

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR 11 2019
JEFFREY P. COLWELL
CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. _____
(To be supplied by the court)

Juanita Whitaker, Plaintiff

v.

David Drummond,

Google, Inc.,

Larry Page,

Alphabet, Inc., 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.

Juanita Whitaker
904 Yuma St. #312 Co. Springs, CO, 80909

(Name and complete mailing address)

719-778-2996 juanita-whitaker@hotmail.com

(Telephone number and e-mail address)

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: David Drummon, Chief legal officer/Senior VP

(Name and complete mailing address)

1600 Amphitheatre Parkway Mountainview, CA, 94043

(Telephone number and e-mail address if known)

1-650-253-0000

Defendant 2: Google, Inc.

(Name and complete mailing address)

1600 Amphitheatre Parkway Mountainview, CA, 94043

(Telephone number and e-mail address if known)

1-650-253-0000 google@google.com

Defendant 3: Larry Page, co founder/current CEO

(Name and complete mailing address)

1600 Amphitheatre Parkway Mountainview, CA, 94043

(Telephone number and e-mail address if known)

1-650-253-0000

Defendant 4: Alphabet, Inc.

(Name and complete mailing address)

1600 Amphitheatre Parkway Mountainview, CA, 94043

(Telephone number and e-mail address if known)

1-650-253-0000 adwards-support@google.com

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. § 1331 (claims arising under the Constitution, laws, or treaties of the United States)

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

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)

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 California (name of state or foreign nation). *JW*

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

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

C. JURISDICTION

Plaintiff is a citizen of the state of Colorado

Defendant 2 is a corporation

Defendant 2 is incorporated under the laws of California

Defendant 2 has its principle place of business in California

C. JURISDICTION

Plaintiff is a citizen of the state of Colorado

Defendant 3 is an individual, Defendant 3 is a citizen of California

C. JURISDICTION

Plaintiff is a citizen of the state of Colorado

Defendant 4 is a corporation

Defendant 4 is incorporated under the laws of California

Defendant 4 has its principle place of business in California

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: _____

Supporting facts:

D. STATEMENT OF CLAIMS

CLAIM ONE

According to Colo. Rev. Stat. ss 18-13-105 “a person who shall knowingly publish or disseminate, either by written instrument, sign, picture, or the like, any statement or object tending to blacken the memory of one who is dead, or to impeach the honesty, integrity, virtue or reputation or expose the natural defects of one who is alive, and thereby to expose him to public hatred, contempt, or ridicule, commits criminal libel.”

The term “defamation” means any action, whether libel or slander, or similar claim alleging that forms of speech are false, have caused damage to reputation, or emotional distress, have presented any person in a false light or have resulted in criticism, dishonor, or condemnation of any person.”

Defamation is a published false, injurious and unprivileged statement. That means it’s publicly available, not true, and damaging to your reputation. When such statements are written online, it’s known as libel.

According to Google’s website, their mission is “to organize the world’s information and make it universally accessible and useful.” In addition, it states that they are “committed to significantly improve the lives of as many people as possible.” As well as “keeping our users safe online with industry; defining tools, features and principles.”

The plaintiff contends that because her Google profile includes her current age, current address, phone number, e-mail address and specific information about a crime she committed 30-years ago, she has been stigmatized, defamed, condemned, villainized and unable to live in peace.

CLAIM TWO

Because of the fact that Google maintains a profile of the plaintiff that is constantly being updated with her current age, address, e-mail, phone number, and crime details, the plaintiff has been subjected to harassing phone calls, e-mails, and in additions has been the victim of vandalism of her automobile, and break-ins at her residences. This serves to negate any progress made by the attempts by the plaintiff to change the perception of herself through observing 30-years' worth of stellar and exemplary behavior since the commission of her crime (December 7, 1988).

The break-ins and robberies at the plaintiff's residences, and vandalism of her automobile are verified by the numerous claims filed with the plaintiff's insurance companies.

These facts are contradictory to Google's claim to be "committed to significantly improve the lives of as many people as possible." In addition to their claim to "protect users-keeping our users safe online with industry-defining tools, features, and principles."

The profile of the plaintiff has exposed her to people who are committed to denying her of peaceful and safe enjoyment of her surroundings and home.

