

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.

(To be supplied by the court)

Thomas Hayes

, Plaintiff

v.

Facebook, Mark Zuckerberg, Et. al.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
SEP 12 2018
JEFFREY P. COLWELL
CLERK

_____, Defendant(s).

(List each named defendant on a separate line. If you cannot fit the names of all defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names of the defendants listed in the above caption must be identical to those contained in Section B. Do not include addresses here.)

COMPLAINT

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint.

A. PLAINTIFF INFORMATION

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

(Name and complete mailing address)

Thomas Hayes, 1535 Franklin Street - #4F, Denver Colorado 80218

(Telephone number and e-mail address)

720-391-5133 santeeseven@yahoo.com

B. DEFENDANT(S) INFORMATION

Please list the following information for each defendant listed in the caption of the complaint. If more space is needed, use extra paper to provide the information requested. The additional pages regarding defendants should be labeled "B. DEFENDANT(S) INFORMATION."

Defendant 1:

(Name and complete mailing address)

Facebook, Mark Zuckerberg, Et. al. of 1 Hacker Way, Menlo Park, CA 94205

(Telephone number and e-mail address if known)

Unkown

Defendant 2:

(Name and complete mailing address)

Facebook Et.al. Unknown Manager companies

(Telephone number and e-mail address if known)

Defendant 3:

(Name and complete mailing address)

N/A

(Telephone number and e-mail address if known)

N/A

Defendant 4:

(Name and complete mailing address)

N/A

(Telephone number and e-mail address if known)

N/A

C. JURISDICTION

Identify the statutory authority that allows the court to consider your claim(s): (check one)

Federal question pursuant to 28 U.S.C. § 1332 (a matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000)

List the specific federal statute, treaty, and/or provision(s) of the United States Constitution that are at issue in this case.

First Amendment (Freedom of Speech); American Indian Freedom of Religion Act 1978; Fifth Amendment and Fourteenth Amendment(due process); Right to be free of harassment and slander in developing a Limited Liability Corporation business registered in the United States. More at the time of appointment of attorney as Plaintiff is unskilled.

X> Diversity of citizenship pursuant to 28 U.S.C. § 1332 (a matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000) <X

Plaintiff is a citizen of the State of Colorado.

If Defendant 1 is an individual, Defendant 1 is a citizen of California

If Defendant 1 is a corporation,

Defendant 1 is incorporated under the laws of Delaware

(name of state or foreign nation).

Defendant 1 has its principal place of business in Delaware and California
(name of state or foreign nation).

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

D. STATEMENT OF CLAIM(S)

State clearly and concisely every claim that you are asserting in this action. For each claim, specify the right that allegedly has been violated and state all facts that support your claim, including the date(s) on which the incident(s) occurred, the name(s) of the specific person(s) involved in each claim, and the specific facts that show how each person was involved in each claim. You do not need to cite specific legal cases to support your claim(s). If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "D. STATEMENT OF CLAIMS."

CLAIM ONE:

The instant case is somewhat antithetical and different in nature and in subject matter than all other Facebook class action suits in existence currently.

Subject Matter and Relevant Information To The Instant Complaint:

Thomas Hayes, DOB 04/26/1957, 1535 Franklin St - #4F, Denver CO 80218, the Plaintiff, an enrolled member of the Santee Sioux Nation of Nebraska whose Tribal Constitution and By-laws are ratified by U.S.Congress under the constitution of the United States. Plaintiff is also a citizen of the United States of America, a registered voter in the State of Colorado and owns an incorporated Limited Liability Company incorporated under the Nebraska Secretary of State Office. The name of the Plaintiff's company is Seventh Generation Fuels LLC (SGF) and is in good standing. SGF owns three web-pages touting the Company's exclusive licensing, brokering, contracting, leasing rights and all other business rights to the development of the end product and result of Patent 9057024 granted under the United States Patent and Trademark Office: Commercialized Hybrid Hydrogen (CHH). The names of the web-pages are wakute.wixsite.com/fuel and wakute.wixsite.com/climate and wakute.wixsite.com/flood . The Plaintiffs email address is santeeseven@yahoo.com . The Plaintiff has SGF associates that help

in business decisions and procedures that are irrelevant to the instant case and so will not be named.

