FILED Youlanda Leshay Fox 5615 Bodie Court 2 San Jose, CA 95123 JUL - 6 2016 (408) 449-0397 3 AVID H. YAMASAKI 4 SELF REPRESENTED IN PRO PER 5 6 SUPERIOR COURT OF THE STATE OF CALIFORNIA 7 FOR THE COUNTY OF SANTA CLARA 8 9 CASE NO: 16CV297313 10 Minited 11 YOULANDA LESHAY FOX. COMPLAINT FOR PRELIMINARY AND 12 PERMANENT INJUNCTIONS, AND PETITIONER, DAMGAGES 13 Date: 14 FACEBOOK, INC..; and Does 1-50. Time: 15 Place: _ Trial Date: 16 RESPONDENT. 17 18 19 1. Plaintiff YOULANDA LESHAY FOX hereinafter referred to as "YOULANDA" is and 20 21 at all times mentioned in this complaint, a natural person residing in Santa Clara 22 County with her principal of residence in Santa Clara County. 23 2. At the pertinent times mentioned in this complaint, defendant FACEBOOK, INC. 24 25 was a corporation incorporated in the State of California. Defendant FACEBOOK, 26 INC. will be referred to as "FACEBOOK." 27 28

COMPLAINT FOR PRELIMINARY AND PERMANENT INJUNCTIONS

3. Defendants Doe 1 through Doe 50, inclusive, are sued in this complaint under fictitious names. Their true names and capacities are unknown to plaintiff. When their true names and capacities are ascertained, plaintiff will amend this complaint by inserting their true names and capacities herein. (Plaintiff is informed and believes and thereon alleges, that each of the fictitiously named defendants is responsible in some manner for the occurrences alleged in this complaint, and that plaintiff's damages as alleged in this complaint were proximately caused by those defendants.

FIRST CAUSE OF ACTION FOR INJUNCTIVE RELIEF

4. On or about June 24, 2016 YOULANDA was informed that her disabled younger sister Lashonda Fox was a victim of an assault and battery and that the incident was still taking place on property of The Oak Grove High School. When running to aid her sister of what is evidently another form of aggression a homeless woman was about to engage in YOULANDA neutralized the aggression and avoided another serious attack from an unknown homeless lady who later was detained for mental observation.

5. At the scene the various spectators including the reputable Eric Zetterquist JV coach at Oak Grove High School witnessed the incident and made statements as to YOULANDA's innocence as follows "We will be sending no apologies to cracked out homeless ladies and if the media wants to cover it call my number we got nothing to hide". After it was more than evident the innocence of YOULANDA

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the same contacted defendant FACEBOOK to inform them of the defamation and injury a video poses to her image and in actuality it depicts YOULANDA as an agaressor and a violent person when in reality she is a reputable person from the society who works with children and spends most of her time in helping others and working with various families and children. YOULANDA has no record of violence nor is she a violent person and acted only on behalf of the kids and her families safety.

- 6. Petitioner sent various requests to have the content removed due to the serious nature of defamation that was being spread by facebooks servers of an innocent bystander.
- 7. YOULANDA believes in the freedom of speech and does not challenge the right to post items on Facebook, or any other social media site, however YOULANDA does have a right to protect her integrity and her image and in doing so was denied the removal of a video depicting an act of self defense
- 8. Petitioner has no adequate remedy at law for the injuries threatened as an award of monetary damages would not provide an adequate remedy as the harm that will be suffered by the plaintiff cannot be readily calculated, as it includes not only diminishment of property use, but loss of enjoyment of the home, invasion of privacy and other civil and penal violation. Inclusively loss of tangible benefits.
- 9. The continued publication of libellous material would cause irreparable harm to YOULANDA's] reputation, and [the] prohibited material has already been found to

constitute libel. We find that the balance of convenience favours the granting of an injunction because the terms of the proposed injunction would not prevent any of the defendants from engaging in political comment that was not defamatory, whereas the harm to [the respondent's] reputation would be substantial. Based on the fact that the statements which were defamatory of YOULANDA, that they did so maliciously, and that they have refused to take down the published material.

WHEREFORE, plaintiff prays judgment against defendants, and each of them, as follows:

- 1. For an order requiring defendants to show cause, if any they have, why they should not be enjoined as set forth in this complaint, during the pendency of this action;
- 2. For a preliminary injunction, and a permanent injunction, all enjoining defendants, and each of them, and their agents, servants, and employees, and all persons acting under, in concert with, or for them:
 - 1. From attempting to unlawfully defame or allowing to exist defamatory material on its servers by its negligent and harmful users.
 - 2. To cease from publishing or allowing to be published Libel material that harms the image and the reputation of YOULANDA
- 3. For damages in the sum of \$1,280 per day from June 24, 2016 to the date of injunction, plus damages in such further sums as may be sustained and as are ascertained before final judgment in this action;
- 4. For costs of suit incurred in this action; and

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1	5. For such other and further relief as the court deems proper.
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	COMPLAINT FOR PRELIMINARY AND REDAMANISHT IN HIS OTIONS
	COMPLAINT FOR PRELIMINARY AND PERMANENT INJUNCTIONS

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Y OR PARTY WITHOUT ATTORNEY (Name, State-dar number, and address): Youlanda Leshay Fox 5615 Bodie Court San Jose CA 95123			
TELEPHONE NO.: (408) 449-0397 ATTORNEY FOR (Name): In Pro Per	FAX NO.:	FILED	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sa	IIII 0 2010		
STREET ADDRESS: 191 N. First Street		JUL - 6 2016	
MAILING ADDRESS: 191 N First Street		Day 11 march 2	
CITY AND ZIP CODE: San Jose, CA 95113		DAVID H. YAMASAr I Chief Executive Office/Clerk Superior Court of CA County of Santa Clara	
BRANCH NAME: Unlimited Jurisdiction	n Civil Division	Superior Court of CA County of Santa Clara	
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Fox vs.Facebook Inc.,		·	
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exceeds \$25,000) \$25,000 or less)	(Cal. Rules of Court, rule 3.402		
	ow must be completed (see instructions	· ·	
Check one box below for the case type that			
Auto Tort	Contract	Provisionally Complex Civil Litigation	
	Breach of contract/warranty (06)	(Cal. Rules of Court, rules 3.400–3.403)	
Auto (22) Uninsured motorist (46)	Rule 3.740 collections (09)	Antitrust/Trade regulation (03)	
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Other collections (09)	Construction defect (10)	
	Insurance coverage (18)	Mass tort (40)	
Asbestos (04)	Other contract (37)	Securities litigation (28)	
Product liability (24)	Real Property	Environmental/Toxic tort (30)	
Medical malpractice (45)	Eminent domain/Inverse	Insurance coverage claims arising from the	
Other PI/PD/WD (23)	condemnation (14)	above listed provisionally complex case types (41)	
Non-PI/PD/WD (Other) Tort	Wrongful eviction (33)	,, , , ,	
Business tort/unfair business practice (07)	Other real property (26)	Enforcement of Judgment	
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