

**Lance M. Benedict v. Google LLC, et al.**

Case No. \_\_\_\_\_

**INDEX OF EXHIBITS TO  
GOOGLE LLC'S NOTICE OF REMOVAL**

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
A	Maricopa County Superior Court Record in Case No. CV2023-014018.
B	Plaintiff's Initial Complaint Against Defendant for Trademark Violations, Intentional Infliction of Emotional Distress, Violation of the Privacy Act, Unlawful Use of Intellectual Property, Broadcasting of False Material Causing Harm, Defamation, Libel, Harassment, Permanent Injunction Requested, Demand for Jury Trial
C	Summons to Google LLC
D	Civil Cover Sheet  Certificate of Compulsory Arbitration  Application for Deferral or Waiver of Court Fees or Costs and Consent to Entry of Judgment  Order Regarding Deferral or Waiver of Court Fees and Costs and Notice Regarding Consent Judgment
E	Notice of Removal Filed in Maricopa County Superior Court
F	Notice of Filing of Notice of Removal Filed in Maricopa County Superior Court

# ***EXHIBIT A***

Case and Party Search Case and Event Search Arizona Judicial Branch

Shopping cart is Empty rsanchez@COOLEY.COM Message Center Help

eAccess

[« Back to search results](#)

**Case Details** Results 1 - 1 of 1 for . (0.02 seconds)

**Case Information**

Search Case Number	Case Filing Date	Case Title	Case General Category Description	Case Category Short Description	Case Status	Court Name	Judicial Officer Name
CV2023014018000	09/13/2023	Benedict vs. Google L L C	Civil	110 - Tort Non	22 - Not Subject to ARB - 22	Maricopa County Superior	

**Party Information**

First Name	Middle Name	Last Name	Date Of Birth	Role	City	State	Vehicle Registration Hold
Lance	M	Benedict		Plaintiff			N
Google L L C				Defendant			N

**Charge Information**

Charge Code	Charge Description	Charge Class	Disposition	Disposition Date

**Case Event Information**

Event Type Description	Event Date	Preview Document	Add to Cart
COM - Complaint	09/13/2023		<input type="button" value="Add to Cart"/>
ADW - Application Deferral/Waiver	09/13/2023		
CCN - Cert Arbitration - Not Subject	09/13/2023		<input type="button" value="Add to Cart"/>
OWV - ORDER WAIVING COURT FEES AND/OR COSTS	09/13/2023		<input type="button" value="Add to Cart"/>
SUM - Summons	09/13/2023		<input type="button" value="Add to Cart"/>

**Hearing Information**

CourtRoom Description	Date	Description	Description
No data available in table			

# ***EXHIBIT B***

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
9/13/2023 9:40:07 AM  
Filing ID 16585834

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

LANCE BENEDICT  
3915 N Brooklyn Dr.  
Buckeye, AZ 85396  
760-601-5181  
planet13@me.

LANCE BENEDICT, IN PRO PER

**SUPERIOR COURT OF THE STATE OF ARIZONA  
FOR THE COUNTY OF MARICOPA**

LANCE M. BENEDICT  
Plaintiff

vs.

GOOGLE LLC.  
Does 1 - 100  
Defendant

Case No.: CV2023-014018

**PLAINTIFF’S INITIAL COMPLAINT  
AGAINST DEFENDANT FOR  
TRADEMARK VIOLATIONS,  
INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS, VIOLATION  
OF THE PRIVACY ACT, UNLAWFUL  
USE OF INTELLECTUAL PROPERTY,  
BROADCASTING OF FALSE  
MATERIAL CAUSING HARM,  
DEFAMATION, LIBEL, HARASSMENT,  
PERMANENT INJUNCTION  
REQUESTED, DEMAND FOR JURY  
TRIAL.**

The Defendant in this case hereinafter referred to as “DEFENDANT” or “GOOGLE” has intentionally refused to cease causing the Plaintiff in the matter, hereinafter referred to as PLAINTIFF or MR. BENEDICT, intentional emotional distress, harming the Plaintiff and continuing to defame, harass, and interfere with plaintiff’s family, reputation, business, and overall well-being.

*Lance M. Benedict*  
\_\_\_\_\_  
LANCE M. BENEDICT  
In Pro Per

DATED: August 23, 2023.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## I. INTRODUCTION

The Plaintiff will show how the Defendant has acted with malice, ill-will and with absolutely no regard for the Plaintiffs welfare or safety and conducted themselves in a careless manner and intentionally and repeatedly, irreparably harmed the Plaintiff by broadcasting defamatory, false and libelous information about plaintiff. And that's what this case is about. It's about the vast network and worldwide broadcast capabilities of the Defendant and how their above-the-law attitude has become deep-rooted into their culture.

Defendant has refused to acknowledge the Plaintiff's registered trademark with USPTO.gov and continues against plaintiffs will to broadcast said trademark throughout the Google and YouTube platforms without the expressed written consent of Plaintiff.  
(See Exhibit A - Plaintiff's registered trademark.)

Additionally, the Defendant has violated the Privacy Act of 1974, 5 U.S.C. § 552a,, by way of unauthorized broadcasting and/or publishing of plaintiffs personal information. Specifically, information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information. (See Exhibit B)

It's important to point out that defendant has been asked to remove the content from their search engine results for many years and has repeatedly ignored and denied requests from plaintiff.  
(See Exhibit C - Most recent request.)

The Defendant by way of their Google search engine is able to broadcast and control certain viewpoints and opinions with predetermined coding, recommender systems and depending on the Defendant's viewpoint, is able to broadcast those certain opinions and viewpoints or filter and/or suppress any and all opinions and viewpoints they may not agree with.

1 Over the past four years, the Plaintiff has asked the Defendant too many times to account for  
2 to please remove the content in question. Content that by their own admission have complete  
3 control over. Content that is being broadcasted on defendant's YouTube Channels violating the  
4 Plaintiff's registered trademark.

5 Additionally, defendant knows that by what they are purposefully broadcasting about the  
6 Plaintiff is false, libelous, defamatory and has caused plaintiff and his family irreparable harm, yet  
7 refuses to remove it from their Worldwide search engines, servers and YouTube channels for the  
8 mere sake of profit.

9  
10 **A recent Google search yielded this result.**

11 Merriam-Webster:

12 *What is the meaning by broadcast?*

13 : to send out or transmit (something, such as a program) by means of radio or television or  
14 by **streaming over the Internet**. August 1, 2023. (See Exhibit D)

15  
16  
17 Plaintiff contends that if the Defendant owns a company called YouTube and in part, said  
18 company gathers information from their parent company Google in an effort to gain more viewers  
19 and sell more ads which constitutes a broadcasting company.

20 Of course, the Defendant will argue that they are not a broadcasting company, but one could  
21 make the case that YouTube broadcasts millions of programs, videos, podcasts, music, etc.,  
22 everyday, and after all, Google owns YouTube. In fact, by owning almost the entire search market  
23 world, and by teaming that with their sister company, YouTube, one could argue that Google  
24 dominates the world with the information they promulgate and broadcast.

25  
26 These are particularly useful when history (such as past clicks, purchases) of a user is not  
27 available or not relevant in the current user session. Domains, where session-based  
28 recommendations are particularly relevant, include video, e-commerce, travel, music and more.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Most instances of session-based recommender systems rely on the sequence of recent interactions within a session without requiring any additional details (historical, demographic) of the user.

Techniques for session-based recommendations are mainly based on generative sequential models such as Recurrent Neural Networks, Transformers, and other deep learning based approaches.

In a Google search conducted on August 13, 2023, this was found at the top Google Handling over 90% of all search queries worldwide, Google is undoubtedly dominating the global search engine market share. As of May 2023, a whopping 93.12% of all search queries conducted across all search engine providers are done through the internet giant.

(See Exhibit E)

Plaintiff is petitioning the Court and asking that a new level of standard and way of thinking be set in place. Plaintiff's theory is that opposed to Section 230, of Title 47 of the United States Code that was enacted as part of the Communications Decency Act of 1996, which is Title V of the Telecommunications Act of 1996, and generally provides immunity for online computer services with respect to third-party content generated by its users, the Plaintiff will make the case that the Defendant, Google, YouTube, YouTube TV and it's subsidiaries are also "broadcasting companies."

At its core, Section 230(c)(1) provides immunity from liability for providers and users of an "interactive computer service" who publish information provided by third-party users; Plaintiff is proposing to the Court that Google, YouTube, YouTube TV and their subsidiaries and parent company Alphabet, do not solely provide "interactive computer services" but additionally provide "broadcasting opportunities" via "YouTube Channels" and YouTube TV as broadcasters of information, need to be held to a standard outside the guidelines of Section 230.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

One could argue that a jury would agree that along with all of the videos, music, podcasts, advertisements, etc., Google works in concert with YouTube, YouTube TV and ties together a vast network of data, statistics and information and recommender systems and uses that information for the purposes of promoting and “broadcasting” that information. These are traditionally what broadcasting companies do and in fact Google, YouTube and YouTube TV are broadcasting companies.

Plaintiff does not think it’s a stretch at all to make that conclusion and that’s exactly how the Defendant operates. It ties together, all of its information and data compiled within its Google Search Engine parameters, and joins in concert with their sister company, YouTube. This is why every time you try and watch a video on YouTube, you are asked to login to your Google account. It’s because all of that information is delivered back to Google to determine what information they should send each account holder, based on their internet search history.