Plaintiff attempted resolution and public resolution with Facebook and took photographic evidence of those efforts and stored them on his computer.

On June 28th, 2018, the Plaintiff made the business decision to join the most well known social media available, Facebook, and use an advertising pitch of telling short stories of his life in order to pitch his web-page and advance his business Seventh Generation Fuels LLC. The Plaintiff has had a very robust, unusual but verifiable life, so the stories of his life are of note and worthy of telling and should not have been suppressed by a subterfuge claim of "Community Standards" over Plaintiff's First Amendment. In example, one story is of his only brother, older by five years, who pitched in a town team series in Hartington Nebraska and had been humiliating the opposing teams by pitching winning games including a nine inning no hitter where he pitched with both arms gaining Cedar County Nebraska Recognition. Complaints from the opposing teams in the local Newspaper resulted in his being kicked off the team and Hartington losing the series. This story included Jacks medals from October 16th, 1971 (see Virtual Vietnam Wall link <http://www.vvmf.org/Wall-of-Faces/22109/JOHN-C-HAYES> <https://www.virtualwall.org/valor.htm>). All the stories Plaintiff included were the Plaintiffs face, period. Plaintiff and his sister, Sharon Hayes of Sioux Falls South Dakota, are the last of a gold star family.

Another example is that Some of the stories included factual historic spiritual stories of spiritual significance and real life events with witnessed spiritual involvement, witnessed personally, and of such a spiritual nature that to vet them publicly is a violation of The American Indian Religious Freedom Act. The Plaintiff had been a Sun Dancer in his early life and is only one of about 50 persons in over one hundred years at the time in 1978 that touched the Great Sioux Nations most valuable possession: the Sacred Buffalo Calf Pipe, kept in Green Grass SD by the Looking Horse Family. People who had this happen to them are now probably down to only a few such as the sacred pipe keeper in Green Grass South Dakotah, that were present during that historic and spiritual event occurring through a set of events that involuntarily lead the Plaintiff unknowingly to the first bringing out of the Sacred Buffalo Calf Pipe in over one hundred years. This event happened outside of Green Grass South Dakota on the Cheyenne River Sioux Nation Reservation in 1978.

The Plaintiff complains herein that Facebook did libel, malicious slander and denied Due Process to his business Seventh Generation Fuels LLC and his person causing irreversible harm and tort. Facebook did irreversible damage by censoring Plaintiff's life stories denying Plaintiff's First, Fifth and Fourteenth Amendments, slandered his business and publicly claiming by messages that appear to the public when they attempt to access Plaintiff's web-pages, email and contact information and thusly connotatively and actually asserting and claiming that Plaintiff's USPTO Patent 9057024 is not real. An appointed attorney may be more aware of depth of the violations: 1) On June 28th, 2018, Facebook allowed the registering of the Plaintiffs personal information including his personal contact information and the three business web-pages (listed above) that were designed as a business strategy to promote SGF. At the time Plaintiff joined Facebook he

