered damage and loss.

238. Upon information and belief, John Doe(s) engaged in a predatory scheme aimed at harming, humiliating, threatening, and intimidating Plaintiff leading up to and including the injury that led to this cause of action.

239. Due to the injurious nature of the tweets and photographs, Plaintiff alleges Doe(s) impersonated Ms. Dehen with the intent to cause Ms. Dehen harm to her personal reputation, professional reputation, economic interests, and profession.

FOURTH CAUSE OF ACTION

Rescission For Fraud In Violation of Cal. Civil Code § 1572 or § 1573

Against Twitter

240. Plaintiff hereby incorporates by reference all stated paragraphs as though fully set forth herein.

241. Pursuant to California Civil Code § 1689, an alleged contract may be rescinded if all the parties thereto consent or if the consent of the party rescinding was given by mistake, or obtained through fraud, or exercised by or with the connivance of the party as to whom it rescinds.

1 242. Rescission under California Civil Code § 1689 is also
2 appropriate where the purported contract was induced by fraud,
3 misrepresentation, and/or fraudulent misrepresentation, or where there is
4 failure of consideration.

5 243. On October 9, 2015, Twitter fraudulently misrepresented to
6 Plaintiff that Twitter would investigate reported accounts to determine if
7 the accounts are in violation of the Twitter Rules upon receipt of an
8 impersonation report by Plaintiff.

9 244. Twitter violated California Civil Code § 1572 by promising to
10 investigate the reported accounts to determine if the accounts are in
11 violation of the Twitter Rules in the Impersonation Policy, without any
12 intention of performing the aforementioned investigation upon receipt of an
13 impersonation report.

14 245. Plaintiff alleges Twitter had no intention of investigating the
15 reported account unless and until Plaintiff provided additional information
16 in the form of a government issued identification card.

17 246. In addition, there is a failure of consideration with respect to
18 the revised Impersonation Policy in that they are illusory, and lack
19 mutuality because Plaintiff relied upon Twitter's fraudulent
20 misrepresentation that it would investigate offending accounts upon receipt
21 of an impersonation report when she entered into the user agreement with
22 Twitter; Plaintiff has been harmed by a result of that reliance. Under basic
23 contracts principles Twitter is not allowed to change its contractual terms
24 unilaterally after partial performance.

25 247. Plaintiff alleges Twitter failed to disclose material terms of the
26 user agreement by purposely not disclosing the fact Twitter would need a
27 government issued photograph identification in order to proceed with an
28

1 investigation into an account reported to be in clear violation of the
2 Impersonation Policy under the Twitter Rules.

3 248. Twitter benefitted from the concealment of the true
4 impersonation process by, *inter alia*, the advertising revenues Twitter
5 earned off of the impersonating account.

6 249. Upon information and belief, Plaintiff alleges that at such time
7 as these representations were made, Twitter intended that Plaintiff would
8 rely on their representations.

9 250. Plaintiff was harmed, and similarly situated plaintiffs continue
10 to be harmed, by their reliance upon the representation of Twitter that it
11 will take down impersonating accounts upon receipt of an impersonation
12 report.

13 251. The false representation of Twitter was a substantial factor in
14 causing harm to Plaintiff in the form of economic injury and emotional
15 distress.

16 252. If Twitter's actions do not amount to actual fraud under
17 California Civil Code § 1572, which is a question of fact for the fact finder,
18 Plaintiff alleges Twitter engaged in constructive fraud in violation of
19 California Civil Code § 1573 because even lacking fraudulent intent,
20 Twitter gained an advantage through advertising revenues off of the
21 impersonation of Plaintiff, for which Twitter promised to remove upon
22 receipt of an impersonation report, and Plaintiff relied on and was harmed
23 by Plaintiff's failure to do so.

24 253. Plaintiff intends service of the Summons and Complaint in this
25 action to serve as notice of rescission of the additional impersonation
26 policy imposed on Plaintiff after Plaintiff performed.
27
28

1 254. Plaintiff reserves the right to add a class of Plaintiffs which
 2 might be similarly situated to this cause of action as the lead Plaintiff, in
 3 the interest of justice if so required, pursuant to Rule 23 of the Federal
 4 Rules of Civil Procedure.

5 255. Plaintiff contends Twitter cannot successfully assert
 6 Communications Decency Act (CDA) § 230 as a defense to this action, as
 7 CDA § 230 does not bar causes of action that arise out of breach of
 8 contract. The Ninth Circuit held, and reaffirmed, that the CDA does not
 9 declare “a general immunity against all claims derived from third-party
 10 content.” *See Barnes v. Yahoo!, Inc.*, 570 F.3d at 1100; *see also Doe v.*
 11 *Internet Brands, Inc.*, 824 F.3d 846, 852 (9th Cir. 2016).

12 **FIFTH CAUSE OF ACTION**

13 **Declaratory Relief**

14 **Against Twitter**

15 256. Plaintiff hereby incorporates by reference all stated paragraphs
 16 as though fully set forth herein.

17 257. An actual, justiciable controversy has arisen and now exists
 18 between Plaintiff and Twitter, relating to their respective legal rights, duties
 19 and obligations, such that it is necessary for the Court to determine the
 20 parties’ respective rights, duties and obligations.

21 258. Plaintiff therefore respectfully requests that this Court enter an
 22 Order, pursuant to 28 U.S.C. § 1692:

23 a) That the Terms of Use Agreement set forth above are void *ab*
 24 *initio*;

25 b) In the alternative, order that the contract between Plaintiff and
 26 Twitter is unenforceable on the grounds that it is illusory, lacks
 27 mutuality, fails of consideration;
 28

1 c) In the alternative, order that the contract between Plaintiff and
 2 Twitter is rescinded pursuant to California Civil Code §1689 on the
 3 grounds that they were mutually rescinded, Plaintiff's consent was
 4 given by mistake, obtained through fraud, concealment and
 5 misrepresentation, and/or exercised by or with the connivance of
 6 Twitter, and there is failure of consideration;

7 d) Order that Plaintiff is under no legal obligation to compensate or
 8 pay Twitter under the terms of the contract between Twitter and
 9 Plaintiff as it is void *ab initio*, unenforceable, and/or rescinded; and

10 (e) Ordering the parties restored to their former positions and
 11 requiring them to return whatever they received, if anything, under
 12 the revised contract pursuant to California Civil Code § 1692.

13 SIXTH CAUSE OF ACTION

14 **Intentional Interference With Actual and/or Prospective Economic** 15 **Relations**

16 **Against John Doe(s)**

17 259. Plaintiff hereby incorporates by reference all stated paragraphs
 18 as though fully set forth herein.

19 260. Plaintiff alleges intentional interference with actual and
 20 prospective economic relations against John Doe(s).

21 261. Plaintiff has numerous business ventures in place she is
 22 currently pursuing, including admittance to the California Bar, a job in the
 23 legal profession, as well as various business ventures that probably would
 24 have resulted in a future economic benefit to Plaintiff.

25 262. John Doe(s) knew, at the very least, that Plaintiff was
 26 currently seeking admittance to the State Bar of California through direct
 27 evidence including, but not limited to, Plaintiff's various social media
 28

1 profiles Doe used in creating the Twitter account and content, notably
 2 Plaintiff's LinkedIn profile which specifically references the fact that
 3 Plaintiff was enrolled at the University of San Diego Law School as a Juris
 4 Doctor Candidate 2016, which is the social media profile Doe found the
 5 photograph titled, "Tiffany Pro," as Plaintiff alleges, upon information and
 6 belief, that LinkedIn is the only social media platform which she posted the
 7 photograph titled, "Tiffany Pro."

8 263. John Doe(s) intended to disrupt Plaintiff's admittance to the
 9 State Bar of California by engaging in the wrongful conduct referenced
 10 above.

11 264. John Doe(s) failed to act with reasonable care and engaged in
 12 wrongful conduct, referenced above.

13 265. Doe(s)'s actions were intentionally made and were foreseeably
 14 and substantially certain to cause interference with Plaintiff's actual and/or
 15 prospective business relationships by damaging Plaintiff's good name and
 16 reputation, and deterring persons and entities from doing business with her.

17 266. Doe(s)'s conduct alleged herein actually interfered with
 18 Plaintiff's actual and/or prospective business relationships as referenced
 19 above. Plaintiff has an actual business relationship with the Tucson Jewish
 20 Community Center, of which is reasonably foreseen to be damaged as a
 21 result of Doe(s)'s despicable conduct.

22 **SEVENTH CAUSE OF ACTION**

23 **Intentional Infliction of Emotional Distress**

24 **Against John Doe**

25 267. Plaintiff hereby incorporates by reference all stated paragraphs
 26 as though fully set forth herein.
 27
 28

1 268. At all times relevant to the matters alleged in this Complaint,
2 John Doe(s) owed a duty of care to prevent Plaintiff from being injured as a
3 result of Doe(s)'s conduct.