This is how the Defendant targets their viewers of YouTube, and YouTube TV and it’s exactly how they sell ad space. Selling advertisement space to “viewers” is exactly what broadcasting companies’ like ABC, NBC, CBS and others do to generate interest, make profit and grow their viewer base. They too, like the Defendant, allow their consumer base to “stream” their broadcasts over the internet. That’s the very definition of a broadcasting company.

Regardless of how the Court rules on Plaintiff’s theory that the Defendant is technically a broadcasting company by way of transmitting videos, podcasts, music, etc., worldwide, Plaintiff has the absolute right to have the content in question removed as he has a LIVE Registered Trademark with the United States Patent and Trademark Office and he owns in perpetuity the intellectual property rights of said trademark.

Additionally, Plaintiff is within his rights to bring this case, because Section 230 does not protect the Defendant against the claims plaintiff is making which is the online content the Defendant continues to violate his trademark which is causing the Plaintiff distress and harm.

1 The Defendant continues to allow online posts that are clearly intended to bully, harass, and  
2 threaten the Plaintiff. Plaintiff, by way of exhibits and testimony will prove that the allegations set  
3 forth in this complaint will not only demonstrate the Defendant's culpability, but reveal how brazen  
4 and seemingly above the law they are.

5 Plaintiff had previously warned defendant that conducting themselves in such an arrogant  
6 and reckless manner was causing the Plaintiff to lose literally everything he had, but the Defendant  
7 stated that they did not care and continued to harass the Plaintiff by broadcasting their online  
8 advertising materials causing the Plaintiff undue harm.

9  
10 A simple Google search of the word "Google" will yield this particular result at the top of  
11 page 1. Google LLC is an American multinational technology company focusing on artificial  
12 intelligence, online advertising, search engine technology, cloud computing, computer software,  
13 quantum computing, e-commerce, and consumer electronics. Google is certainly a company that  
14 possesses the aforementioned categories and more, but what they intentionally left off the list is that  
15 above anything, Google is a Broadcasting Company. Google sells advertising space and publishes  
16 it for money. That's the very definition of a broadcasting company.

17 And because of the Defendant's enormous usage, customer base and Worldwide  
18 broadcasting network capabilities, Google is able to incite people to do things and forge opinions  
19 via there low level programmers decisions on what gets promulgated and broadcasted in their  
20 Google search engines.

21  
22 Pointing out that the second category they focus on is online advertising. This is very  
23 important to point out as it is this very online advertising, that has led to the utter destruction and  
24 demise of a family that was once the epitome of success and happiness.

25  
26 Additionally, to rub salt in the wound, the Defendant has not only continued to broadcast  
27 false and defamatory information about the Plaintiff, but has intentionally ignored accolades  
28 achieved by Plaintiff and has refused to broadcast true, favorable and positive information about  
plaintiff.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## II. JURISDICTION

Defendant conducts business worldwide including the City and State in which plaintiff resides and interacted with defendant. Additionally, defendant has a corporate office in Tempe, AZ.

### I.I.I. PARTIES

Plaintiff is a citizen of the United States of America. Additionally, the Defendant is a Registered LLC doing business in the State of Arizona and in the County of Maricopa, where the Plaintiff resides.

## I.V. FACTUAL ALLEGATIONS

The Plaintiff had previously owned a successful company, TTM Guitars, and found himself being targeted by an online stalker and convicted felon. This person had previously been convicted of stalking and although incarcerated and imprisoned, upon his release began stalking the Plaintiff in this case. The goal of the online stalker was to harass and denigrate the Plaintiff by disseminating false information on the internet, and moreover using Google Analytics to drive more traffic to his website and have this defamatory information appear at the top of Google searches.

When Google was informed the first time about this in 2019, they ignored the Plaintiff completely allowing the problem to fester and rise to the top of Google.

Furthermore, the content that is being driven to the top of Google search engine results, as a result of the Defendant's colluding with a convicted felon, is being broadcasted on YouTube Channels to further defame, harass, demean and harm the Plaintiff.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

The Defendant is well aware that by promulgating this information to the top of Google, they are profiting by way of Google Analytics. Additionally, the Defendant knows this information to be false, yet continues to ignore that fact and has denied all requests by the Plaintiff to have this information removed from their search engines.

On August 14, 2023 at 9:33PM, PST, the Plaintiff received the last communication from the Defendant that confirmed everything he needed to know. The Defendant blatantly refuses to acknowledge and honor the fact that plaintiff has a LIVE trademark registered with the United States Government.

This is without question abhorrent if not illegal behavior by defendant. The fact they could care less about the legally binding document that is set in place to protect trademark holders from having their intellectual property used without consent, in this case the Plaintiff's name, LANCE BENEDICT, is being circulated all over the Defendants search engine and defendant is defiant and continues to use their, "were bigger and better than you" defense and basically get away with anything they want. (See Exhibit F)

The amount of damage and harm the Plaintiff has suffered by the Defendants complicit behavior with convicted felons and someone know to be stalking and harassing the Plaintiff is insurmountable. If the Defendant had only complied with plaintiff's request in 2019, plaintiff would not be where he is now.

I want to make this crystal clear. The Plaintiff has lost everything because of this. He has lost his once thriving business, his home, his cars, his credit, his associates, his reputation, and more importantly, his family. The Plaintiff has filed bankruptcy and has nothing left all because Google allows a convicted felon, a man that has been stalking and harassing the Plaintiff, to post false comments and refuse to remove said comments on their search engine results.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Plaintiff did not want to bring this complaint but there has to be a standard and a precedent needs to be set for future litigants.

It appears as if Google does not care about anyone or anything but themselves. (Exhibit G) shows a photo of the Plaintiff and his wife that was taken from Plaintiff's previous account with Facebook. The photo contains a caption which reads, "it's hard being an International Thief." The Defendant knows this photo is false and defamatory yet continues to allow the broadcasting of it on the Google network. This photo was the straw that broke the camels back as they say and caused the separation of a 38 year old marriage and 48 year relationship. Neither the Plaintiff or plaintiff's wife have ever been convicted of being a felon, an International felon, or anything of the sort. In fact, neither the Plaintiff or his wife have ever been convicted of anything. Not a thing. Both the Plaintiff and his wife have impeccable records and have never had anything more than a minor traffic violation. Yet, the Defendant allows the blatant and libelous lies and defamation to continue on an ongoing basis, 24/7, worldwide.

It's extremely important to point out that every single fake post and story that appears on the Google network is posted by one source. Let me say that again because it's imperative that it's highlighted. Every single bogus story, posted to harass, intimidate and defame the Plaintiff and plaintiff's family is posted by 1 person. And that person is a convicted felon, previously convicted of stalking. The Defendant knows this and yet ignores it and continues to promulgate and broadcast stories that are false and have completely ruined the Plaintiff's life.

Upon reading the post further, it states that the Plaintiff and his wife are under investigation by both state and federal law enforcement agencies. This is yet another lie that is fabricated and posted for no other reason than to harm us. Due to the widespread reach that the Google Broadcasting Network has and because we were painted to be such evil people out to hurt others by our actions, the Plaintiff's family has received dozens upon dozens of threats. Threats consisting in nature of third parties sending the Plaintiff, his wife, his son and daughter-in-law, highly disturbing texts. Texts that has given the Plaintiff's family anxiety, stress and changed the world in which they live in.

1 The Plaintiff cannot convey to the Court how many times his family has been questioned  
2 about these fabrications by others; others that have simply decided to vilify and believe the lies,  
3 simply because they are posted on the internet. I think the Defendant will agree, that they possess a  
4 very powerful broadcasting network and there seems to be a general notion that if it's on Google, it  
5 must be true.

6 Again, this all could have been avoided in the Defendant simply had removed all of the false  
7 information being broadcasted over the Google network. It's quite simple. If the Defendant had in  
8 essence, "shut the convict down" by not letting his false information spread, none of what the  
9 Plaintiff has been dealing with over the past four years would have occurred.

10  
11 I ask the Court, what is a reputation worth? Not a tattered reputation with a shady past and  
12 run-ins with the law, but a reputation that was in good standing. A licensed Realtor, a licensed Auto  
13 Dealer, an educated person that served as a civil servant during his early years.

14  
15 A reputation that has been desecrated and has been passed on to his beautiful family to suffer  
16 and endure. What is that worth? Because all the Defendant had to do was cut the head off the snake  
17 when this convicted felon began his onslaught of abhorrent conduct and diabolical online plot to  
18 destroy Mr. Benedict and his family. The Defendant knew this, and knew what the convicted felon  
19 was doing very early on and they turned a blind eye. For nothing more than profit and gain.

20 The Defendant known as "Google" is not a sentient being, they have no heart, they have no  
21 soul. But the individuals that push the buttons behind the scenes and write the code, surely would  
22 have some sort of empathy, correct? Some sort of understanding and realization as to how what  
23 they are doing is changing the world and not always in a good way. They need to realize what is  
24 going on with the false stories that are being broadcasted on the vast Google network. There has to  
25 be some accountability. Yes, Google appears to be a giant robot that has no conscience and is  
26 running or perhaps ruining the world, but somewhere deep down in the bowels of the beast there  
27 needs to be accountability.

28

1 It's very difficult for the Plaintiff to have to visit all of the posts that the aforementioned  
2 convicted felon and Google have broadcasted and promoted on their search engine network.

3  
4 As we write this complaint and are forced to pull up the links and false stories posted by the  
5 convict, the Plaintiff is forced to relive the agony he has suffered and face the reality that because of  
6 one person working in conjunction with Google; his life, livelihood, family, reputation, business  
7 and most all of his relationships with people have been utterly destroyed.