created a business web-page that is connected to his personal page. All information and web-pages are openly connected to Plaintiff's business SGF. 2) Weeks after posting Plaintiff's personal stories which always ended with a personal salutation and the name of Plaintiff's web-page (one of three listed above) created specifically to promote Seventh Generation Fuels LLC and continual development of his business and promotion of his fuel material Patent 9057024, Facebook spammed (censored) approximately 28 stories. 3) the "Community Standards" listed only frustrated Plaintiff's attempt to correct the situation and allowed a continual suppression to speak of Plaintiff's life creating an excessive amount of stress and duress. 4) Attempting to post further resulted in a warning that the story contained a harmful link, so after saving by printing what I consider to be a slanderous and malicious statement against Plaintiff's web-page wakute.wixsite.com/fuel (which is the link removed), and another link, owned by Plaintiff was replaced so as not to destroy the desired content and style of the story with the advertising link wakute.wixsite.com/climate. 5) The re-posted story was allowed to post for a few days and then it and all other accompanying stories with the same SGF link were Spammed (censored and slandered) claiming the same thing that Plaintiff's Company web-page was harmful and undesired content. 6) Even more harmful to Plaintiff's business endeavors is that during this time the Plaintiff's web-pages listed on the opening page of his Facebook had been disabled unknowingly to Plaintiff, blocked with the same slandering message about Plaintiff's web-page and therefore his business. This included the Plaintiff's own personal email address since approximately 2004, santeeseven@yahoo.com had been blocked by a malicious, libelous, slanderous and disabling message which Plaintiff feels had been done systematically done by Facebook managing employees to build hopelessness, frustration, panic, duress and anger upon the Plaintiff. All this suppression of what an American citizen would consider necessary American rights has inflamed the current and inter-generational reactive Post Traumatic Stress Disorder and chronic paranoia of the Plaintiff which adds up causing irreversible emotional damage. 7) The SGF Business Plan had been using Facebook for advertising and promoting of this plan, including soliciting the Plan's Administrative Start-up Cost of \$30,000,000. These costs include a bid from a reputable automation and manufacturing company for ten machine apparatus as patented (9057024) and many other delineated items which had been involved in ongoing liquidation. 7) Plaintiff has chronic reactive Post Traumatic Stress Disorder and severe Paranoia accompanied by other mental disabilities that are currently being treated by a licensed physician that has been inflamed and severe from this case.

E. REQUEST FOR RELIEF

State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as “E. REQUEST FOR RELIEF.”

Complete the business processes that were stopped to fruition, e.g., Startup Costs, Environmental Grants, etc., damages for harm done to my business, for slander, and for delay and non completion and now hobbling my efforts by libel and slander. The start up Administrative Cost listed in the Seventh Generation Fuels LLC (SGF) 2018-2019 Business Plan that were also being sought from principal funding sources. These efforts have been slandered by Facebook since joining June 28th, 2018. No other media had ever been used to promote the SGF business goals until Facebook. The startup cost are at issue with many other factors which will need legal council to examine to best advocate this litigant's cause. exemplary damages, punitive damages, pain and suffering damages and compensatory damages. For emotion stress and undue suffering.

F. PLAINTIFF'S SIGNATURE

I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.



(Plaintiff's signature)

(Date) 9/11/2018

(Form Revised December 2017)

JS 44 (Rev. 03/15)

District of Colorado Form

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Thomas Hays
(b) County of Residence of First Listed Plaintiff Denver
(EXCEPT IN U.S. PLAINTIFF CASES)
(c) Attorneys (Firm Name, Address, and Telephone Number)
Pro Se 1535 Franklin St. #4F
Denver CO 80218 720-391-5133

DEFENDANTS Facebook, Mark Zuckerberg, Et. al.
 County of Residence of First Listed Defendant California/Delaware
(IN U.S. PLAINTIFF CASES ONLY)
 NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
 Attorneys (If Known)
UNKNOWN

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
 1 U.S. Government Plaintiff
 2 U.S. Government Defendant
 3 Federal Question (U.S. Government Not a Party)
 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1 Incorporated or Principal Place of Business in This State	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2 Incorporated and Principal Place of Business in Another State	<input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Tort Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District (specify)
 6 Multidistrict Litigation - Transfer
 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
 Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity).
18 USC § 1332
 Brief description of cause:
Libel toward my business, Patent, Freedom of Speech, etc AP Docket

VII. REQUESTED IN COMPLAINT:
 CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. IN EXCESS OF \$75,000
 CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

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

DATE 9/11/2018 SIGNATURE OF ATTORNEY OF RECORD Pro Se [Signature]

FOR OFFICE USE ONLY

Clerk of United States District Court
For the District of Colorado
Alfred A. Arraj Courthouse
901 19th Street
Denver, CO 80294

September 11th, 2018

Thomas Hayes
1535 Franklin Street - #4F
Denver Colorado 80218

RE: Pro SE Civil Case or Controversy in excess of \$75,000 / Plaintiff: Facebook,
Mark Zuckerberg, Et. al. of 1 Hacker Way, Menlo Park, CA 94205

Dear Clerk of Courts:

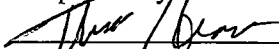
I, Thomas Hayes, DOB: 04/26/1957; 1535 Franklin Street - Apt 4F, Denver CO 80218, am the
Pro Se Plaintiff and Complainant. Please find the following in triplicate:

- 1) Civil Cover Sheet Provided by the Court
- 2) General Complaint Provided by the Court and filled out by Pro Se Plaintiff
- 3) Pro Se Self-Styled Complaint where the amount in controversy is in
excess of \$75,000
- 4) Pro Se Self-Styled Motion to PROCEED IN FORMA PAUPERIS
- 5) Pro Se Self-Styled Motion for Appointment Of Attorney

I am not an attorney nor skilled in legal matters, have a mental disability and will need
representation. Therefore if it will help me achieve legal council I would like to pass on that I
am willing to sign any agreement up to fifty percent (%50) of any conclusion but I would not
know how to do this myself and would like the court's help. This is a controversy in excess of
\$75,000 and I believe the enabling statute is diversity of citizenship pursuant to 28 U.S.C. § 1332
(a matter between individual or corporate citizens of different states and the amount in
controversy exceeds \$75,000)

Please relate that the instant case is somewhat antithetical and different in nature and in subject
matter than all other Facebook class action suits in existence currently. I have evidence and
documentation of evidence but I would like to provide them to an attorney.

Respectfully Submitted,



Thomas Hayes

1535 Franklin Street - #4F, Denver CO 80218
720-391-5133

Sep 11th, 2018

Social Security Administration

Date: May 8, 2018
BNC#: 18BT969K56369
REF: A



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THOMAS HAYES
1535 FRANKLIN ST
UNIT 4F
DENVER CO 80218-1651

You asked us for information from your record. The information that you requested is shown below. If you want anyone else to have this information, you may send them this letter.

Information About Current Social Security Benefits

Beginning December 2017, the full monthly Social Security benefit before any deductions is \$ 766.00.

We deduct \$0.00 for medical insurance premiums each month.


The regular monthly Social Security payment is \$ 766.00.
(We must round down to the whole dollar.)

We pay Social Security benefits for a given month in the next month. For example, Social Security benefits for March are paid in April.

Information About Past Social Security Benefits

From May 2017 to November 2017, the full monthly Social Security benefit before any deductions was \$ 751.00.

We deducted \$0.00 for medical insurance premiums each month.

 The regular monthly Social Security payment was \$ 751.00.
(We must round down to the whole dollar.)

Date of Birth Information

The date of birth shown on our records is April 26, 1957.

Medicare Information

You are entitled to hospital insurance under Medicare beginning November 2016.

See Next Page

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18BT969K56369 A

Page 2 of 2

You are entitled to medical insurance under Medicare beginning November 2016.

Your Medicare number is 2E83-MA0-RF71. You may use this number to get medical services while waiting for your Medicare card.

If you have any questions, please log into Medicare.gov, or call 1-800-MEDICARE (1-800-633-4227).

Type of Social Security Benefit Information

You are entitled to monthly disability benefits.

Suspect Social Security Fraud?

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

If You Have Questions

We invite you to visit our web site at www.socialsecurity.gov on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local office at 866-613-9904. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

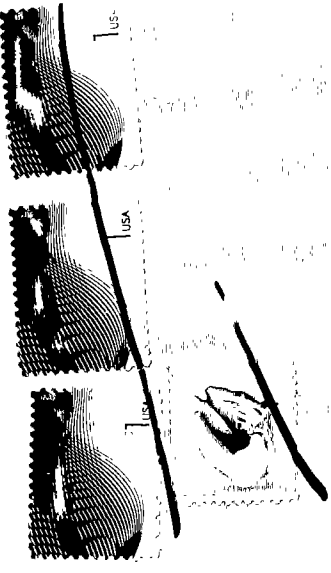
SOCIAL SECURITY
2ND FL SUITE 200
1500 CHAMPA ST
DENVER, CO 80202

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

Social Security Administration

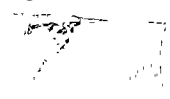


Thomas Hayes
1535 Franklin St #4F
Denver CO 80218



Clerk of U.S. District
For the District of Colorado
Alfred A. Arroy Courthouse
901 19th Street
Denver CO 80294

HANDLE WITH CARE



WEXFORD

(b) (7)

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REGISTERED BY MAILER



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