4 269. Doe(s) intentionally, willfully and maliciously breached the
5 aforesaid duty of care owed to the Plaintiff and engaged in extreme and
6 outrageous conduct by viciously impersonating and defaming Plaintiff.

7 270. John Doe(s) engaged in this extreme and outrageous conduct
8 with the intent of causing, or in reckless disregard of the probability of
9 causing, severe emotional distress to the Plaintiff.

10 271. As a direct and proximate result of Doe(s)'s extreme and
11 outrageous conduct, Plaintiff has suffered extreme mental and emotional
12 distress. Plaintiff feared, and continues to fear, for her physical safety.
13 Plaintiff will likely incur medical expenses, including expenses for
14 psychiatric care and psychological counseling services.

15 272. Plaintiff will seek leave to amend this complaint once the
16 identity/identities of John Doe(s) is/are confirmed to include additional
17 harassment which Plaintiff suspects occurred in connection with the
18 injuries stated herein.

19 **EIGHTH CAUSE OF ACTION**

20 **Negligent Infliction of Emotional Distress**

21 **Against Twitter**

22 273. Plaintiff hereby incorporates by reference all stated paragraphs
23 as though fully set forth herein.

24 274. At all times relevant to the matters alleged in this Complaint,
25 Twitter owed a duty of care to prevent Plaintiff from being injured as a
26 result of Twitter's conduct.
27
28

1 275. Twitter breached the aforesaid duty of care owed to the
2 Plaintiff by breaching its contract with Plaintiff and then allowing the
3 continued publication of Doe's harmful conduct to persist after breaching
4 its contract with Plaintiff.

5 276. As a direct and proximate result of Twitter's negligent
6 conduct, Plaintiff has suffered extreme mental and emotional distress.
7 Plaintiff feared, and continues to fear, for her physical safety, and that she
8 will be wrongly accused in the public view. Plaintiff will likely incur
9 medical expenses, including expenses for psychiatric care and
10 psychological counseling services.

11 **NINTH CAUSE OF ACTION**

12 **Civil Conspiracy**

13 277. Plaintiff hereby incorporates by reference all stated paragraphs
14 as though fully set forth herein.

15 278. Plaintiff reserves the right to bring any and all additional
16 causes of action including but not limited to, a cause of action for civil
17 conspiracy amongst any or all of the named and unnamed defendants.

18 279. Plaintiff reserves the right to bring a cause of action for civil
19 conspiracy, as well as amend the above Causes of Actions accordingly, if
20 discovery reveals that it is probable that more than one individual engaged
21 in the procurement, constructing, or publishing of the Twitter account with
22 domain @tiffanydehen and Infringing Works, in any capacity whatsoever
23 to Defendants' economic benefit and Plaintiff's economic harm.

24 280. Plaintiff reserves the right to bring any and all additional
25 causes of action against any or all defendants who conspired together, or
26 acted alone, in illegally extorting and/or exploiting Plaintiff to Plaintiff's
27 harm and Defendant's benefit.
28

281. Plaintiff reserves the right to bring additional claims including, but not limited to, claims relating to conflicts of interest against Perkins Coie LLP. For the record, Plaintiff alleges Perkins Coie LLP attempted to exploit and extort her illegally for their client's illegal gains. Plaintiff goes so far as to allege that discovery will prove that Perkins Coie LLP is guilty of violating numerous federal laws including, but not limited to, conspiring in the restraint of trade in violation of the Sherman Act, obstructing justice, impeding federal law enforcement investigations, contempt of court, treason, conspiracy to commit treason, racketeering activity in violation of the RICO statute mentioned above including operating a criminal enterprise, engaging in patterns of fraud, extortion, exploitation and blackmail. It would not be the first time Perkins Coie LLP was accused of aiding and abetting its clients in the commission of crimes, as Perkins Coie is currently at the center of a wide scale United States investigation which includes possible claims of treason, jeopardizing the ethical standards of the entire international law firm. *Please see* the recently declassified Nunes Memo available here: <https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=856>.

TENTH CAUSE OF ACTION

Violation of 18 U.S. Code § 1962

Against Twitter

282. Plaintiff hereby incorporates by reference all stated paragraphs as though fully set forth herein.

283. Plaintiff brings a Cause of Action under 18 U.S. Code § 1964 against Twitter for the injuries sustained by Plaintiff, and all other individuals similarly situated if justice permits or requires pursuant to the

1 Federal Rules of Civil Procedure Rule 23, as a result of Twitter's
2 fraudulent misrepresentations and scheme to defraud in violation of 18 U.S.
3 Code § 1962(C).

4 284. At all relevant times, Defendant Twitter was a "person" within
5 the meaning of 18 U.S.C. § 1961(3) because it was "capable of holding a
6 legal or beneficial interest in property."

7 285. Twitter is an "enterprise" within the meaning of 18 U.S.C.
8 § 1961(4), through which Defendant Twitter conducted the pattern of
9 racketeering activity described herein. Throughout its existence, Twitter
10 engaged in, and its activities affected interstate commerce because it
11 involved commercial activities across state lines, including national
12 marketing campaigns and the solicitation and receipt of money in the form
13 of advertising revenues from victims located throughout the country.

14 286. Plaintiff alleges Twitter participated in a pattern of
15 racketeering activity, as defined by 18 U.S.C. § 1962(5), consisting of
16 numerous and repeated uses of interstate wire communications to execute a
17 scheme to defraud in violation of 18 U.S.C. § 1962(c).

18 287. The fraudulent express misrepresentations by Twitter of the
19 terms of the Twitter User Agreement was created and/or used as a tool to
20 carry out the Scheme and pattern of racketeering activity.

21 288. Plaintiff alleges Defendant Twitter has committed at least two
22 acts of racketeering activity, *i.e.*, indictable violations of 18 U.S.C. § 1343,
23 within the past ten years. The multiple acts of racketeering activity that
24 they committed and/or conspired to, or aided and abetted in the
25 commission of, were related to each other, pose a threat of continued
26 racketeering activity, and therefore constitute a "pattern of racketeering
27 activity."
28

1 289. Defendant Twitter's predicate acts of racketeering within the
2 meaning of 18 U.S.C. § 1961(1) include, but are not limited to:

3 (a) Wire Fraud: Defendant Twitter violated 18 U.S.C. § 1343, by
4 transmitting and receiving, or causing to be transmitted or received,
5 materials by wire for the purpose of executing the Scheme, which
6 amounts to a material scheme to defraud and obtain money on false
7 pretenses, misrepresentations, promises, and/or omissions. The
8 materials transmitted and/or received include but are not limited to,
9 interstate credit card transactions, publication by Internet promoting
10 the Scheme, and the fraudulent misrepresentation in Twitter's Terms
11 of Use.

12 290. Defendant Twitter knowingly and intentionally made these
13 misrepresentations, acts of concealment and failures to disclose. Defendant
14 Twitter either knew or recklessly disregarded that these were material
15 misrepresentations and omissions.

16 291. Defendant Twitter obtained money and property belonging to
17 Plaintiff, and the Class as a result of these violations. Plaintiff alleges
18 Plaintiff and other Class Members been injured in their business or
19 property by Defendant Twitter's overt acts of wire fraud.

20 292. Plaintiff and the Class have been injured in their property by
21 reason of Twitter's violations of 18 U.S.C. § 1962, including the damage
22 done to Plaintiff's reputation as a result of relying on Twitter's fraudulent
23 misrepresentation, which collectively amounts to tens of millions of
24 dollars, plus the advertising revenues Twitter obtained off the fraudulent
25 misrepresentations. In the absence of Defendant Twitter's violations of 18
26 U.S.C. § 1962, Plaintiff and the Class would not have incurred these losses.
27
28

1 299. Plaintiff hereby incorporates by reference all stated paragraphs
2 as though fully set forth herein.

3 300. Plaintiff brings a Cause of Action under 18 U.S. Code § 1964
4 against USD for the injuries sustained by Plaintiff.

5 301. At all relevant times, Defendant USD was a "person" within
6 the meaning of 18 U.S.C. § 1961(3) because it was "capable of holding a
7 legal or beneficial interest in property."

8 302. USD is an "enterprise" within the meaning of 18 U.S.C. §
9 1961(4), through which Defendant USD conducted the pattern of
10 racketeering activity described herein. Throughout its existence, the USD
11 enterprise engaged in, and its activities affected interstate commerce
12 because it involved commercial activities across state lines, including
13 national marketing campaigns and the solicitation and receipt of money in
14 the form of tuition, including federal student loans from the federal
15 government, from victims located throughout the country. Defendant USD
16 exercised substantial control over the affairs of the USD Enterprise.

