

Clerk of the Court
Superior Court of California, Santa Clara County
BY *[Signature]*
COMPLAINT FOR PERMANENT INJUNCTION,
CIVIL PENALTIES, AND OTHER
EQUITABLE RELIEF

OLANZA C. SANDERS

Plaintiff,

vs.

GOOGLE LLC,

a Delaware limited liability company,

and

YOUTUBE, LLC,

a Delaware limited liability company,

Defendants.

' 20 CV 389917

PLAINTIFF OLANZA C. SANDERS IN THE STATE OF LOUISIANA, PROCEEDING

PRO SE FOR HIS COMPLAINT ALLEGE THAT:

1. PLAINTIFF BRINGS THIS ACTION UNDER TITLE 1.81.5. California Consumer Privacy Act of 2018 [1798.100 - 1798.199] Sections 1798.100, 1798.105, 1798.110, 1798.115, and 1798.125 to Obtain monetary civil penalties and damages, restitution, or other compensation, a permanent injunction, and other equitable relief for Defendants' violations OF THE California Consumer Privacy Act

JURISDICTION AND VENUE

- 2. This Court has subject matter jurisdiction over this matter under
- 3. Venue is proper in the United States District Court

TITLE 1.81.5. California Consumer Privacy Act RULE

- 4. 1798.100. (c) A business shall provide the information specified in subdivision (a) to a consumer only upon receipt of a verifiable consumer request.

(d) A business that receives a verifiable consumer request from a consumer to access personal information shall promptly take steps to disclose and deliver, free of charge to the consumer, the personal information required by this section. The information may be delivered by mail or electronically, and if provided electronically, the information shall be in a portable and, to the

material to this Complaint, acting alone or in concert with Defendant YouTube, LLC, Google LLC formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint.

12. Defendant YouTube, LLC is a Delaware limited liability company with its principal place of business in San Bruno, California and is a wholly owned subsidiary of Google LLC. YouTube, LLC transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint, acting alone or in concert with Defendant Google LLC, YouTube, LLC has advertised, marketed, and distributed its YouTube video sharing platform to consumers throughout the United States. At all times material to this Complaint, acting alone or in concert with Defendant Google LLC, YouTube, LLC formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint.

DEFINITIONS

6. For purposes of this Complaint, the terms "DATA," "collects," "collection," "Commission," "disclosure," "Internet," "operator," "ACCOUNT HOLDERS," "personal information," "obtaining verifiable consent," "third party," and "website or online service directed to YOUTUBERS," are defined as those terms are defined in Section TITLE 1.81.5 of the Rule, [1798.100 - 1798.199]

OVERVIEW

7. As described below, commercial entities operating YOUTUBE "channels" on

Defendants' YouTube platform are "operators" under the TITLE 1.81.5. California Consumer Privacy Act RULE

, as they permit

Defendants to collect personal information, such as persistent identifiers for use in behavioral advertising, on behalf of those commercial entities. In numerous instances, Through this actual knowledge, Defendants are deemed to be operators of a website or online service

DEFENDANTS' BUSINESS PRACTICES

8. Defendants provide a video-sharing platform on the Internet at www.youtube.com and on mobile applications (collectively, "YouTube") on which, among other things, consumers can view videos or upload video content to share.

9. In general, Defendants do not require users to register or create an account in order to view videos on YouTube. As a result, anyone can view most content on YouTube regardless of age. Defendants do limit certain activities on the platform, such as commenting on videos, to users that are logged in to a Google account. Comments can display the user's name and are publicly available for others to view.

10. In order to create a Google account, Defendants require the user to provide first and last name, e-mail address, and date of birth. A user can create an account by linking to an account "set up" page from any video or channel on YouTube, including videos and channels.

11. DEFENDANTS OFFER DATA COLLECTION TO ACTIVE USERS ON THEIR VIDEO SHARING PLATFORM, BUT ONCE TERMINATED CHANNEL OR SUSPENDED THE OPTION TO RETRIEVE VIDEO OR DATA IS NO LONGER AVAILABLE. DEFENDANTS DOES NOT MAINTAIN A NUMBER FOR RETRIEVAL OF DATA. FURTHERMORE DEFENDANTS HAVE NO FORM ONLINE OR ANY METHOD OF CONTACT CONSIDERING DATA RETRIEVAL; DEFENDANTS DO MAINTAIN A LEGAL DEPARTMENT THAT WILL INSTRUCT USERS TO RETRIEVE DATA VIA SANTA CLARA COURTHOUSE, ACCORDINGLY VIA TITLE 1.81.5. California Consumer Privacy Act RULE

DEFENDANTS MUST: (a) In order to comply with Sections 1798.100, 1798.105, 1798.110, 1798.115, and 1798.125, a business shall, in a form that is reasonably accessible to consumers:

(1) (A) Make available to consumers two or more designated methods for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, including, at a minimum, a toll-free telephone number. A business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115.