8 Because of these posts, the Plaintiff has received death threats and has been harassed behind  
9 belief via text messages, emails, phone calls, social media posts, etc.

10  
11 The laws are clear when it comes to free speech and when you publicly broadcast lies and  
12 false information and create fake posts like the Plaintiff in a prison cell when he's never been  
13 incarcerated for anything, the Defendant needs to be held accountable. (See Exhibit H)

14  
15 Defaming someone and intentionally broadcasting untrue libelous content is where the line  
16 is drawn and where the Defendant loses any free speech rights they presumably had. It also raises  
17 the question as to what type of restitution can ever be enough for the amount of damage that has  
18 been done?

19 The amount of opportunities, jobs, relationships, income, and just plain old enjoyment of life  
20 the Plaintiff has lost because of this simply cannot be quantified. These kinds of decisions need to  
21 have consequences. Google has placed Mr. Benedict and his entire family for that matter, in  
22 "Internet Jail", and the Defendant seems to relish the fact that they are doing so. The Plaintiff along  
23 with other family members have literally lost their freedom due to the unruly corruption and  
24 collusion between the Defendant and a convicted felon.

25  
26  
27  
28

1           What the Defendant does and continues to do is not right and they absolutely know it. They  
2 use the system and the lobby money they forsake, so they can simply get away with ruining peoples  
3 lives. If this Court does not agree, Plaintiff will go to the higher Court. If the higher Court does not  
4 agree, Plaintiff will do whatever it takes to get congress to abolish the laws in place that literally not  
5 only protect this egregious behavior, but encourages it.

6           And before the Defendant argues that they have no control over what a third party says or  
7 does, let's just reel that one in real quick and say that Plaintiff agrees. The Defendant does however  
8 have the ability to do what they do every single day to thousands upon thousands of posts and  
9 restrict it from ever seeing the airwaves.

10  
11           Again, let's not lose focus about what this case is about. This case is about the Defendant  
12 knowingly, willingly and purposefully allowing a known felon, stalker and convict to post false and  
13 defamatory information and allowing it to be broadcasted in perpetuity on the Google Broadcasting  
14 Network. Never to be removed, always to be harmful.

15 In closing, this complaint encompasses three crucial aspects of claims and litigation.

16  
17           1. Defendant has no right to broadcast and/or publish and use for their own benefit,  
18 plaintiffs intellectual property and registered trademark known as, "LANCE BENEDICT."

19  
20           2. Defendant has no right to broadcast and/or publish and use for their own benefit, content  
21 that causes the plaintiff, harm and distress while defaming him. This constitutes libel behavior and  
22 the Defendant needs to be held accountable.

23  
24           3. Defendant has no right to broadcast and/or publish and use for their own benefit, false and  
25 defamatory information about the plaintiff, and claim exemption under Section 230. Section 230  
26 limits the liability of "interactive computer services"

27  
28



1           The Privacy Act of 1974 (Pub.L. 93–579, 88 Stat. 1896, enacted 31 December 1974,  
2 5 U.S.C. § 552a, a United States federal law, establishes a Code of Fair Information Practice that  
3 governs the collection, maintenance, use, and dissemination of personally identifiable information  
4 about individuals that is maintained in systems of records by federal agencies.[28]

5  
6           One of the primary focuses of the Health Insurance Portability and Accountability Act  
7 (HIPAA) is to protect a patient's Protected Health Information (PHI), which is similar to PII. The  
8 U.S. Senate proposed the Privacy Act of 2005, which attempted to strictly limit the display,  
9 purchase, or sale of PII without the person's consent. Similarly, the (proposed) Anti-Phishing Act of  
10 2005 attempted to prevent the acquiring of PII through phishing. U.S. lawmakers have paid special  
11 attention to the social security number because it can be easily used to commit identity theft. The  
12 (proposed) Social Security Number Protection Act of 2005 and (proposed) Identity Theft Prevention  
13 Act of 2005 each sought to limit the distribution of an individual's social security number.

14           Additional U.S.-specific personally identifiable information[29] includes, but is not limited  
15 to, I-94 records, Medicaid ID numbers, and Internal Revenue Service (I.R.S.) documentation.  
16 Exclusivity of personally identifiable information affiliated with the U.S. highlights national data  
17 security concerns[30] and the influence of personally identifiable information in U.S. federal data  
18 management systems. Personal data, also known as personal information or personally identifiable  
19 information (PII) is any information related to an identifiable person.

20  
21           The abbreviation PII is widely accepted in the United States, but the phrase it abbreviates  
22 has four common variants based on personal or personally, and identifiable or identifying. Not all  
23 are equivalent, and for legal purposes the effective definitions vary depending on the jurisdiction  
24 and the purposes for which the term is being used. [a] Under European Union and United Kingdom  
25 data protection regimes, which centre primarily on the General Data Protection Regulation (GDPR),  
26 [4] the term "personal data" is significantly broader, and determines the scope of the regulatory  
27 regime.[5]  
28

1 National Institute of Standards and Technology Special Publication 800-122[6] defines  
2 personally identifiable information as "any information about an individual maintained by an  
3 agency, including (1) any information that can be used to distinguish or trace an individual's  
4 identity, such as name, social security number, date and place of birth, mother's maiden name, or  
5 biometric records; and (2) any other information that is linked or linkable to an individual, such as  
6 medical, educational, financial, and employment information." For instance, a user's IP address is  
7 not classed as PII on its own, but is classified as a linked PII.[7]

8 Personal data is defined under the GDPR as "any information which [is] related to an  
9 identified or identifiable natural person".[8][6] The IP address of an Internet subscriber may be  
10 classed as personal data.[9]

11  
12 The concept of PII has become prevalent as information technology and the Internet have  
13 made it easier to collect PII leading to a profitable market in collecting and reselling PII. PII can  
14 also be exploited by criminals to stalk or steal the identity of a person, or to aid in the planning of  
15 criminal acts. As a response to these threats, many website privacy policies specifically address the  
16 gathering of PII,[10] and lawmakers such as the European Parliament have enacted a series of  
17 legislation such as the GDPR to limit the distribution and accessibility of PII.[11]

18 Important confusion arises around whether PII means information which is identifiable (that  
19 is, can be associated with a person) or identifying (that is, associated uniquely with a person, such  
20 that the PII identifies them).

21  
22 In prescriptive data privacy regimes such as the US federal Health Insurance Portability and  
23 Accountability Act (HIPAA), PII items have been specifically defined. In broader data protection  
24 regimes such as the GDPR, personal data is defined in a non-prescriptive principles-based way.  
25 Information that might not count as PII under HIPAA can be personal data for the purposes of  
26 GDPR. For this reason, "PII" is typically deprecated internationally. Definitions[edit]

27  
28

1 The U.S. government used the term "personally identifiable" in 2007 in a memorandum  
2 from the Executive Office of the President, Office of Management and Budget (OMB),[12] and that  
3 usage now appears in US standards such as the NIST Guide to Protecting the Confidentiality of  
4 Personally Identifiable Information (SP 800-122).[13] The OMB memorandum defines PII as  
5 follows: Information which can be used to distinguish or trace an individual's identity, such as their  
6 name, social security number, biometric records, etc. alone, or when combined with other personal  
7 or identifying information which is linked or linkable to a specific individual, such as date and place  
8 of birth, mother's maiden name, etc.

9 A term similar to PII, "personal data", is defined in EU directive 95/46/EC, for the purposes  
10 of the directive:[14] Article 2a: 'personal data' shall mean any information relating to an identified  
11 or identifiable natural person ('data subject'); an identifiable person is one who can be identified,  
12 directly or indirectly, in particular by reference to an identification number or to one or more factors  
13 specific to his physical, physiological, mental, economic, cultural or social identity;

14 In the EU rules, there has been a more specific notion that the data subject can potentially be  
15 identified through additional processing of other attributes—quasi- or pseudo-identifiers. In the  
16 GDPR, personal data is defined as: Any information relating to an identified or identifiable natural  
17 person ('data subject'); an identifiable natural person is one who can be identified, directly or  
18 indirectly, in particular by reference to an identifier such as a name, an identification number,  
19 location data, an online identifier or to one or more factors specific to the physical, physiological,  
20 genetic, mental, economic, cultural or social identity of that natural person[15]

21  
22 A simple example of this distinction: the color name "red" by itself is not personal data, but  
23 that same value stored as part of a person's record as their "favorite color" is personal data; it is the  
24 connection to the person that makes it personal data, not (as in PII) the value itself.

25  
26  
27  
28

1 Another term similar to PII, "personal information", is defined in a section of the California  
2 data breach notification law, SB1386:[16] (e) For purposes of this section, "personal information"  
3 means an individual's first name or first initial and last name in combination with any one or more  
4 of the following data elements, when either the name or the data elements are not encrypted: (1)  
5 Social security number. (2) Driver's license number or California Identification Card number. (3)  
6 Account number, credit or debit card number, in combination with any required security code,  
7 access code, or password that would permit access to an individual's financial account. (f) For  
8 purposes of this section, "personal information" does not include publicly available information that  
9 is lawfully made available to the general public from federal, state, or local government records.