17 303. Plaintiff alleges USD participated in a pattern of racketeering
18 activity, as defined by 18 U.S.C. § 1962(5), consisting of numerous and
19 repeated uses of interstate wire communications to execute a scheme to
20 defraud in violation of 18 U.S.C. § 1962(c).

21 304. The fraudulent express misrepresentations by USD of the
22 terms and stated policies of the University and Department of Public Safety
23 were created and/or used as tools to carry out the Scheme and pattern of
24 racketeering activity.

25 305. Plaintiff alleges Defendant USD has committed at least two
26 acts of racketeering activity, *i.e.*, indictable violations of 18 U.S.C. § 1343,
27 within the past ten years. The multiple acts of racketeering activity that
28

1 they committed and/or conspired to, or aided and abetted in the
2 commission of, were related to each other, pose a threat of continued
3 racketeering activity, and therefore constitute a "pattern of racketeering
4 activity."

5 306. Defendant USD's predicate acts of racketeering within the
6 meaning of 18 U.S.C. § 1961(1) include, but are not limited to:

7 (a) Wire Fraud: Defendant USD violated 18 U.S.C. § 1343, by
8 transmitting and receiving, or causing to be transmitted or received,
9 materials by wire for the purpose of executing the Scheme, which
10 amounts to a material scheme to defraud and obtain money on false
11 pretenses, misrepresentations, promises, and/or omissions. The
12 materials transmitted and/or received include but are not limited to,
13 interstate credit card transactions, publication by Internet promoting
14 the Scheme, and the fraudulent misrepresentation in USD's
15 expressly stated policies.

16 307. Defendant USD knowingly and intentionally made these
17 misrepresentations, acts of concealment and failures to disclose. Defendant
18 USD either knew or recklessly disregarded that these were material
19 misrepresentations and omissions.

20 308. Defendant USD obtained money and property belonging to
21 Plaintiff, and the Class as a result of these violations. Plaintiff alleges
22 Plaintiff and other Class Members been injured in their business or
23 property by Defendant USD's overt acts of wire fraud.

24 309. Plaintiff and the Class have been injured in their property by
25 reason of USD's violations of 18 U.S.C. § 1962, including the damage
26 done to Plaintiff's reputation as a result of relying on USD's fraudulent
27 misrepresentation, which collectively amounts to tens of millions of
28

1 dollars, plus the tuition revenues USD obtained off the fraudulent
 2 misrepresentations. In the absence of Defendant USD's violations of 18
 3 U.S.C. § 1962, Plaintiff and the Class would not have incurred these losses.

4 310. Plaintiff's and the Class's injuries were directly and
 5 proximately caused by Defendant USD's racketeering activity.

6 311. USD knew and intended that Plaintiff and the Class would
 7 rely on the Scheme's fraudulent misrepresentations and omissions.
 8 Defendant USD knew and intended Plaintiff, and the Class, would attend
 9 its university and pay tuition, as a result of the same.

10 312. Under the provisions of 18 U.S.C. § 1964(c), Plaintiff is
 11 entitled to bring this action and to recover their treble damages, the costs of
 12 bringing this suit and reasonable attorneys' fees.

13 313. Defendant USD is accordingly liable to Plaintiff and the Class
 14 for three times their actual damages as proved at trial plus interest and
 15 attorneys' fees.

16 **THIRTEENTH CAUSE OF ACTION**

17 **Breach of Contract**

18 **Against University of San Diego**

19 314. Plaintiff hereby incorporates by reference all stated paragraphs
 20 as though fully set forth herein.

21 315. Plaintiff alleges USD breached several contracts between USD
 22 and Plaintiff, as well as between USD and all other individuals similarly
 23 situated.

24 316. Not only did USD breach several contractual duties it
 25 expressly promised to Plaintiff and all other individuals similarly situated
 26 such as the several express contractual duties stated above, but Plaintiff
 27 relied on these promises made by USD to her detriment. Specifically,
 28

1 Plaintiff relied on the promise that USD would provide a safe campus, as
 2 referenced above. Not only did USD fail to uphold its express promises
 3 made to Plaintiff and all other individuals similarly situated, USD gave
 4 preferential treatment to individuals whom Plaintiff alleges violated federal
 5 terrorism laws.

6 **FOURTEENTH CAUSE OF ACTION**

7 **Intentional and/or Negligent Infliction of Emotional Distress**

8 **Against USD**

9 317. Plaintiff hereby incorporates by reference all stated paragraphs
 10 as though fully set forth herein.

11 318. Plaintiff brings a cause of action against USD for intentional
 12 and negligent infliction of emotional distress under California law.

13 319. Plaintiff alleges that at all times relevant to the matters alleged
 14 in this Complaint, USD owed a duty of care to prevent Plaintiff from being
 15 injured as a result of Doe's conduct.

16 320. USD breached the aforesaid duty of care owed to Plaintiff by
 17 breaching its contracts with Plaintiff, negligently resulting in Doe's
 18 despicable conduct.

19 339. As a direct and proximate result of USD's negligent conduct,
 20 Plaintiff suffered extreme mental and emotional distress. Plaintiff feared,
 21 and continues to fear, for her physical safety, and for the safety of her close
 22 family and friends, in addition to the fear that she will continue to be
 23 wrongly accused in the public view due to Doe's conduct. Plaintiff will
 24 likely incur medical expenses, including expenses for psychiatric care and
 25 psychological counseling services.

26 321. Plaintiff respectfully reserves the right to further amend this
 27 complaint.
 28

1 **EXTORTION AND HOBBS ACT VIOLATIONS**

2 322. 18 U.S.C. § 875(d) states:

3 Whoever, with intent to extort from any person, firm,
4 association, or corporation, any money or other thing of value, transmits in
5 interstate or foreign commerce any communication containing any threat to
6 injure the property or reputation of the addressee or of another or the
7 reputation of a deceased person or any threat to accuse the addressee or any
8 other person of a crime, shall be fined under this title or imprisoned not
9 more than two years, or both.

10 *Please see* 18 U.S.C. § 875(d).

11 323. 18 U.S.C. § 1951(a) states:

12 Whoever in any way or degree obstructs, delays, or affects
13 commerce or the movement of any article or commodity in commerce, by
14 robbery or extortion or attempts or conspires so to do, or commits or
15 threatens physical violence to any person or property in furtherance of a
16 plan or purpose to do anything in violation of this section shall be fined
17 under this title or imprisoned not more than twenty years, or both.

18 *Please see* 18 U.S.C. § 1951(a).

19 324. Subsection (b) continues

20 As used in this section –

21 (2) The term “extortion” means the obtaining of property from
22 another, with his consent, induced by wrongful use of actual or threatened
23 force, violence, or fear, or under color of official right.

24 *Please see* 18 U.S.C. § 1951(b).

25 **FIFTEENTH CAUSE OF ACTION**

26 **Extortion & Conspiracy to Commit Extortion Against Twitter**

27 325. Plaintiff hereby incorporates by reference all stated paragraphs
28 as though fully set forth herein.

326. Plaintiff alleges violations of [18 U.S.C. § 875(d) and 18
U.S.C. § 1951] against Twitter including actual extortion as defined under
18 U.S.C. § 1951(b) through the wrongful use of actual and threatened
force, violence, and fear, conspiracy to commit extortion, and transmission

1 in interstate commerce communication containing threats to injure the
2 property and reputation of Plaintiff.

3 327. As explained above, Plaintiff alleges Twitter working in
4 conjunction with Perkins Coie, LLP and/or USD, attempted intimidation
5 against Plaintiff in the form of actual physical harm of Plaintiff in the
6 serious 02/20/2017 automobile collision and threatened harm to Plaintiff
7 physically, financially and reputationally, with actual harm resulting to
8 Plaintiff.

9 Plaintiff further alleges @That AC harassment crosses the line into
10 defamation. Please see Exhibits xxx. At the very least, it is reasonable for
11 Ms. Dehen to believe that @That AC is somehow related to one of the
12 defendants in the case due to the fact that he has been incessantly harassing
13 her for over a year even though she blocked him on Twitter out of
14 desperation to keep the CDA § 230 from being overturned. On June 24,
15 2018, @That AC publicly requested an interview with Mr. Aly. Ms. Dehen
16 alleges to taunt and intimidate Ms. Dehen as an agent of defendant(s).

17 @That AC seems to have a pattern of intimidating individuals on
18 social media, although he somehow remains anonymous. Ms. Dehen
19 alleges @That AC is actually an agent of Perkins Coie, LLP or Twitter,
20 and is actively working to censor potential plaintiffs from exercising their
21 rights in a court of law. Ms. Dehen alleges @That AC attempts to gain
22 information through non-disclosure agreements which require his identity
23 remain anonymous so that he can continue illegally extorting and defaming
24 individuals, such as Ms. Dehen here, into dropping their case on behalf of
25 Twitter and/or Perkins Coie, LLP. If @That AC is not an agent through
26 payment, consultation, or any sort of inside connection, then it should be a
27 non-issue in discovery.