CLAIM THREE

Due to the information listed in the plaintiff's online Google profile, the plaintiff has been unable to secure lucrative employment. To-date, the plaintiff had submitted 55 applications to a variety of employers, since her graduation on July 28, 2018 with her doctoral degree from Walden University. The plaintiff's dissertation appeared on her Google profile site within 2-weeks of it being conferred (February 12, 2018).

This intrusion has made it impossible for any perspective employer to separate the plaintiff from her crime, thus ensuring that she will be judged by her crime and not her credentials or work experience. This goes against Google's claim to maintain "a safe environment online for their users."

This situation relegates the plaintiff to being "low-income" and has kept her as a recipient of state assistance and unable to achieve her potential as a self-supporting, employed and contributing member of society.

CLAIM FOUR

The plaintiff asserts that in the fall of 2011, she was asked to withdraw from a local university due to the fact that they read the plaintiff's profile on Google and determined, erroneously, that she "represented a threat to the student body and the safety of the campus."

In addition, the plaintiff has been denied admission to several local colleges and universities because they accessed the information about the crime committed 30-years-ago on the plaintiff's Google profile page.

The subsequent denial of admission to a "brick-and-mortar" university has precipitated the plaintiff's decision to resort to applying for admission to online universities. This exemplifies the Claim by Google that they would "improve the lives of as many people as possible..."

The plaintiff asserts that the maintenance of the plaintiff's Google profile has subjected her to criminal harassment, which "entails intentionally targeting of someone with behavior that is meant to alarm, annoy, torment, or terrorize them."

As a senior citizen, the plaintiff asserts that she is a member of a population that is routinely subjected to harassment through annoying phone calls, e-mails, solicitations, and other forms of negative communication. In addition to this fact, the plaintiff further asserts that having a Google profile has subjected her to even more "scammers" and disreputable individuals. Thus, Google has not lived up to their claim "to protect our users" by keeping their users safe on line.

CLAIM FIVE

The plaintiff asserts that on at least 2 occasions Google re-printed an erroneous statement about the plaintiff. Specifically, a newspaper article dating from 1988, regarding the plaintiff stated that the plaintiff had filed “8 sexual assault complaints” within 2 weeks. The correct statement should have read “a sexual assault complaint.”

In 2018, Google re-printed a statement about the plaintiff dating from 1988, that the plaintiff has “surrendered after being promised hair rollers.” In addition, Google re-printed a newspaper article that stated that the plaintiff had “used a semi-automatic rifle” in the commission of her crime.

These statements, because they were incorrect and gave readers the wrong impression of the situation and the plaintiff, were libelous and failed to live up to Google’s promise to “significantly improve the lives of as many people as possible.” And, to “improve the lives of its users.”

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."

As outlined in my claims, Google, Inc. and its officials have had a negative effect on my life, since I first became aware (2005) that my profile on Google was being updated constantly to reflect milestones in my life, track changes to personal data (birthdays, anniversaries, and address changes). In addition to distorting and tormenting me with erroneous and misrepresented data which outright lied about me. The relief I am seeking is to have information and images of me dismantled from the on-line site, plus the sum of ~~10~~ 10,000,000 dollars for mental, emotional, and psychological damages done to me to date.

F. PLAINTIFF'S SIGNATURE

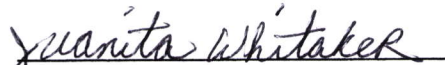
I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

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.

Juanita Whitaker
(Plaintiff's signature)

4-8-19
(Date)

I hereby certify that a copy of the foregoing pleading/document was mailed to _____ (defendant(s) or counsel for defendant(s))
at _____ (address) on _____, 20____.


Plaintiff's Original Signature

When you have completed the complaint and all of the necessary forms as described in these instructions, the completed complaint and forms should be mailed or hand delivered to the Clerk of the United States District Court whose name and address are:

Jeffrey P. Colwell, Clerk
Alfred A. Arraj United States Courthouse
901 19th Street, Room A105
Denver, CO 80294-3589

If you have any questions or seek additional information, please contact the office of the Clerk of the Court at 303/844-3433. The court's business hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

General Information

Court	United States District Court for the District of Colorado; United States District Court for the District of Colorado
Federal Nature of Suit	Civil Rights - Other[440]
Docket Number	1:19-cv-01070