10 The concept of information combination given in the SB1386 definition is key to correctly  
11 distinguishing PII, as defined by OMB, from "personal information", as defined by SB1386.  
12 Information, such as a name, that lacks context cannot be said to be SB1386 "personal information",  
13 but it must be said to be PII as defined by OMB. For example, the name "John Smith" has no  
14 meaning in the current context and is therefore not SB1386 "personal information", but it is PII. A  
15 Social Security Number (SSN) without a name or some other associated identity or context  
16 information is not SB1386 "personal information", but it is PII. For example, the SSN 078-05-1120  
17 by itself is PII, but it is not SB1386 "personal information". However the combination of a valid  
18 name with the correct SSN is SB1386 "personal information".[16]

19 The combination of a name with a context may also be considered PII; for example, if a  
20 person's name is on a list of patients for an HIV clinic. However, it is not necessary for the name to  
21 be combined with a context in order for it to be PII. The reason for this distinction is that bits of  
22 information such as names, although they may not be sufficient by themselves to make an  
23 identification, may later be combined with other information to identify persons and expose them to  
24 harm. According to the OMB, it is not always the case that PII is "sensitive", and context may be  
25 taken into account in deciding whether certain PII is or is not sensitive.[12][full citation needed]

26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

When a person wishes to remain anonymous, descriptions of them will often employ several of the above, such as "a 34-year-old white male who works at Target".

Note that information can still be private, in the sense that a person may not wish for it to become publicly known, without being personally identifiable. Moreover, sometimes multiple pieces of information, none sufficient by itself to uniquely identify an individual, may uniquely identify a person when combined; this is one reason that multiple pieces of evidence are usually presented at criminal trials. It has been shown that, in 1990, 87% of the population of the United States could be uniquely identified by gender, ZIP code, and full date of birth.[17]

In hacker and Internet slang, the practice of finding and releasing such information is called "doxing".[18][19] It is sometimes used to deter collaboration with law enforcement.[20] On occasion, the doxing can trigger an arrest, particularly if law enforcement agencies suspect that the "doxed" individual may panic and disappear.[21]

**V. JURY DEMAND**

Plaintiff in this matter respectfully requests that the Court grant a jury trial.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**V.I. PRAYER FOR RELIEF**

Wherefore, Plaintiff asks the Court for the amount of \$100,000,000 (ONE-HUNDRED—  
MILLION-DOLLARS) to be awarded to defendant for claims as set forth in this complaint.

Respectfully submitted,

*Lance M. Benedict*

Plaintiff  
Lance M. Benedict, Pro per

**CERTIFICATE OF SERVICE**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I, the undersigned, Lance M. Benedict, (PLAINTIFF) do hereby certify that I have served a copy of Plaintiffs First Complaint to Defendant, via Turbo Court.

*Lance M. Benedict*

Plaintiff

Lance M. Benedict, Pro per

August 23, 2023



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#)**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Mon Aug 14 04:07:22 EDT 2023

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH QG](#) | [BOTTOM](#) | [HELP](#)

Logout Please logout when you are done to release system resources allocated for you.

**Record 1 out of 1**[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)

# Lance Benedict

**Word Mark** LANCE BENEDICT**Goods and Services** IC 035. US 100 101 102. G & S: Entertainment marketing services, namely, marketing, promotion and advertising for independent recording artists; Business management consulting, strategic planning and business advisory services provided to musical acts; Personal management services for entertainers. FIRST USE: 20200900. FIRST USE IN COMMERCE: 20200900

IC 041. US 100 101 107. G & S: Entertainment and education services, namely, providing recognition and incentives by way of celebrations and awards to girls from underserved communities who have completed their high school careers successfully and who are going on to college; Entertainment services by a musical artist and producer, namely, musical composition for others and production of musical sound recordings; Entertainment services in the nature of development, creation, production and post-production services of multimedia entertainment content; Entertainment services in the nature of live musical performances; Entertainment services, namely, an ongoing multimedia program featuring music related material distributed via various platforms across multiple forms of transmission media; Entertainment services, namely, an ongoing series featuring the music industry provided through multiple forms of transmission media; Entertainment services, namely, contest and incentive award programs designed to reward program participants who exercise, make healthy eating choices, and engage in other health-promoting activities; Entertainment services, namely, production of special effects including model-making services, computer-generated imagery and computer-generated graphics for the production of motion pictures, videos, and movie trailers; Entertainment services, namely, providing information by means of a global computer network in the fields of celebrities, entertainment, and popular culture; Entertainment services, namely, providing online computer games that help maintain an active brain and thus improve memory, speed of processing, and that provide a variety of cognitive benefits that positively impact quality of life; Arranging and conducting special events for social entertainment purposes; Conducting entertainment exhibitions in the nature of live musical performances; Educational and entertainment services, namely, a continuing program about the music industry accessible by means of multiple forms of transmission media and live performances; Educational and entertainment services, namely, programs about plastic surgery services combining traditional western medicine practices with holistic therapies, accessible by radio, television, satellite, audio, video and computer networks; Multimedia entertainment services in the nature of recording, production and post-production services in the fields of music, video, and films; Providing a website featuring information in the field of music and entertainment; Providing children's party centers for the purpose of entertaining children and celebrating



**LANCE B, CORP.**

birthdays. FIRST USE: 20200900. FIRST USE IN COMMERCE: 20200900.

Standard  
Characters  
Claimed

Mark  
Drawing Code (4) STANDARD CHARACTER MARK

Serial  
Number 88626956

Filing Date September 23, 2019

Current  
Basis 1A

Original  
Filing Basis 1B

Published  
for July 21, 2020

Opposition

Registration  
Number 6296265

Registration  
Date March 16, 2021

Owner (REGISTRANT) Benedict, Lance, M. INDIVIDUAL UNITED STATES 45501 Club Dr Indian Wells CALIFORNIA 92210

Attorney of  
Record Erin C. Bray

Type of  
Mark SERVICE MARK

Register PRINCIPAL

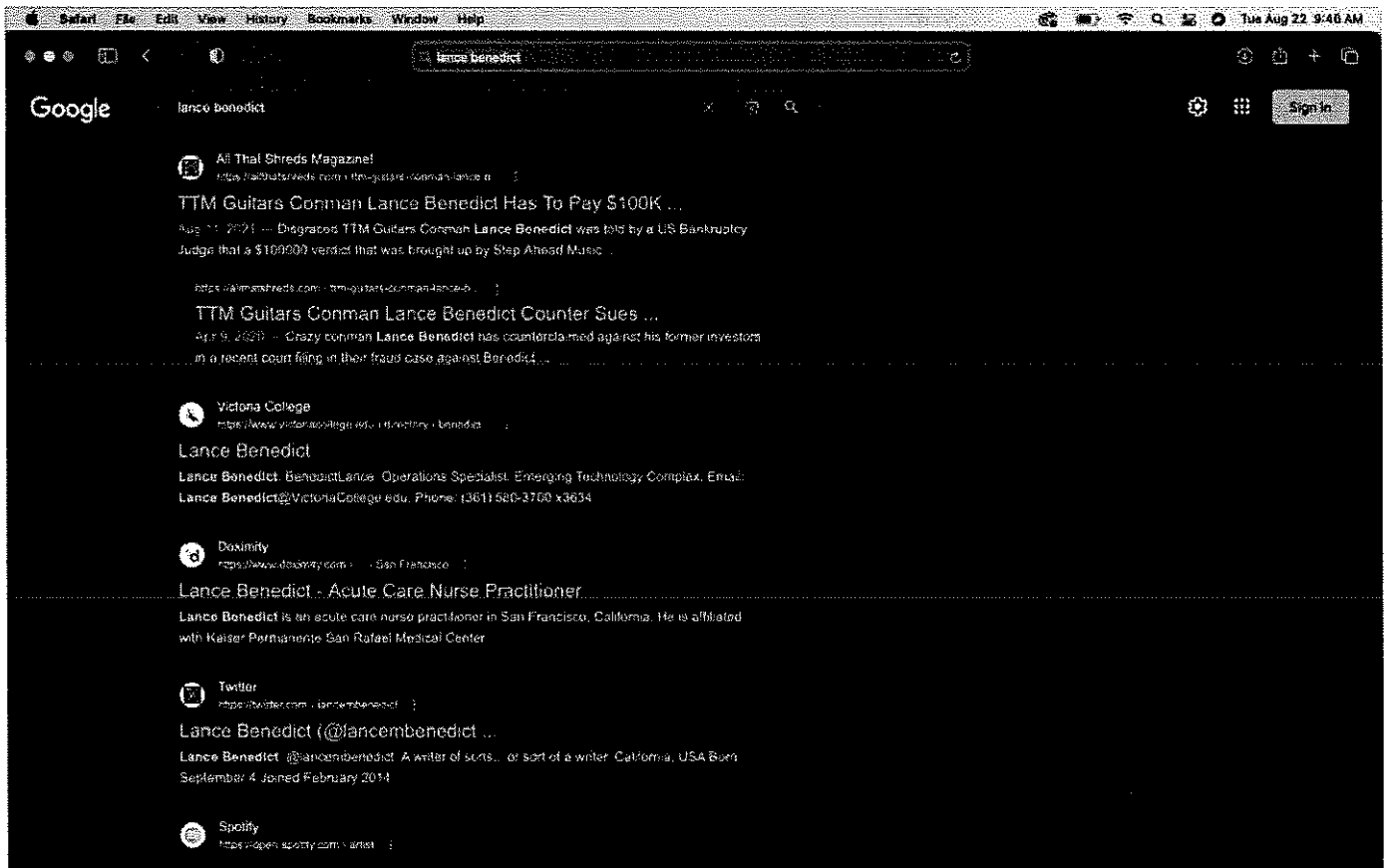
Other Data The Name "LANCE BENEDICT" identifies a living individual whose consent is of record.