1
2 **SIXTEENTH CAUSE OF ACTION**

3 **Extortion & Conspiracy to Commit Extortion Against Perkins**
4 **Coie LLP**

5 328. Plaintiff hereby incorporates by reference all stated paragraphs
6 as though fully set forth herein.

7 329. Plaintiff alleges violations of 18 U.S.C. § 875(d) and 18
8 U.S.C. § 1951 against Perkins Coie, LLP including actual extortion as
9 defined under 18 U.S.C. § 1951(b) through the wrongful use of actual and
10 threatened force, violence, and fear, conspiracy to commit extortion, and
11 transmission in interstate commerce communication containing threats to
12 injure the property and reputation of Plaintiff.

13 330. As explained above, Plaintiff alleges Perkins Coie, LLP
14 working in conjunction with Twitter and/or USD, attempted intimidation
15 against Plaintiff in the form of actual physical harm of Plaintiff in the
16 serious 02/20/2017 automobile collision and threatened harm to Plaintiff
17 physically, financially and reputationally, with actual harm resulting to
18 Plaintiff.

19 331. Perkins Coie, LLP has come under public scrutiny recently for
20 engaging in criminal acts on behalf of and in conjunction with its clients.
21 Plaintiff alleges Perkins Coie threatened and intimidated her personally.

22 **SEVENTEENTH CAUSE OF ACTION**

23 **Extortion & Conspiracy to Commit Extortion Against USD**

24 332. Plaintiff hereby incorporates by reference all stated paragraphs
25 as though fully set forth herein.

26 333. Plaintiff alleges violations of 18 U.S.C. § 875(d) and 18
27 U.S.C. § 1951 against USD including actual extortion as defined under 18
28

1 U.S.C. § 1951(b) through the wrongful use of actual and threatened force,
 2 violence, and fear, conspiracy to commit extortion, and transmission in
 3 interstate commerce communication containing threats to injure the
 4 property and reputation of Plaintiff.

5 334. As explained above, Plaintiff alleges USD working in
 6 conjunction with Twitter and/or Perkins Coie, LLP, attempted intimidation
 7 against Plaintiff in the form of actual harm of Plaintiff from the negative
 8 news articles, as well as threatened harm to Plaintiff financially and
 9 reputationally, with actual harm resulting to Plaintiff.

10 **EIGHTEENTH CAUSE OF ACTION**

11 **Violation of 15 U.S.C. § 1 Against Twitter, Inc.**

12 Plaintiff hereby incorporates by reference all stated paragraphs as
 13 though fully set forth herein.

14 On May 8, 2017, then-Director of the Federal Bureau of
 15 Investigation James B. Comey, issued a statement titled *The FBI and the*
 16 *ADL: Working Together to Fight Hate*. Please see
 17 [https://www.fbi.gov/news/speeches/the-fbi-and-the-adl-working-together-](https://www.fbi.gov/news/speeches/the-fbi-and-the-adl-working-together-to-fight-hate)
 18 [to-fight-hate](https://www.fbi.gov/news/speeches/the-fbi-and-the-adl-working-together-to-fight-hate).

19 On July 28, 2018, *The Daily Caller* reported that the FBI has an
 20 ongoing relationship with the left-wing SPLC (Southern Poverty Law
 21 Center), which once put 2016 Republican Presidential Candidate Dr. Ben
 22 Carson on an 'Extremist Watch List'. Please see
 23 <http://dailycaller.com/2018/07/28/splc-fbi-partnership/>.

24 On October 10, 2017, *CNET* reported in *Anti-Defamation League,*
 25 *tech firms team to fight online hate* that Facebook, Twitter, Google and
 26 Microsoft are among the companies joining forces with the advocacy group
 27 to curb cyberhate. Please see <https://www.cnet.com/news/adl-anti->
 28

1 defamation-league-facebook-twitter-google-hate-speech/. The article
 2 reported, “[t]hey’ll exchange ideas and develop strategies to try to curb
 3 hate speech and abuse on the companies’ various platforms and across the
 4 internet.” *Id.*

5 On August 17, 2018, Mr. Tucker Carlson with Fox News reported,
 6 “recently many of the biggest tech companies joined in a coordinated effort
 7 to censor content from broadcaster Alex Jones. Apple, Facebook, Spotify,
 8 Vimeo, YouTube, Twitter, all of them, pulled or froze Jones’ accounts on
 9 the grounds that his views are too dangerous to be heard publicly.” *Please*
 10 *see* <https://www.youtube.com/watch?v=FGcMh4Ki4YE>.

11 Plaintiff alleges Twitter is engaged in a conspiracy to restrain trade
 12 in the form of information with viewpoints it does not like, which becomes
 13 a First Amendment violation due to Congress enacting CDA § 230, which
 14 Twitter claims bars all types of lawsuits against it for otherwise actionable
 15 illegal conduct. Twitter is involved in this conspiracy with various big tech
 16 companies, such as Facebook, YouTube, Google, Apple, and maybe even
 17 governmental agencies such as the FBI.

18 Plaintiff alleges an illegal conspiracy in the restraint of trade between
 19 Twitter, Inc., and its law firm, Perkins Coie, LLP.

20 Plaintiff alleges she sustained direct injuries from Twitter’s
 21 conspiracy in the restraint of trade with its law firm, Perkins Coie, LLP.

22 Plaintiff alleges Twitter, Inc. is conspiring with its law firm, Perkins
 23 Coie, LLP, other tech companies, and agents of various agencies, such as
 24 the Federal Bureau of Investigation, and political organizations such as the
 25 Democratic National Committee, and certain donors, co-conspirators,
 26 investors such as Billionaire George Soros.

1 Plaintiff alleges Twitter is conspiring in the restraint of trade against
 2 Plaintiff personally by conspiring with each other to use the CDA § 230 to
 3 justify their illegal fraudulent behavior of misrepresenting in Twitter's
 4 Terms of Use

5 **NINETEENTH CAUSE OF ACTION**

6 **Violation of 15 U.S.C. § 1 Against Perkins Coie, LLP**

7 Plaintiff hereby incorporates by reference all stated paragraphs as
 8 though fully set forth herein.

9 In *Green v. YouTube* (Case No.: 18-CV-00203-PB in District Court
 10 for the District of New Hampshire), attorneys Timothy J. McLaughlin and
 11 Ryan Mrazik, represented Twitter, Inc., and YouTube, LLC citing the CDA
 12 § 230 against Mr. Green's claims which include claims regarding the fact
 13 that he has been illegally censored, banned, and shut down on two different
 14 YouTube accounts and his Twitter account, among other things (further
 15 described when Plaintiff amends and files Third Amended Complaint).
 16 Please see Exhibit xxx.

17 Mr. Mrazik with Perkins Coie, LLP, attempted to represent Twitter,
 18 Inc. pro hac vice in this case, which Judge Benitez denied. Please see Mr.
 19 Mrazik's Pro Hac Vice application.

20 Plaintiff alleges a conspiracy between Perkins Coie, agents of
 21 Perkins Coie, and its clients, such as Twitter here in this case. Agents of
 22 Perkins Coie are conspiring with each other and Perkins Coie is conspiring
 23 with its clients to assist, maybe even perpetuate, illegal conduct which
 24 directly harmed, and continues to harm, Ms. Dehen.

25 Plaintiff respectfully requests additional time to develop these claims
 26 and file her Third Amended Complaint.

27 **TWENTIETH CAUSE OF ACTION**

1 **Violation of 15 U.S.C. § 1 Against University of San Diego**

2 Plaintiff hereby incorporates by reference all stated paragraphs as
3 though fully set forth herein.

4 Agents of USD are conspiring together, and USD is conspiring with
5 various law enforcement agencies in the restraint of trade, against Plaintiff
6 by conspiring to cover up illegal activity, which USD is at least negligently
7 liable for, with the intention to prevent Ms. Dehen from having her day in
8 Court to recover significant damages for monetary and emotional injuries
9 she sustained, and continues to sustain, due to the conspiracies in the
10 restraint of trade.