(B) If the business maintains an internet website, make the internet website available to consumers to submit requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115.

(2) Disclose and deliver the required information to a consumer free of charge within 45 days of receiving a verifiable consumer request from the consumer. The business shall promptly take steps to determine whether the request is a verifiable consumer request, but this shall not extend the business' duty to disclose and deliver the information within 45 days of receipt of the consumer's request. The time period to provide the required information may be extended once by an additional 45 days when reasonably necessary, provided the consumer is provided notice of the extension within the first 45-day period. The disclosure shall cover the 12-month period preceding the business' receipt of the verifiable consumer request and shall be made in writing and delivered through the consumer's account with the business, if the consumer maintains an account with the business, or by mail or electronically at the consumer's option if the consumer does not maintain an account with the business, in a readily useable format that allows the consumer to transmit this information from one entity to another entity without hindrance. The business may require authentication of the consumer that is reasonable in light of the nature of the personal information requested, but shall not require the consumer to create an account with the business in order to make a verifiable consumer request. If the

submit the request through that account.

PRAYER FOR RELIEF

Wherefore, Plaintiff OLANZA C. SANDERS, pursuant TITLE 1.81.5. California Consumer Privacy Act RULE Sections 1798.100, 1798.105, 1798.110, 1798.115, and 1798.125

as authorized by the Court's own equitable powers, request that the Court:

A. Enter a permanent injunction to prevent future violations of the California Consumer Privacy Act by Defendants;

B. Award Plaintiff OLANZA C SANDERS monetary civil penalties from

Defendants for each violation of the California Consumer Privacy Act alleged in this Complaint and award Plaintiff damages, restitution, or other compensation; and

C. Award other and additional relief the Court may determine to be just and proper.

Dated: 06/01/2020

Respectfully Submitted,

ORDER

CONSIDERING THE ABOVE AND FOREGOING COMPLAINT

IT IS HEREBY ORDERED THAT THE RESPONDANT SHOW CAUSE ON
____ MONTH ____ DAY 20 ____ AT ____ O'CLOCK WHY THE IN THE ABOVE CAPTIONED
MATTER SHOULD NOT BE GRANTED TO THE REQUEST OF THE MOVER.

THUS RENDERED AND SIGNED ON THIS ____ DAY OF ____, 20 ____.

IN SANTA CLARA, CALIFORNIA.

JUDGE, COUNTY OF SANTA CLARA

PLEASE SERVE:

GOOGLE LLC YOUTUBE LLC

REGISTERED AGENT

{CSC} CORPORATION SERVICE COMPANY

2710 GATEWAY OAKS DRIVE, SUITE 150N

SACRAMENTO, CA 95833

to a consumer at any time, but shall not be required to provide personal information to a consumer more than twice in a 12-month period.

(a) In order to comply with Sections 1798.100, 1798.105, 1798.110, 1798.115, and 1798.125, a business shall, in a form that is reasonably accessible to consumers:

(1) (A) Make available to consumers two or more designated methods for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, including, at a minimum, a toll-free telephone number. A business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115.

(B) If the business maintains an internet website, make the internet website available to consumers to submit requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115.

(2) Disclose and deliver the required information to a consumer free of charge within 45 days of receiving a verifiable consumer request from the consumer. The business shall promptly take steps to determine whether the request is a verifiable consumer request, but this shall not extend the business' duty to disclose and deliver the information within 45 days of receipt of the consumer's request. The time period to provide the required information may be extended once by an additional 45 days when reasonably necessary, provided the consumer is provided notice of the extension within the first 45-day period. The disclosure shall cover the 12-month period preceding the business' receipt of the verifiable consumer request and shall be made in writing and delivered through the consumer's account with the business, if the consumer maintains an account with the business, or by mail or electronically at the consumer's option if the consumer does not maintain an account with the business, in a readily useable format that allows the consumer to transmit this information from one entity to another entity without hindrance. The business may require authentication of the consumer that is reasonable in light of the nature of the personal information requested, but shall not require the consumer to create an account with the business in order to make a verifiable consumer request. If the consumer maintains an account with the business, the business may require the consumer to submit the request through that account.