Live/Dead  
Indicator

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [Browser Dict](#) [SEARCH OG](#) [Top](#) [HELP](#)

[| HOME](#) [| SITE INDEX](#) [| SEARCH](#) [| eBUSINESS](#) [| HELP](#) [| PRIVACY POLICY](#)

EXHIBIT B



**From:** ads-trademarks-support@google.com  
**Subject:** Re: [Case: 4-1314861] [2-7661000034627]  
**Date:** August 16, 2023 at 12:48 PM  
**To:** planet13@me.com

Hello Lance,

As previously stated, your trademark complaint appears to relate to organic Google search listings. However, our complaint process only applies to the use of trademarks in Google Ads ads, which are clearly marked on our search results pages.

Although Google aggregates and organizes information published on the web, we don't control the content of these web pages. We only remove search listings under limited circumstances, which you can review [here](#). If you would like to file a legal removal request, please visit [this page](#).

Otherwise, if you object to the content of a site listed in Google search results, we suggest that you contact the webmaster of the page in question directly. To learn how to contact a site's webmaster, you can visit [this page](#).

Regards,  
Google Legal Support Team

*For more information about our content removal process, see [g.co/legal](#).*

On Aug 14, 2023 at 11:18:19 PM planet13@me.com wrote:

LAWSUIT.

On Aug 14, 2023, at 9:33 PM, [ads-trademarks-support@google.com](mailto:ads-trademarks-support@google.com) wrote:

Hello Lance,

Your trademark complaint appears to relate to organic Google search listings. However, our complaint process only applies to the use of trademarks in Google Ads ads, which are clearly marked on our search results pages.

**Although Google aggregates and organizes information published on the web, we don't control the content of these web pages. We only remove search listings under limited circumstances, which you can review [here](#). If you would like to file a legal removal request, please visit [this page](#).**

Otherwise, if you object to the content of a site listed in Google search results, we suggest that you contact the webmaster of the page in question directly. To learn how to contact a site's webmaster, you can visit [this page](#).

Regards,  
Google Legal Support Team

*For more information about our content removal process, see [g.co/legal](#).*

On Aug 11, 2023 at 9:18:31 AM [planet13@me.com](mailto:planet13@me.com) wrote:

Begin forwarded message:

**From:** Lance Benedict <[planet13@me.com](mailto:planet13@me.com)>  
**Subject:** Re: [2-7661000034627]  
**Date:** August 11, 2023 at 6:34:33 AM MST  
**To:** [noreply@google.com](mailto:noreply@google.com)

I'm going to ask you again politely.

On this post and all of his other posts about us, he insinuates that we are "international thieves" among other things. These are blatant lies and the defamation. Additionally, he is rising above any 1st amendment right, by inciting violence against me and my family and I will strongly make that argument in the complaint I will file with the Court.

I really don't care if you don't think there's any "content that needs to be removed." I want ALL content that appears on your companies searches, as it relates to my family and this criminal at ALL THAT SHREDS, removed.

I am asking you to please help me and my family from this stalker and the violence that he is

Safari File Edit View History Bookmarks Window Help broadcast Sun Aug 13 8:09 AM

Google broadcast

People also ask

What is the meaning by broadcast?

to send out or transmit (something, such as a program) by means of radio or television or by streaming over the Internet, an event being broadcast live on television.

Merriam-Webster  
https://www.merriam-webster.com/dictionary/broadc...

Broadcast Definition & Meaning - Merriam-Webster

Search for: What is the meaning by broadcast?

What is a broadcast example?

Is broadcast one word or two?

What's in broadcasting?

What are the 3 types of broadcasting?

Contents

- 1.1 Public broadcasters.
- 1.2 Private broadcasters.
- 1.3 Community broadcasters.

Television Radio Broadcasting Farm Telecomm...