11 Plaintiff needs additional time to develop this claim and respectfully
12 requests leave of court to amend this complaint and file her Third Amended
13 Complaint.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff prays for judgment as follows:

- 16 1. Accept jurisdiction over this action;
- 17 2. For the Court to compel Twitter to provide the email address
18 John Doe used to sign up for the offending Twitter account so that Plaintiff
19 may request the Court to authorize service of the summons and complaint
20 on Defendant Doe by email to his "published and last known valid email
21 address without requirement of return receipt" under Federal Rules of Civil
22 Procedure 4(f)(3) and 4(h)(2);
- 23 3. That Defendant Doe(s) be permanently enjoined from
24 infringing Plaintiff's copyrights in any manner, specifically those related to
25 the Infringing Works;
- 26
27
28

1 4. That Defendant Doe(s) be permanently enjoined from
2 publishing defamatory statements about Plaintiff such as those set forth
3 herein;

4 5. That Defendant Twitter be permanently enjoined from
5 publishing the fraudulent misrepresentation in its Terms of Use;

6 6. That Defendant USD be permanently enjoined from
7 publishing the fraudulent misrepresentations on its website;

8 7. That Defendant USD, and all American Universities operating
9 on or off American soil receiving federal funds, such as in the form of
10 federal student loans, be ordered to comply with United States Federal law,
11 particularly in regards to terroristic threats and terroristic activities which
12 could reasonably foreseeably harm American and foreign students on
13 American soil;

14 8. That Defendants Perkins Coie LLP, Twitter, Inc., and
15 University of San Diego be permanently enjoined, fined and the attorneys
16 at Perkins Coie sanctioned for engaging in Hobbs Act violations.

17 9. For economic damages according to proof at trial;

18 10. For punitive damages according to proof at trial;

19 11. For prejudgment interest to the extent recoverable by law;

20 12. For attorney's fees to the extent recoverable by law or
21 contract;

22 13. For costs of suit; and

23 14. For such other and further relief as the Court may deem just
24 and proper.

25 15. Plaintiff reserves the right to bring additional claims against
26 including but not limited to the Democratic National Committee, the FBI,
27
28

1 the DOJ, San Diego Police Department, the City of San Diego, Homeland
2 Security, and the State Department.

3 **DEMAND FOR TRIAL BY JURY**

4 A TRIAL BY JURY PURSUANT TO FEDERAL RULE OF CIVIL
5 PROCEDURE 38 AND CONSTITUTIONAL AMENDMENT SEVEN IS
6 HEREBY DEMANDED.

7
8 **Dated: April 6, 2018**

9 Respectfully submitted,

10
11 Tiffany L. Dehen

12 1804 Garnet Avenue, #239

13 Pacific Beach, CA 92109

14 Tel. 858-262-0052

15 Tiffany.Dehen@Gmail.com

16
17 Pro Se Plaintiff.
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24 **CERTIFICATE OF SERVICE**

25 The undersigned hereby certifies that a true and correct copy of the
26 foregoing document has been served on April 6, 2018 by express delivery
27 with signature confirmation, postage pre-paid, to all current and/or
28

1 opposing counsel of record, if any to date, who are deemed to have
2 consented to electronic service via the Court's CM/ECF system per Local
3 Rule 5.4(d).
4

5 **Dated April 6, 2018**
6

7
8

Tiffany L. Dehen
9

10 Pro Se Plaintiff.
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OFFICER'S REPORT ONLY		SAN DIEGO REGIONAL OFFICER'S REPORT		INCIDENT NUMBER 16070016013	
				PAGE 1 of 2	
CODE SECTION AND DESCRIPTION ZZ / 981153 / MISCELLANEOUS REPORTS - 153		DATE 07/09/2016	DAY OF WEEK Saturday	TIME 09:54	
LOCATION OF INCIDENT (OR ADDRESS) 4621 LAMONT ST #5A		CITY SAN DIEGO		BEAT 122	
Body Camera: Body Camera Evidence Collected					

I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

OFFICER'S NARRATIVE:

On 07-09-16 at about 1000 hours, I responded to a radio call to investigate a possible act of terrorism. The reporting party Stephanie Meyers called police advising a Middle Eastern male, who her friend Tiffany knows, was at Tiffany's residence and claimed to be part of ISIS. The location of the incident occurred at 4621 Lamont St. #5A, San Diego, Ca. 92109 (incident number 160700160).

Upon arrival, I checked the surrounding area of the apartment complex for the male along with his vehicle which was described on the radio call. I could not locate either at the time of my investigation.

I spoke with the second reporting party at the location of the incident who I identified as Tiffany Dehen via a California ID. Dehen advised me an acquaintance she attends law school with was standing in front of her apartment complex and was part of ISIS which made her fearful for her safety (See Dehen's full statement below).

As Dehen was speaking, she was speaking very loudly and frantically about the situation. Dehen later regained her composure and left her apartment to go stay with her friend Meyers until the incident was resolved.

STATEMENT OF TIFFANY LEIGH DEHEN (REPORTING PARTY):

Dehen advised me a couple minutes prior to my arrival, a Middle Eastern male named Mohammed Aly which she knows was standing in front of her apartment complex near his vehicle. Aly did not say anything to her or do anything but was only standing near his vehicle. Dehen stated he later was attempting to get something out of his vehicle but she did not know what it was.

Dehen advised me she knew Aly through school. They are both third year law school students at the University of San Diego. Dehen advised me the reason why she was fearful of Aly was because in October of this year, Aly told her at a law school event "mixer" that he was an ISIS sleeper cell and was awaiting to be activated.

Dehen described Aly as a Middle Eastern male, black long curly hair, brown eyes, 5'07, and 150lbs, small beard, unknown date of a birth but believed him to be about 26-27 years in age. He was seen wearing no shirt and dark shorts. Dehen did not know Aly's address but stated his parents used to rent a place at 401 W. Main St., El Cajon, Ca. Dehen described Aly's vehicle as a white Honda (unknown license plate).

Approved By: A/Sgt. Sanders #6611

REPORTING OFFICER JOSEPH ELISMA	I.D. # 7378	DIVISION N1	AGENCY SDPD	DATE OF REPORT 7/9/2016	TIME 12:24
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CONTINUED FROM
OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL OFFICER'S REPORT

PAGE
2 of 2

INCIDENT NUMBER

16070016013

CASE NUMBER

16028680

I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

REPORTING OFFICER JOSEPH ELISMA	I.D. # 7378	DIVISION N1	AGENCY SDPD	DATE OF REPORT 7/9/2016	TIME 12:24
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(Revised 09/2013 Electronic)



That Anonymous Coward - As seen on several dockets @Tha... · Aug 17 ✓
'MERIKA!

Tommy Chong @tommychong

This is the state that had me incarcerated for 9 months for shipping Bongs across state lines to the DEA. [twitter.com/Newsweek/statu...](https://twitter.com/Newsweek/status...)



That Anonymous Coward - As seen on several dockets @Tha... · Aug 17 ✓

These notices are totally legit... thats why we pay top dollar to get them & the experts (who have multiple failed piracy efforts in their past) to testify b/c a Judge thinks accusations are actual evidence.



RIAA Paid Handsomely for BitTorrent Piracy Eviden...

Anti-piracy outfit Rightscorp has profited handsomely from the music industry's efforts to hold ISPs accountable for pirating subscribers. According to a

tonemilask.com



**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

ISAAC GREEN,

Plaintiff,

v.

YOUTUBE, INC., ET AL.,

Defendants.

Civil No. 18-CV-203-PB

**DEFENDANTS GOOGLE LLC AND YOUTUBE, LLC'S
MOTION TO DISMISS OR, IN THE ALTERNATIVE, TO TRANSFER VENUE**

Defendants Google LLC ("Google") and YouTube, LLC ("YouTube")¹ move jointly, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss the complaint in its entirety or, in the alternative, and pursuant to 28 U.S.C. § 1404(a), that the Court transfer the case to the United States District Court for the Northern District of California. In support of this motion, Google and YouTube state as follows:

1. Google and YouTube have today filed a Memorandum of Points and Authorities in Support of this Motion.
2. A proposed order is attached hereto.

WHEREFORE, Google and YouTube respectfully request that the Court grant this motion.

¹ Plaintiff named "Google, Inc." as a defendant. The entity's correct name is "Google LLC." Plaintiff also named "YouTube, Inc." as a defendant. The entity's correct name is "YouTube, LLC."

Respectfully submitted,

*Counsel for Defendants Google LLC and
YouTube, LLC,*

May 8, 2018

/s/ Timothy J. McLaughlin
Timothy J. McLaughlin (NH Bar # 19570)
107 Storrs Street
Concord, NH 03301
1 (603) 225-7262
tmclaughlin@shaheengordon.com

Ryan Mrazik (*motion for pro hac vice
admission to be filed*)
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101
RMrazik@perkinscoie.com

CERTIFICATE OF SERVICE

I hereby certify that on this date, the foregoing was served by the Court's electronic filing system on all counsel and parties of record as well as parties not registered on the Court's CM/EFC system by U.S. mail.

/s/ Timothy J. McLaughlin
Timothy J. McLaughlin

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

ISAAC GREEN,

Plaintiff,

v.

YOUTUBE, INC., ET AL.

Defendants.