(3) For purposes of subdivision (b) of Section 1798.110:

(A) To identify the consumer, associate the information provided by the consumer in the verifiable consumer request to any personal information previously collected by the business about the consumer.

(B) Identify by category or categories the personal information collected about the consumer in the preceding 12 months by reference to the enumerated category or categories in subdivision (c) that most closely describes the personal information collected.

DEFENDANTS

5. Defendant Google LLC is a Delaware limited liability company with its principal place of business in Mountain View, California. Google LLC transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint, acting alone or in concert with others, Google LLC has advertised, marketed, and distributed its YouTube video sharing platform to consumers throughout the United States. At all times

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <i>Olga Sanders</i> <i>4601 Dixie Blvd</i> <i>Strevport LA 71109</i> TELEPHONE NO.: <i>318 540 9396</i> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: <i>191 North First St</i> MAILING ADDRESS: CITY AND ZIP CODE: <i>San Jose CA 95113</i> BRANCH NAME: <i>Superior Court of San Francisco</i>	CASE NUMBER:
PLAINTIFF: DEFENDANT: <input type="checkbox"/> DOES 1 TO _____	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): <i>Date, trespasses</i> Jurisdiction (check all that apply): <input checked="" type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input checked="" type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	

1. Plaintiff (name or names):

alleges causes of action against defendant (name or names):

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. Each plaintiff named above is a competent adult

a. ☐ except plaintiff (name):(1) ☐ a corporation qualified to do business in California(2) ☐ an unincorporated entity (describe):(3) ☐ a public entity (describe):(4) ☐ a minor ☐ an adult(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed(b) ☐ other (specify):(5) ☐ other (specify):b. ☐ except plaintiff (name):(1) ☐ a corporation qualified to do business in California(2) ☐ an unincorporated entity (describe):(3) ☐ a public entity (describe):(4) ☐ a minor ☐ an adult(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed(b) ☐ other (specify):(5) ☐ other (specify):☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE:

CASE NUMBER:

4. ☐ Plaintiff (*name*):
is doing business under the fictitious name (*specify*):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☐ except defendant (*name*):

- (1) ☒ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (*describe*):

(4) ☒ a public entity (*describe*): LLC

(5) ☐ other (*specify*):

- c. ☐ except defendant (*name*):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (*describe*):

(4) ☐ a public entity (*describe*):

(5) ☐ other (*specify*):

- b. ☐ except defendant (*name*):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (*describe*):

(4) ☐ a public entity (*describe*):

(5) ☐ other (*specify*):

- d. ☐ except defendant (*name*):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (*describe*):

(4) ☐ a public entity (*describe*):

(5) ☐ other (*specify*):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. ☐ Doe defendants (*specify Doe numbers*): _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. ☐ Doe defendants (*specify Doe numbers*): _____ are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (*names*):

8. This court is the proper court because

- a. ☒ at least one defendant now resides in its jurisdictional area.
b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
c. ☐ injury to person or damage to personal property occurred in its jurisdictional area.
d. ☐ other (*specify*):

9. ☐ Plaintiff is required to comply with a claims statute, and

- a. ☒ has complied with applicable claims statutes, or
b. ☐ is excused from complying because (*specify*):

SHORT TITLE:

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☐ Motor Vehicle
 b. ☒ General Negligence
 c. ☐ Intentional Tort
 d. ☒ Products Liability
 e. ☐ Premises Liability
 f. ☐ other (*specify*):

11. Plaintiff has suffered

- a. ☒ wage loss
 b. ☒ loss of use of property
 c. ☐ hospital and medical expenses
 d. ☒ general damage
 e. ☐ property damage
 f. ☒ loss of earning capacity
 g. ☐ other damage (*specify*):

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
 b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

Santa Clara Superior Court

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☐ compensatory damages
 (2) ☒ punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):

- (1) ☒ according to proof
 (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

1-14

Date:

Aug 17, 2020

Olivia Sanders

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)