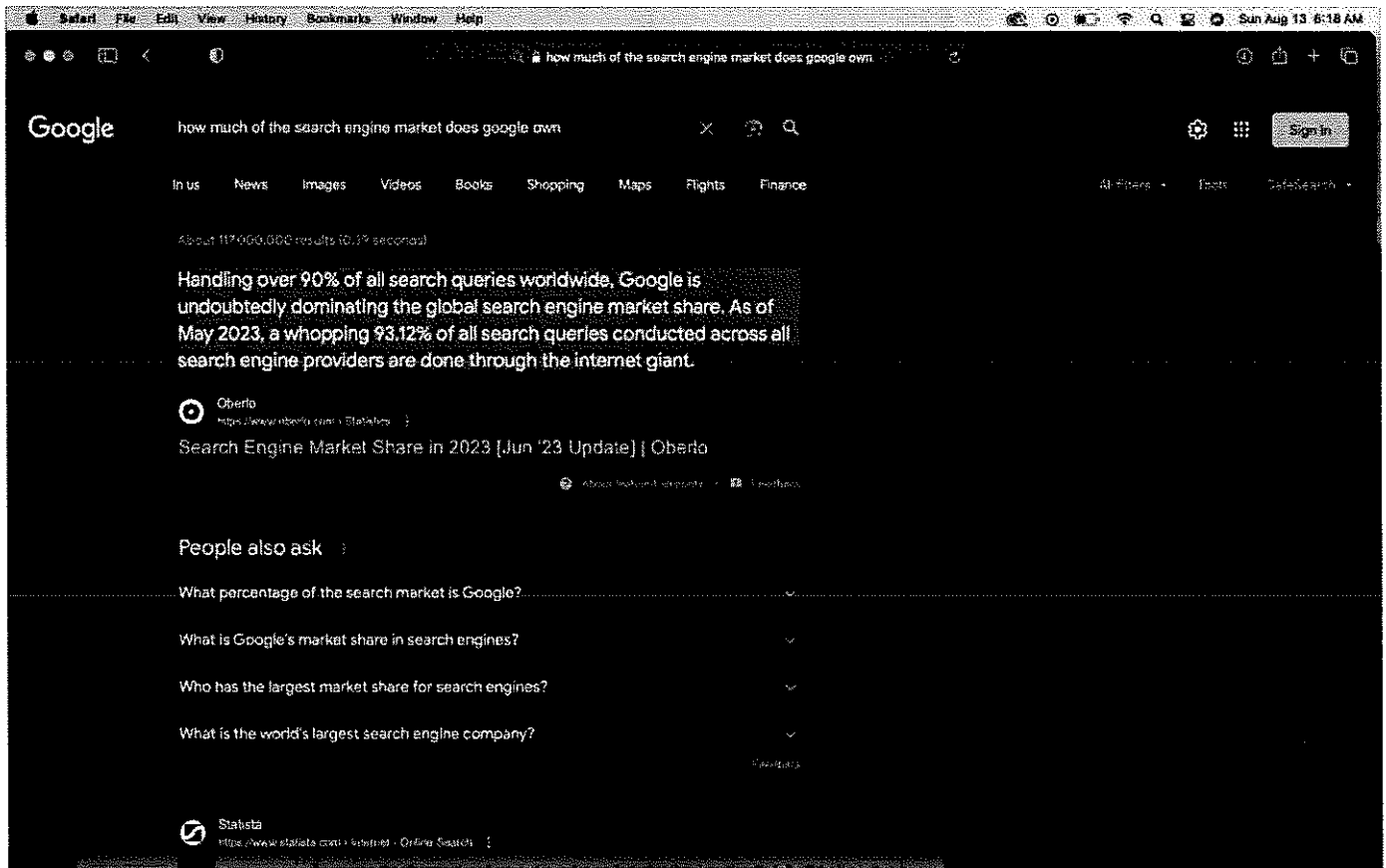
People also search for

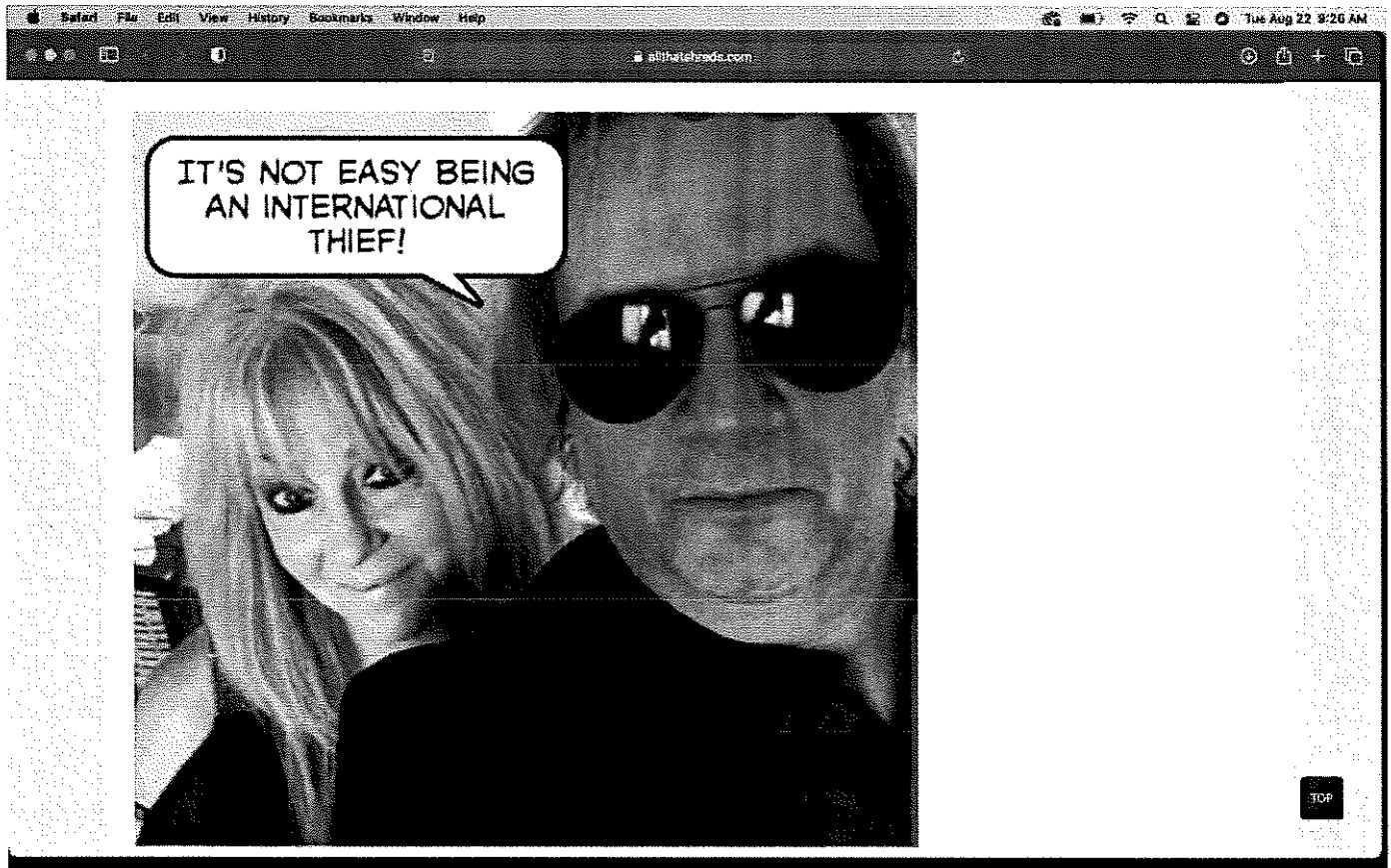
Feedback

wikipedia.org  
https://simple.wikipedia.org/wiki/Broadcasting

Broadcasting - Simple English Wikipedia, the free encyclopedia

Search for: What are the 3 uses of broadcasting?





Safari File Edit View History Bookmarks Window Help Tue Aug 22 9:26 AM

allthatshreds.com

## All That Shreds Exclusive: Conman TTM Guitars Lance Benedict Files Chapter 7 Bankruptcy

Filed on April 6, 2023

Keywords: Bankruptcy, Personal Finance, Legal, Conman, TTM Guitars, TTM Guitars

It was expected, and now it's official, Conman, scam artist Lance Benedict has officially filed Chapter 7 Bankruptcy Protection.

Filed on April 6, 2023, in Riverside County California, Benedict listed liabilities totaling \$285,000, which includes lawsuits from his former business partners and the assessed fines from the California Department Of Business Oversight.

Benedict's Bankruptcy filing paints a picture of someone who basically scammed everyone from Federal Express to deliver his crappy made Chinese products. Capital One which details charges of someone living on credit cards for his daily trips to McDonald's

The question is, does this filing stop all legal proceedings? This puts an automatic stay on the proceedings he's listed as debt. The big question is if his lawsuit is proved he committed fraud, his filing could be null and void.

The other telling by this filing is Benedict didn't include his wife Karen in the filing. We've been notified and have learned that Benedict shifted whatever funds he had left, the TTM Guitars PayPal to his wife Karen's name. This is why he didn't include her. He could've also transferred them to his son Brock. With Benedict withholding that information and affirming on the Bankruptcy paperwork, he could be charged with Bankruptcy Fraud.


There are still ongoing state and federal criminal investigations against Benedict.

If need to file a claim to Benedict's Bankruptcy or would like to let the Bankruptcy Trustee know about his fraud:

United States Trustee (RS)	City: Riverside Phone: (951) 276-6990	Fax: (951) 276-6973	Email: ustregion16rs.uscf@usdoj.gov
Trustee: Arturo Cisneros (TR)	City: Riverside Phone: (951) 326-3124	Email: amctrustee@mclaw.org	

If you'd like to look at Benedict's 61-page Bankruptcy filing here it is:

[benedictbankruptcy2023](#)



# ***EXHIBIT C***



Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
9/13/2023 9:40:07 AM  
Filing ID 16585839

Person/Attorney Filing: Lance Benedict  
Mailing Address: 3915 N Brooklyn Dr  
City, State, Zip Code: Buckeye, AZ 85396  
Phone Number: (760)601-5181  
E-Mail Address: planet13@me.com  
 Representing Self, Without an Attorney  
(If Attorney) State Bar Number:

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

Lance Benedict  
Plaintiff(s),  
v.  
GOOGLE LLC  
Defendant(s).

Case No. CV2023-014018

**SUMMONS**

To: GOOGLE LLC

**WARNING: THIS AN OFFICIAL DOCUMENT FROM THE COURT THAT AFFECTS YOUR RIGHTS. READ THIS SUMMONS CAREFULLY. IF YOU DO NOT UNDERSTAND IT, CONTACT AN ATTORNEY FOR LEGAL ADVICE.**

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers were served on you with this Summons.
2. If you do not want a judgment taken against you without your input, you must file an Answer in writing with the Court, and you must pay the required filing fee. To file your Answer, take or send the papers to Clerk of the Superior Court, 201 W. Jefferson, Phoenix, Arizona 85003 or electronically file your Answer through one of Arizona's approved electronic filing systems at <http://www.azcourts.gov/efilinginformation>. Mail a copy of the Answer to the other party, the Plaintiff, at the address listed on the top of this Summons.  
Note: If you do not file electronically you will not have electronic access to the documents in this case.
3. If this Summons and the other court papers were served on you within the State of Arizona, your Answer must be filed within TWENTY (20) CALENDAR DAYS from the date of service, not counting the day of service. If this Summons and the other court papers were served on you outside the State of Arizona, your Answer must be filed within THIRTY (30) CALENDAR DAYS from the date of service, not counting the day of service.

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding.

GIVEN under my hand and the Seal of the Superior Court of the State of Arizona in and for the County of MARICOPA

SIGNED AND SEALED this Date: *September 13, 2023*

*JEFF FINE*  
Clerk of Superior Court

By: *D. HILL*  
Deputy Clerk



Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

If you would like legal advice from a lawyer, contact Lawyer Referral Service at 602-257-4434 or <https://maricopabar.org>. Sponsored by the Maricopa County Bar Association.

# ***EXHIBIT D***

**In the Superior Court of the State of Arizona  
In and For the County of Maricopa**

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
9/13/2023 9:40:07 AM  
Filing ID 16585837

**Filer Information:**

Lance Benedict  
3915 N Brooklyn Dr  
Buckeye, AZ 85396  
Telephone Number: (760)601-5181  
Email address: planet13@me.com

CV2023-014018

**Plaintiff:**

Lance Benedict  
3915 N Brooklyn Dr  
Buckeye, AZ 85396  
Telephone Number: (760)601-5181  
Email address: planet13@me.com

**Defendant:**

GOOGLE LLC  
1600 Amphitheatre Parkway  
MOUNTIAN VIEW, CA 94943

Discovery Tier t3

Case Category: Tort Non-Motor Vehicle  
Case Subcategory: Slander/Libel/Defamation

AZTurboCourt.gov Form Set #8255257

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
9/13/2023 9:40:07 AM  
Filing ID 16585838

Person/Attorney Filing: Lance Benedict  
Mailing Address: 3915 N Brooklyn Dr  
City, State, Zip Code: Buckeye, AZ 85396  
Phone Number: (760)601-5181  
E-Mail Address: planet13@me.com  
[  ] Representing Self, Without an Attorney  
(If Attorney) State Bar Number:

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

Lance Benedict  
Plaintiff(s),  
v.  
GOOGLE LLC  
Defendant(s).

Case No. CV2023-014018

**CERTIFICATE OF  
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Maricopa County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Lance Benedict /s/  
Plaintiff/Attorney for Plaintiff

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
9/13/2023 9:40:07 AM  
Filing ID 16585835  
  
ID: 104127726  
For Clerk's Use Only

Person Filing: LANCE BENEDICT  
Address (if not protected): 3915 N BROOKLYN DR  
City, State, Zip Code: BUCKEYE, AZ 85396  
Telephone: 7606015181  
Email Address: PLANET13@ME.COM  
Lawyer's Bar Number: \_\_\_\_\_

Representing  Self, without a Lawyer or  Attorney for  Petitioner OR  Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

LANCE M. BENEDICT  
Name of Petitioner/Plaintiff

Case Number: CV2023-014018

**APPLICATION FOR DEFERRAL OR WAIVER  
OF COURT FEES OR COSTS AND CONSENT  
TO ENTRY OF JUDGMENT**

GOOGLE LLC  
Name of Respondent/Defendant

STATE OF ARIZONA            )  
COUNTY OF MARICOPA       ) ss.

**Notice.** A Fee Deferral is only a temporary postponement of the payment of the fees due. You may be required to make payments depending on your income. A Fee Waiver is usually permanent unless your financial circumstances change during the pendency of this court action.