Civil No. 18-CV-203-PB

**JOINT OBJECTIONS OF TWITTER, INC. AND YOUTUBE, LLC TO
PLAINTIFF'S MOTION TO REINSTATE AND ALLOW LAWFUL ACCESS (DKT. 9)**

I. INTRODUCTION

Defendants Twitter, Inc. ("Twitter") and YouTube, LLC ("YouTube") (collectively, "Defendants") request that the Court deny Plaintiff Isaac Green's ("Plaintiff") Motion to Reinstate & Allow Lawful Access ("Motion"), Dkt. 9. Plaintiff appears to be seeking preliminary injunctive relief in the form of access to online accounts on Twitter and YouTube—he wants "restoration of his virtual property" and to be allowed "virtual access to live streaming with an audience." This Motion fails and should be denied because Plaintiff has not shown the strong likelihood of success on the merits or irreparable harm necessary to obtain preliminary injunctive relief.

II. FACTUAL BACKGROUND

Plaintiff filed his Complaint on March 5, 2018, Dkt. 1, and also filed at least three motions that day. *See* Dkts. 2-3, 5. On May 8, 2018, Defendants moved to dismiss Plaintiff's Complaint and responded to the motions. *See* Dkts. 24-25. Plaintiff separately filed the instant Motion alleging that (1) "YouTube, and Twitter have prevented the Plaintiff from 'live streaming,'" and (2) "YouTube has also closed a channel, tampered with a 2nd channel, and put

an unlawful warning on a newly listed video.” *See* Dkt. 9 at 1. In the Motion, Plaintiff asks “that the court reinstate Plaintiff’s virtual property and lawful access to the services of all sites,” and for “the restoration of his virtual property, with sanctions ordered if [Defendants] tamper with it again, and that he be left alone to virtual access to live streaming with an audience.” *Id.*

III. ARGUMENT

Plaintiff’s Motion appears to seek preliminary injunctive relief in the form of (1) access to the purported “livestreaming” features of Defendants’ online services or (2) access to his YouTube account.¹ Regardless of whether the relief sought is a preliminary injunction or temporary restraining order, it should be denied. Plaintiff has not shown a strong likelihood of success on the merits of his claims—as set out in Defendants’ Motions to Dismiss, Dkts. 24-25, Plaintiff’s Complaint is meritless—or the irreparable harm necessary for preliminary injunctive relief.

A. Plaintiff’s Motion Seeking Preliminary Injunctive Relief Should Be Denied Because Plaintiff Has Not Shown a Strong Likelihood of Success or Irreparable Harm.

1. Legal Standard for Preliminary Injunctive Relief

A party seeking preliminary injunctive relief “bears the burden of showing that the circumstances of the case justify the exercise of the court’s discretion.” *Respect Maine PAC v. McKee*, 622 F.3d 13, 15 (1st Cir. 2010) (citing *Nken v. Holder*, 556 U.S. 418, 432-433 (2009)). Courts consider four factors: “(1) whether the applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent relief; (3) whether issuance of relief will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.” *Id.* (citing *Nken*, 556 U.S. at 426); *see also* *Nw. Bypass Grp. v. U.S. Army Corps of Engineers*, 453 F. Supp. 2d 333, 337 (D.N.H. 2006) (“To

¹ It is unclear what exactly Plaintiff is claiming. Defendants have done their best to address the issues raised and apparent relief sought, but reserve the right to address additional issues later.

determine whether to issue a temporary restraining order, this Court applies the same four-factor analysis used to evaluate a motion for preliminary injunction.”).²

“The first two factors are the most critical. Both require a showing of more than mere possibility. Plaintiffs must show a strong likelihood of success, and they must demonstrate that irreparable injury will be likely absent an injunction.” *Respect Maine PAC*, 622 F.3d at 15 (citing *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7 (2008)); see also *Matos ex rel. Matos v. Clinton Sch. Dist.*, 367 F.3d 68, 73 (1st Cir. 2004) (“In most cases[,] . . . irreparable harm is a necessary threshold showing for awarding preliminary injunctive relief.” A plaintiff must “demonstrate a realistic prospect of irreparable harm[.]”) (citing *Phillips v. Marsh*, 687 F.2d 620, 622 (2d Cir. 1982)). “[T]raditional economic damages can be remedied by compensatory awards, and thus do not rise to the level of being irreparable.” *Vaqueria Tres Monjitas, Inc. v. Irizarry*, 587 F.3d 464, 485 (1st Cir. 2009) (citing *Puerto Rico Hosp. Supply, Inc. v. Boston Scientific Corp.*, 426 F.3d 503, 507 (1st Cir. 2005)). “[T]he predicted harm and the likelihood of success on the merits must be juxtaposed and weighed in tandem” to determine whether injunctive relief is warranted. *Ross-Simons of Warwick, Inc. v. Baccarat, Inc.*, 102 F.3d 12, 19 (1st Cir. 1996).

2. Plaintiff’s Claim that Defendants Have Prevented “Live Streaming”

Plaintiff alleges in his Motion that Defendants have “prevented” him “from ‘live streaming’” and that “this access has been stripped, and unlawfully denied to the Plaintiff.” Dkt. 9 at 1. From there, he argues that the “first Amendment [sic] protects the Plaintiff with his own free speech” and that Defendants do not “have any lawful or federal ability to prevent live

² To the extent Plaintiff is seeking a temporary restraining order, he has not complied with Rule 65(b), which requires him to provide “specific facts in an affidavit or a verified complaint [that] clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and . . . the movant’s attorney [t]o certify[] in writing any efforts made to give notice and the reasons why it should not be required.”

streaming, nor to take hold of his channel.” *Id.* This appears to be tied to Plaintiff’s claim in his Complaint that YouTube violated the First Amendment by restricting his access to and use of its service. There is no corresponding claim against Twitter—the only claim against Twitter is that it automatically unsubscribed followers from Plaintiff’s account. Dkt 1. ¶ 6. Regardless, Plaintiff now asks the Court to order Defendants to “restore” his ability to livestream on YouTube and Twitter. *See id.* (“that he be left alone to virtual access to live streaming with an audience”).

As set out in Defendants’ respective motions to dismiss, however, Plaintiff cannot show a strong likelihood of success on the merits of his claims against either Twitter or YouTube.

First, as to Twitter, the only allegation in the Complaint is that Twitter automatically unsubscribed followers from Plaintiff’s account, *see* Dkt 1. ¶ 6, so there is no factual basis whatsoever for Plaintiff’s current claim that Twitter is preventing him from “livestreaming.”

Second, as to YouTube, Plaintiff says in his Complaint that YouTube limited access to, his account or channel (and, therefore, presumably to any livestreaming features), and asserts that YouTube is therefore liable for constitutional violations. YouTube cannot, however, be held liable for constitutional violations because it is not a state actor. *See* Dkt. 24-1 at 7-8; Dkt. 25-1 at 7-8. Further, to the extent Plaintiff is asking the Court to force YouTube to allow content on its site (i.e., Plaintiff’s livestreaming videos), any such order would run afoul of the Communications Decency Act (“CDA”), 47 U.S.C. § 230, and violate YouTube’s own First Amendment rights to decide what content is displayed on its platforms. *See* Dkt. 25-1 at 14-17.³

³ To the extent Plaintiff is now ascribing the same or similar conduct to Twitter, Twitter joins in the arguments presented by YouTube. Plaintiff did not make such claims as to Twitter in his Complaint, however, claiming only that Twitter unsubscribed followers from his account.

Lastly, to the extent this request for preliminary injunctive relief is based on a different cause of action against either Twitter or YouTube, it fails because there are no viable causes of action in Plaintiff's Complaint (indeed, many of his claims are not even causes of action).

Additionally, Plaintiff has made no showing of irreparable harm. Plaintiff must show more than a mere "possibility" of irreparable harm. He must "demonstrate that irreparable injury is likely [unless the Court orders immediate relief]." *Winter*, 555 U.S. at 22. "Speculative injury cannot be the basis for a finding of irreparable harm." *In re Excel Innovations, Inc.*, 502 F.3d 1086, 1098 (9th Cir. 2007). Plaintiff claims only that he has been unable to livestream, but has not explained—nor can he—how this alleged deprivation irreparably harmed him.

3. Plaintiff's Claim that YouTube Closed or Tampered with His Accounts

Plaintiff claims in his Motion that YouTube has "closed a channel, tampered with the 2nd channel, and put an unlawful warning on a newly listed video." Dkt. 9 at 1. As set out in Google's and YouTube's Motion to Dismiss, however, any claims based on these facts (or similar ones) are meritless. *See* Dkt. 25. Most of the claims Plaintiff brings are not even causes of action; Plaintiff has not pled the elements of any remaining claims; Google and YouTube cannot be liable for any purported constitutional violations because they are not state actors; and any claims against Google or YouTube arising out of their editorial decisions to remove content or close accounts are barred by the CDA and First Amendment in any event. *See* Dkt. 25-1 at 5-19.