I am requesting a deferral or waiver of all fees including: filing a case, issuance of a summons or subpoena, the cost of attendance at an educational program required by A.R.S. § 25-352, one certified copy of a temporary order in a family law case, one certified copy of the court's final order, preparation of the record on appeal, court reporter's fees of reporters or transcribers, service of process costs, and/or service by publication costs. (I have completed the separate Supplemental Information form if I am asking for service of process costs, or service by publication costs.) I understand that if I request deferral or waiver because I am a participant in a government assistance program, I am required to provide proof at the time of filing. The document(s) submitted must show my name as the recipient of the benefit and the name of the agency awarding the benefit. **Note. All other applicants must complete the financial questionnaire beginning at section 3. If you are a participant in one of the programs in section 1 or 2 (below), you do not need to complete the financial questionnaire, and can proceed to the signature page.**

1.  **DEFERRAL:** I receive government assistance from the state or federal program marked below or am represented by a not for profit legal aid program:

- Temporary Assistance to Needy Families (TANF)
- Food Stamps
- Legal Aid Services

2.  **WAIVER:**

I receive government assistance from the federal Supplemental Security Income (SSI) program.

Case Number: \_\_\_\_\_

**3. FINANCIAL QUESTIONNAIRE**

**SUPPORT RESPONSIBILITIES.** List all persons you support (including those you pay child support and/or spousal maintenance/support for):

NAME	RELATIONSHIP
<u>Lance Benedict</u>	<u>Self</u>
_____	_____
_____	_____

**STATEMENT OF INCOME AND EXPENSES**

Employer name: \_\_\_\_\_

Employer phone number: \_\_\_\_\_

I am unemployed (explain): I lost my job last year.

My prior year's gross income: \$ 0.00

**MONTHLY INCOME**

My total monthly gross income: \$ 0.00

My spouse's monthly gross income (if available to me): \$ 0.00

Other current monthly income, including spousal maintenance/support, retirement, rental, interest, pensions, and lottery winnings: \$ 0.00

**TOTAL MONTHLY INCOME** \$ 0.00

**MONTHLY EXPENSES AND DEBTS:** My monthly expenses and debts are:

	PAYMENT AMOUNT	LOAN BALANCE
Rent/Mortgage payment	\$ <u>1000.00</u>	\$ <u>0.00</u>
Car payment	\$ <u>0.00</u>	\$ <u>0.00</u>
Credit card payments	\$ <u>0.00</u>	\$ <u>0.00</u>
Explain: _____		
Other payments & debts	\$ <u>0.00</u>	\$ <u>0.00</u>
Household	\$ <u>0.00</u>	
Utilities/Telephone/Cable	\$ <u>500.00</u>	
Medical/Dental/Drugs	\$ <u>50.00</u>	
Health insurance	\$ <u>100.00</u>	
Nursing care	\$ <u>0.00</u>	
Tuition	\$ <u>0.00</u>	
Child support	\$ <u>0.00</u>	
Child care	\$ <u>0.00</u>	
Spousal maintenance	\$ <u>0.00</u>	
Car insurance	\$ <u>0.00</u>	
Transportation	\$ <u>0.00</u>	
Other expenses (explain)	\$ <u>0.00</u>	

**TOTAL MONTHLY EXPENSES** \$ 1650.00

Case Number: \_\_\_\_\_

**STATEMENT OF ASSETS:** List only those assets available to you and accessible without financial penalty.

	<b>ESTIMATED VALUE</b>
Cash and bank accounts	\$ <u>0.00</u>
Credit union accounts	\$ <u>0.00</u>
Other liquid assets	\$ <u>0.00</u>
<b>TOTAL ASSETS</b>	<b>\$ <u>0.00</u></b>

**The basis for the request is:**

4.  **DEFERRAL:**

A.  My income is insufficient or is barely sufficient to meet the daily essentials of life, and includes no allotment that could be budgeted for the fees and costs that are required to gain access to the court. My gross income as computed on a monthly basis is 150% or less of the current federal poverty level. (Note: Gross monthly income includes your share of community property income if available to you.)

OR

B.  I do not have the money to pay court filing fees and/or costs now. I can pay the filing fees and/or costs at a later date. **Explain.**

OR

C.  My income is greater than 150% of the poverty level, but have proof of extraordinary expenses (including medical expenses and costs of care for elderly or disabled family members) or other expenses that reduce my gross monthly income to 150% or below the poverty level.

<b>DESCRIPTION OF EXPENSES</b>	<b>AMOUNT</b>
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL EXTRAORDINARY EXPENSES</b>	<b>\$ <u>0</u></b>

5.  **WAIVER:**

I am permanently unable to pay. My income and liquid assets are insufficient or barely sufficient to meet the daily essentials of life and are unlikely to change in the foreseeable future.

**IMPORTANT**

This "Application for Deferral or Waiver of Court Fees or Costs" includes a "Consent to Entry of Judgment." By signing this Consent, you agree a judgment may be entered against you for all fees and costs that are deferred but remain unpaid thirty (30) calendar days after entry of final judgment. At the conclusion of the case you will receive a *Notice of Court Fees and Costs Due* indicating how much is owed and what steps you must take to avoid a judgment against you if you are still participating in a qualifying program. You may be ordered to repay any amounts that were waived if the court finds you were not eligible for the fee deferral or waiver. If your case is dismissed for any reason, the fees and costs are still due.



Case Number: \_\_\_\_\_

**CONSENT TO ENTRY OF JUDGMENT.** By signing this Application, I agree that a judgment may be entered against me for all fees or costs that are deferred but remain unpaid thirty (30) calendar days after entry of final judgment.

### OATH OR AFFIRMATION

I declare under penalty of perjury that the foregoing is true and correct.

09/11/2023  
Date

/s/Lance Benedict  
Signature

Lance Benedict  
Applicant's Printed Name

9/11/2023  
Date

/s/Honorable John Blanchard  
Judicial Officer

\_\_\_\_\_  
My Commission Expires/Seal:

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
9/13/2023 9:40:07 AM  
Filing ID 16585836

Person Filing: LANCE BENEDICT  
Address (if not protected): 3915 N BROOKLYN DR  
City, State, Zip Code: BUCKEYE, AZ 85396  
Telephone: 7606015181  
Email Address: PLANET13@ME.COM  
Lawyer's Bar Number: \_\_\_\_\_

ID: 124127728  
For Clerk's Use Only

Representing  Self, without a Lawyer or  Attorney for  Petitioner OR  Respondent

### SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

LANCE M. BENEDICT  
Name of Petitioner/Plaintiff

Case Number: CV2023-014018

#### ORDER REGARDING DEFERRAL OR WAIVER OF COURT FEES AND COSTS AND NOTICE REGARDING CONSENT JUDGMENT

GOOGLE LLC  
Name of Respondent/Defendant

**NOTE: ONLY FILL OUT THE ABOVE INFORMATION. THE COURT WILL FILL OUT THE REST OF THE FORM.**

THE COURT FINDS that the applicant (print name) LANCE BENEDICT:

- 1.  IS NOT ELIGIBLE FOR A DEFERRAL of fees and/or costs.  
OR
- 2.  IS ELIGIBLE FOR A DEFERRAL of fees and/or costs based on financial eligibility. As required by state, the applicant has signed a consent to entry of judgment.  
OR
- 3.  IS ELIGIBLE FOR A DEFERRAL of fees and/or costs at the court's discretion (A.R.S. § 12-302(L)).  
OR
- 4.  IS ELIGIBLE FOR A DEFERRAL of fees and/or costs based on good cause shown. As required by state law, the applicant has signed a consent to entry of judgment.  
OR
- 5.  IS ELIGIBLE FOR A WAIVER of fees and/or costs because the applicant is permanently unable to pay (A.R.S. § 12-302(D)).  
OR
- 6.  IS ELIGIBLE FOR A WAIVER of fees and/or costs at the court's discretion (A.R.S. § 12-302(L)).  
OR
- 7.  IS NOT ELIGIBLE FOR A WAIVER of fees and/or costs.

Case Number: \_\_\_\_\_

**IT IS ORDERED:**

**DEFERRAL IS DENIED** for the following reason(s):

The application is incomplete because \_\_\_\_\_

**You are encouraged to submit a complete application.**

The applicant does not meet the financial criteria for deferral because \_\_\_\_\_

**A deferral MUST BE granted if the applicant is receiving public assistance benefits from the Temporary Assistance to Needy Families (TANF) program or Food Stamps; presents documentation they are currently receiving services from a non-profit legal services organization; has an income that is insufficient or barely sufficient to meet the daily essentials of life and that includes no allotment that could be budgeted to pay the fees and costs necessary to gain access to the court; or, if the applicant demonstrates other good cause.**

**DEFERRAL IS GRANTED** for the following fees and/or costs in this court:

Any or all filing fees; fees for the issuance of either a summons and subpoena; or the cost of attendance at an educational program required by A.R.S. § 25-352, fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings.

Fees for service of process by a sheriff, marshal, constable or law enforcement agency.

Fees for service by publication.

Filing fees and photocopy fees for the preparation of the record on appeal.

Court reporter or transcriber fees if employed by the court for the preparation of the transcript.

**IF A DEFERRAL IS GRANTED, PLEASE CHECK ONE OF THE FOLLOWING BOXES:**

**NO PAYMENTS WILL BE DUE UNTIL FURTHER NOTICE.**

**SCHEDULE OF PAYMENTS.**

The applicant shall pay \$\_\_\_\_\_ each \_\_\_\_\_ (week, month etc.) until paid in full, beginning upon receipt of bill from the Clerk's Office.

**WAIVER IS DENIED** for all fees and/or costs in this case.

**WAIVER IS GRANTED** for all fees and/or costs in this case that may be waived under A.R.S. § 12-302(H).

Any or all filing fees; fees for the issuance of either a summons or subpoena; or the cost of attendance at an educational program required by A.R.S. § 25-352, fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings.