And once again, Plaintiff has made no showing of irreparable harm, which requires more than a mere "possibility" of harm. He must show the injury is "likely" absent immediate relief, *Winter*, 555 U.S. at 22, and cannot rely on "[s]peculative injury," *In re Excel Innovations, Inc.*, 502 F.3d at 1098. Plaintiff claims only that YouTube has "closed" one channel, "tampered" with another, and put a warning on a video he does not identify. Notably absent is any explanation

about how these alleged actions irreparably harmed Plaintiff. And to the extent this claim (or any other) is related only to having lost money, that type of harm is not irreparable. *See Vaqueria Tres Monjitas*, 587 F.3d at 485 (“traditional economic damages” that, if proven could “be remedied by compensatory awards” . . . “do not rise to the level of being irreparable.”).

B. The Court Should Deny Plaintiff’s Request for Sanctions.

Plaintiff also asks for “sanctions” against Defendants if they “tamper with [his accounts] again.” Dkt. 9 at 1. There is no legal or factual basis for a preliminary injunction, let alone for sanctions, particularly based on speculative, uncertain future conduct. This request should be denied.

IV. CONCLUSION

Defendants respectfully request that the Court deny Plaintiff’s Motion.

Respectfully submitted,

*Counsel for Defendants Twitter, Inc. and
YouTube, LLC*

May 22, 2018

/s/ Timothy J. McLaughlin
Timothy J. McLaughlin (NH Bar # 19570)
107 Storrs Street, P.O. Box 2703
Concord, NH 03301
(603) 225-7262
tmclaughlin@shaheengordon.com

Ryan Mrazik (*motion for pro hac vice
admission to be filed*)
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101
Rmrazik@perkinscoie.com

CERTIFICATE OF SERVICE

I hereby certify that on this date, the foregoing was served by the Court's electronic filing system on all counsel and parties of record as well as parties not registered on the Court's CM/ECF system by U.S. mail.

/s/ Timothy J. McLaughlin
Timothy J. McLaughlin



THE STATE BAR
OF CALIFORNIA

OFFICE OF CHIEF TRIAL COUNSEL
INTAKE UNIT

Melanie J. Lawrence, Interim Chief Trial Counsel

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

TELEPHONE: (213) 765-1000

FAX: (213) 765-1168

<http://www.calbar.ca.gov>

August 3, 2018

Tiffany Dehen
1804 Garnet Avenue, #239
San Diego, CA 92109

RE: Inquiry Number: 18-20845
Respondent: Mohammed Aly

Dear Ms. Dehen:

The State Bar's Office of Chief Trial Counsel has reviewed your complaint against Mohammed Aly to determine whether there are sufficient grounds to prosecute a possible violation of the State Bar Act and/or Rules of Professional Conduct.

You have stated that Mr. Aly stalked and harassed you in law school, and told you that he was an enemy combatant of the United States and in an ISIS sleeper cell. You further alleged that Mr. Aly that was the subject of a criminal investigation with the FBI. You explained that you sued Mr. Aly in federal court. You also stated that Mr. Aly has terrorized you personally and is unfit to practice law. Your complaint stated that Mr. Aly has held himself out as homeless, which you do not believe to be true. You also alleged that Mr. Aly has a criminal record. It appears that Mr. Aly was convicted of misdemeanor trespassing in 2017.

Based on our evaluation of the information provided, we are closing your complaint. In order to investigate allegations of attorney misconduct, the State Bar needs specific facts which, if proved, would establish a violation of the attorney's ethical duties. Conclusions based on speculation and not supported by facts are insufficient to warrant investigation. Although you have generally stated that you do not believe Mr. Aly is fit to practice law, based on your belief that he is a terrorist and the subject of an FBI investigation, the material provided does not present sufficient facts to support an investigation into a potential violation of the State Bar Act and/or Rules of Professional Conduct. Whether Mr. Aly's actions constitute criminal conduct is a question that the criminal prosecutorial agency of appropriate jurisdiction is most qualified to investigate. The allegations you have made do not support a finding that the attorney violated the State Bar Act or the Rules of Professional Conduct.

For these reasons, the State Bar is closing this matter.

If you have new facts and circumstances that you believe may change our determination to close your complaint, you may submit a written statement with the new information to the Intake Unit for review. If you have any questions about this process, you may call Deputy Trial Counsel Kelly Gerner at (213) 765-1293. If you leave a voice message, be sure to clearly identify the lawyer complained of, the inquiry number assigned, and your telephone number including the area code. We should return your call within two business days.

Tiffany Dehen
August 3, 2018
Page 2

If you are not aware of new facts or circumstances but otherwise disagree with the decision to close your complaint, you may submit a request for review by the State Bar's Complaint Review Unit, which will review your complaint and the Intake Unit's decision to close the complaint. The Complaint Review Unit may reopen your complaint if it determines that your complaint was inappropriately closed or that you presented new, significant evidence to support your complaint. To request review by the Complaint Review Unit, you must submit your request **in writing**, together with any new evidence you wish to be considered, post-marked within **90 days of the date of this letter**, to:

The State Bar of California
Complaint Review Unit
Office of General Counsel
180 Howard Street
San Francisco, CA 94105-1617

The State Bar cannot give you legal advice. If you wish to consult an attorney about any other remedies available to you, a certified lawyer referral service can provide the names of attorneys who may be able to assist you. In order to find a certified lawyer referral service, you may call our automated Lawyer Referral Services Directory at 1-866-442-2529 (toll free in California) or 415-538-2250 (from outside California) or access the State Bar's website at www.calbar.ca.gov and look for information on lawyer referral services.

We would appreciate if you would complete a short, anonymous survey about your experience with filing your complaint. While your responses to the survey will not change the outcome of the complaint you filed against the attorney, the State Bar will use your answers to help improve the services we provide to the public. The survey can be found at <http://bit.ly/StateBarSurvey1>.

Thank you for bringing your concerns to the attention of the State Bar.

Very truly yours,



Kelly Gerner
Deputy Trial Counsel

KG/kg

University of San Diego

Tiffany Dehen <tiffanydehen@sandiego.edu>

Reminder: Dean's October Mixer is today, Tuesday, October 20, 2015

1 message

University of San Diego School of Law <lawstudentaffairs@sandiego.edu>

Tue, Oct 20, 2015 at 10:06 AM

Reply-To: lawstudentaffairs@sandiego.edu

To: Tiffany Dehen <tiffanydehen@sandiego.edu>

web version

☐ follow | ☐ tweet | ☐ like | ☐ forward

DEAN'S OCTOBER MIXER

Dean's Mixer Image, University of San Diego School of Law



[Current Students Landing Page](#) | [Student Events Calendar](#)

Dear Tiffany,

Dean Ferruolo invites you to the October Mixer. Come mingle with the dean, faculty and students while enjoying some festive Oktoberfest fare. While you're there, protect yourself this winter season with a flu shot. Flu shots will be available to students, faculty and staff during the mixer. They will be free for students and \$20 for faculty and staff.

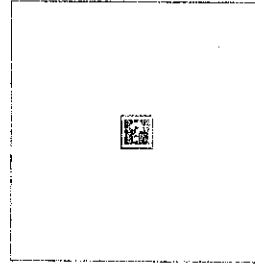
Tuesday, October 20, 2015

4 – 6 p.m.

Warren Hall Back Patio

(Flu shots in The Writs)

We hope to see you there!



OFFICE FOR LAW STUDENT AFFAIRS

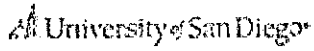
University of San Diego
School of Law
5998 Alcalá Park
San Diego, CA 92110-2492

This message was intended for: tiffanydehen@sandiego.edu
You were added to the system September 12, 2013.
For more information [click here](#).

[Update your preferences](#) | [Unsubscribe](#)

Powered by

bluehornet 



Tiffany Dehen <tiffanydehen@sandiego.edu>

Security

1 message

Tiffany Dehen <tiffanydehen@sandiego.edu>
To: president@sandiego.edu

Mon, Jul 11, 2016 at 1:31 PM

Dear Mr. President,

In light of recent personal events which I would prefer not to disclose, may I please request increased security presence in Warren Hall during my Professional Responsibility class as well as increased security presence around the USD legal clinics?

I only have to come to campus for a couple more weeks while I finish up summer school but I would really appreciate the increased security presence to feel safe on campus these last few weeks of class.

Thank you,

Tiffany Dehen

Legal Intern

USD Federal Tax Clinic

TiffanyUSDclinic@gmail.com

5998 Alcala Park, BA-305

San Diego, CA 92110

Phone: 619-260-7470

Fax: 619-260-7425



That Anonymous Coward - As see...

@That_AC

Follow



@TimCushing So what do you think are the chances of someone on Team Sociopath (Team TAC!) having connections into Orange County ACLU? Tiff dropped his name & job so I want to get his take on his time at USD & Tiff & write something up compared to my guesses about human nature

10:38 PM - 24 Jun 2018

1 Like



1



1



Tweet your reply



That Anonymous Coward - As seen on several dockets @Th... · Jun 24 ✓

Plus the lovely irony of the self described immortal sociopath being saner than 1 of the participants...



**That Anonymous Coward**

@That_AC

Tweets

38.2K

Following

187

Followers

507

Likes

1,268

Moments

1

Ask those nice people being stopped in the 100 mile Constitution Free Zone asked for their papers, searched for drugs, having their stuff arrested. They were sure it would never happen to them, only "bad people"™

**That Anonymous Coward - As seen on several dockets** @Tha... · Jun 24 ▾

Replying to @NotPeoriaMayor

I think I found the flaw in your thought...
decency isn't really a word they understand.

**That Anonymous Coward - As seen on several dockets** @Tha... · Jun 24 ▾

Replying to @marcorandazza @NotPeoriaMayor

When "We" do it, it is perfectly fine.
When "They" do it, it is an attack of 'Merica!!!

Imagine someone disliked something you did & decided this was the best way to deal with it... of course you can't because in your imagination you would never offend anyone... Idiots.

**That Anonymous Coward - As seen on several dockets** @Tha... · Jun 24 ▾

Replying to @NotPeoriaMayor

Maybe he needed to get tased to get there.

**That Anonymous Coward - As seen on several dockets** @Tha... · Jun 24 ▾

Replying to @WreckItBKLYN

I know my S1 is trying my patience...





Not Jim Ardis
@NotPeoriaMayor

Tweets 67.6K Following 1,028 Followers 1,288 Likes 2,457 Lists 2

Verbal abuse hurled at NYPD in yet another videotaped tirade

Warning: Graphic language Cops are increasingly being subjected to vicious verbal abuse on New York City streets — and doing next-to-noth...

[nypost.com](#)

23 19 202



Not Jim Ardis @NotPeoriaMayor · 3h

This isn't really a win, just a chance to not lose again.

Lawrence Bragdon by Associated Press
A spokesman for the NYPD is seeking to prevent
himself from being the focus of a video
recording. For the sake of the NYPD, it's
important that the focus be on the police
and not on the video recording. The NYPD
is a police force and not a media outlet.
The NYPD is a police force and not a media
outlet. The NYPD is a police force and not
a media outlet.

Keith Lee @associatesmind

Another win for @twitter & @jack in the war against trolls -
appellate court affirms that Twitter is free to decide who
remains on their platform & Twitter is not a publisher
Section 230.

2 2 2

Not Jim Ardis Retweeted



Scott Greenfield @ScottGreenfield · 3h

Times' endorsement of @ZephyrTachibana for NY Attorney General is a fine
choice, but AGs job is to represent the state, not undermine NY law to go to war
with president.

John F. Kennedy (American)
re-equipped to resist such as
multinational authority, and I
out attorney general's office,
myers and a history of mass
enforcement, is one of them.

NYT Opinion @nytopinion

With the right leadership, the New York attorney general's
office could serve as a firewall if President Trump pardons
senior aides, dismisses Robert Mueller or attacks the
foundations of state power. [nyti.ms/2Bs6Avn](#)

2 2 7

#tiffanysundeviltter

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Jaydub @jasnwilsn · 21 Aug 2017

@tiffanysundeviltter I've read both briefs filed today & I would highly recommend you talk to OC abt paying costs & nonsuit. #tiffanysundeviltter

2 1



Jay M. Wolman, CIPP/US @wolmanj · 21 Aug 2017

Disappointed by @twitter I want to represent John Doe just to vindicate the parody in #tiffanysundeviltter

Jay M. Wolman, CIPP/US @wolmanj

Replying to @wolmanj @BoozyBarrister @tiffanysundeviltter

Pretty sure @PerkinsCoeLLP is going to make her regret this. How long until the antislapp motion drops?

2



Virgil Abt @abtnatural · 21 Aug 2017

Replying to @abtnatural @BoozyBarrister and 4 others

#tiffanysundeviltter Twitter&USD moved to dismiss today. Twitter didn't follow through on the threat of a fee-shifting anti-SLAPP motion, /1

Your claims against Twitter may also be subject to other legal challenges. For example, the lawsuit has been brought in the wrong court, and you have not alleged and cannot allege the elements of your claims. Finally, the lawsuit seeks to hold Twitter liable for exercising its editorial rights to set and enforce policies for reporting, investigating, and removing content, as protected by the First Amendment to the U.S. Constitution. Twitter may therefore move to strike relevant claims under California's Anti-Strategic Lawsuit Against Public Participation ("Anti-SLAPP") Law, Cal. Civ. Proc. Code § 425.16, seeking its attorney's fees and costs, as authorized by law.

We look forward to receiving confirmation that you will dismiss your claims against Twitter. In the meantime, Twitter reserves and does not waive any of its rights, arguments, or objections.

Sincerely,

Julie E. Schwartz

Julie E. Schwartz

#TiffanyvTwitter

Top Latest People Photos Videos News Broadcasts



That Anonymous Coward - As seen on several dockets ... · 21 Aug 2017

#MoreRareThanAnEclipse

Tiffany filing a complaint that makes sense in #TiffanyvTwitter

2



That Anonymous Coward - As seen on several dockets ... · 21 Aug 2017

When Pretenda sued to unmask me, people asked if I was worried... nope. I'm smarter than most lawyers...

Ex: #TiffanyvTwitter

2



BoozyBarrister @BoozyBarrister · 21 Aug 2017

#TiffanyvTwitter continues as USD argues their graduate doesn't understand FRCP, despite having a USD JD.

I don't know who won on this one.

11

Tiffany Dahan liked



Doctor_Cornelius @Dr__Cornelius · 21 Aug 2017

Give them hell @tiffanysdevil you got this!! #TiffanyvTwitter

gofile.io/?c=RUkzox

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sullivan@paulplevin.com
JOANNE ALNAJJAR BUSIER (SBN 295191)
jbusier@paulplevin.com
AMIR A. SHABAK (SBN 288109)
ashabak@paulplevin.com
PAUL, PLEVIN, SULLIVAN &
CONNAUGHTON LLP
101 West Broadway, Ninth Floor
San Diego, California 92101-8285
Telephone: 619-237-5200
Facsimile: 619-615-0700
Attorneys for Defendant University of San
Diego

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

#TiffanyvTwitter

Top Latest People Photos Videos News Broadcasts

and 3 law school

1 2 4



BoozyBarrister @BoozyBarrister · 2 Feb 2017

"COMES NOW the Plaintiff, and, like Oh my god you guys, she can't even."
#TiffanyvTwitter

2 9



BoozyBarrister @BoozyBarrister · 2 Feb 2017

#TiffanyvTwitter it is. @Popcorn, plan accordingly.

Keith Lee @associatesmind

2nd the motion. Going forward #TiffanyvTwitter twitter.com/BoozyBarrister...

2



Keith Lee @associatesmind · 2 Feb 2017

2nd the motion. Going forward #TiffanyvTwitter

BoozyBarrister @BoozyBarrister

@associatesmind I got a name for it now: #TiffanyvTwitter

1 2



BoozyBarrister @BoozyBarrister · 2 Feb 2017

@associatesmind I got a name for it now: #TiffanyvTwitter

2



Back to top 1



That Anonymous Coward - As seen on several dockets ... · 22 Jun 2017 ✓

Smart people in the crowd know IANAL, so Law Twitter I have a question.
When you destroy your reputation, then what?

#TiffanyvTwitter

1 1 1 1



Virgil Abt @abinatural · 22 Jun 2017 ✓

Replying to @abinatural @BoozyBarister and 2 others

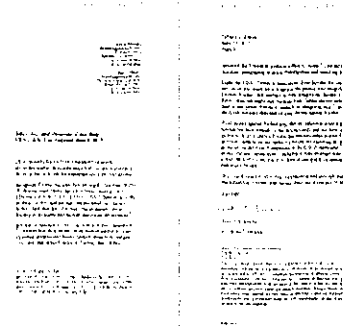
#TiffanyvTwitter 6/8 Dehen puts up \$400; 6/14 Twitter says stop or you'll pay our fees; 6/16 Dehen serves process.

Receipt Number: CAS091701
Cashier ID: akukura
Transaction Date: 06/08/2017
Payer Name: Tiffany Dehien

CIVIL FILING FEE

For: Tiffany Dehien

Case/Party: D-CAS-3-17-CV-000198-001



Twitter may also be subject to other legal challenges. It is not in the wrong court, and you have not alleged and proven. Finally, the lawsuit seeks to hold Twitter liable for and enforce policies for reporting, investigating, and enforcement to the U.S. Constitution. Twitter may also be subject to California's Anti-Strategic Lawsuit Against Public Participation (ASLAP) statute, which prohibits the attorney's