Fees for service of process by a sheriff, marshal, constable or law enforcement agency.

Case Number: \_\_\_\_\_

- Fees for service by publication.
- Filing fees and photocopy fees for the preparation of the record on appeal.
- Court reporter or transcriber fees if employed by the court for the preparation of the transcript.

**RIGHT TO JUDICIAL REVIEW.** If the application is denied or a payment schedule is set by a special commissioner, you may request the decision be reviewed by a judicial officer. The request must be made within twenty (20) days of the day the order was mailed or delivered to you. If a schedule of payments has been established, payments shall be suspended until a decision is made after judicial review. Judicial review shall be held as soon as reasonably possible.

**NOTICE REGARDING CONSENT JUDGMENT.** Unless any of the following applies, a consent judgment may be entered against the applicant for all fees and costs that are deferred and remain unpaid thirty (30) days after entry of final judgment:

- A. Fees and costs are taxed to another party;
- B. The applicant has an established schedule of payments in effect and is current with those payments;
- C. The applicant filed a supplemental application for waiver or further deferral of fees and costs and a decision by the court is pending;
- D. In response to a supplemental application, the court orders that the fees and costs be waived or further deferred; or
- E. Within twenty (20) days of the date the court denies the supplemental application, the applicant either:
  - 1. Pays the fees and costs; or,
  - 2. Requests a hearing on the court's order denying further deferral or waiver. If the applicant requests a hearing, the court cannot enter the consent judgment unless a hearing is held, further deferral or waiver is denied, and payment has not been made within the time prescribed by the court.

If an appeal is taken, a consent judgment for deferred fees and costs that remain unpaid in the lower court shall not be entered until thirty (30) days after the appeals process is concluded. The procedures for notice of court fees and costs and for entry of a consent judgment continue to apply. If a consent judgment is signed and the applicant pays the fees and costs in full, the court is required to comply with the provisions of A.R.S. § 33-964(C).

**DUTY TO REPORT CHANGE IN FINANCIAL CIRCUMSTANCES.** An applicant who is granted a deferral or waiver shall promptly notify the court of any change in financial circumstances during the pendency of the case that would affect the applicant's ability to pay court fees and costs. Any time the applicant appears before the court on this case, the court may inquire as to the applicant's financial circumstances.

DATED: 9/11/2023

/s/Honorable John Blanchard

**Judicial Officer**       **Special Commissioner**

I CERTIFY that I mailed/delivered/provided a copy of this document to:

- Applicant     at the above address     in court
- Applicant's attorney     at the above address     in court

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Clerk

# ***EXHIBIT E***

BRYAN CAVE LEIGHTON PAISNER LLP  
TWO NORTH CENTRAL AVENUE, SUITE 2100  
PHOENIX, ARIZONA 85004-4406

1 COOLEY LLP  
Bobby Ghajar, CA Bar No. 198719 (pro hac vice application pending)  
2 (bghajar@cooley.com)  
1333 2nd Street, Suite 400  
3 Santa Monica, California 90401  
Telephone: (310) 883-6400  
4 Facsimile: (310) 883-6500

5 Brian J. Focarino, CA Bar No. 305382 (pro hac vice application pending)  
(bfocarino@cooley.com)  
6 500 Boylston Street, 14th Floor  
Boston, Massachusetts 02116  
7 Telephone: (617) 937-2300  
Facsimile: (617) 937-2400  
8

BRYAN CAVE LEIGHTON PAISNER LLP, #145700  
9 George C. Chen, AZ Bar No. 019704  
george.chen@bclplaw.com  
10 Matt Stanford, AZ Bar No. 037168  
matt.stanford@bclplaw.com  
11 Two North Central Avenue, Suite 2100  
Phoenix, Arizona 85004-4406  
12 Telephone: +1 602 364 7000  
Facsimile: +1 602 364 7070  
13

14 Attorneys for Defendant  
GOOGLE LLC

15 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

16 **IN AND FOR THE COUNTY OF MARICOPA**

18 LANCE M. BENEDICT, an Individual,

No. CV2023-014018

19 v.

**NOTICE OF REMOVAL BY  
DEFENDANT GOOGLE LLC [28  
U.S.C. §§ 1331, 1338, 1367, 1441; 15  
U.S.C. § 1121**

20 GOOGLE LLC, a Delaware Corporation  
and DOES 1 through 100, inclusive,

(Hon. John Blanchard)

21 Defendants.

22  
23 **TO PLAINTIFF LANCE M. BENEDICT:**

24 **PLEASE TAKE NOTICE** that, on November 14, 2023, Defendant Google LLC,  
25 by and through its undersigned counsel, filed a Notice of Removal of this Action in the  
26 United States District Court for the District of Arizona. A true and correct copy of the Notice  
27 of Removal of Action (without exhibits) is attached hereto as **Exhibit A** and served  
28 contemporaneously herewith.

1  
2 Dated: November 14, 2023

BRYAN CAVE LEIGHTON PAISNER  
LLP

3  
4 By: /s/ George C. Chen  
5 George C. Chen  
6 Matt Stanford  
7 Two North Central Avenue, Suite 2100  
8 Phoenix, AZ 85004-4406  
9 Telephone: +1 602 364 7000  
10 Facsimile: +1 602 364 7070  
11 Email: george.chen@bclplaw.com  
12 matt.stanford@bclplaw.com

13 COOLEY LLP  
14 Bobby Ghajar  
15 1333 2nd Street, Suite 400  
16 Santa Monica, California 90401  
17 Telephone: (310) 883-6400  
18 Facsimile: (310) 883-6500

19 Brian J. Focarino  
20 (bfocarino@cooley.com)  
21 500 Boylston Street, 14th Floor  
22 Boston, Massachusetts 02116  
23 Telephone: (617) 937-2300  
24 Facsimile: (617) 937-2400

25 Attorneys for Defendant  
26 GOOGLE LLC

27  
28 The foregoing was e-filed via AZTurboCourt and  
emailed this 14<sup>th</sup> day of November, 2023, to:

Lance Benedict  
3915 North Brooklyn Drive  
Buckeye, Arizona 85396  
Planet13@me.com  
Plaintiff Pro Per

/s/ Cathy Russell

# ***EXHIBIT A***



BRYAN CAVE LEIGHTON PAISNER LLP  
TWO NORTH CENTRAL AVENUE, SUITE 2100  
PHOENIX, ARIZONA 85004-4406

1 COOLEY LLP  
Bobby Ghajar, CA Bar No. 198719 (pro hac vice application pending)  
2 (bghajar@cooley.com)  
1333 2nd Street, Suite 400  
3 Santa Monica, California 90401  
Telephone: (310) 883-6400  
4 Facsimile: (310) 883-6500

5 Brian J. Focarino, CA Bar No. 305382 (pro hac vice application  
pending)  
6 (bfocarino@cooley.com)  
500 Boylston Street, 14th Floor  
7 Boston, Massachusetts 02116  
Telephone: (617) 937-2300  
8 Facsimile: (617) 937-2400

9 BRYAN CAVE LEIGHTON PAISNER LLP, #145700  
George C. Chen, AZ Bar No. 019704  
10 george.chen@bclplaw.com  
Matt Stanford, AZ Bar No. 037168  
11 matt.stanford@bclplaw.com  
Two North Central Avenue, Suite 2100  
12 Phoenix, Arizona 85004-4406  
Telephone: +1 602 364 7000  
13 Facsimile: +1 602 364 7070

14 Attorneys for Defendant  
GOOGLE LLC

15 **IN THE UNITED STATES DISTRICT COURT**  
16 **IN AND FOR THE DISTRICT OF ARIZONA**

18 Lance M. Benedict, an Individual,  
19  
20 v.  
21 Google LLC, a Delaware Corporation and  
Does 1 through 100, inclusive,  
22 Defendants.

No.  
**NOTICE OF REMOVAL OF STATE  
COURT CIVIL ACTION [28 U.S.C.  
§§ 1331, 1338, 1367, 1441; 15 U.S.C.  
§ 1121]**  
Maricopa County Superior Court  
Case No. CV2023-014018

23 **TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

24 **PLEASE TAKE NOTICE** that, pursuant to 28 U.S.C. §§ 1331, 1338, 1367, 1441,  
25 and 1446, 15 U.S.C. § 1121, and LRCiv 3.6, Defendant Google LLC (“Google”) hereby  
26 removes this civil action from the Superior Court of Arizona for the County of Maricopa  
27 (the “Superior Court”), where it is currently pending as Case No. CV2023-014018, to the  
28

1 United States District Court for the District of Arizona. In support of this Notice of  
2 Removal, Google sets forth the following grounds:

3 **PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL**

4 1. On or about September 13, 2023, Plaintiff Lance M. Benedict (“Plaintiff”)  
5 commenced a civil action in the Superior Court, captioned *Lance M. Benedict v. Google*  
6 *LLC*, Case No. CV2023-014018 (the “State Court Action”).

7 2. On October 16, 2023, Plaintiff served Google with the Complaint and  
8 summons. The Complaint identifies Google as a named defendant, along with 100 Doe  
9 defendants. Google is unaware whether any of the unidentified Doe defendants have been  
10 served in this matter.

11 3. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 3.6, all available documents  
12 and records in the State Court Action, including the Complaint, Summons, Civil Cover  
13 Sheet, and docket are attached as **Exhibits A-D**.

14 4. This Notice of Removal is timely because it is filed within thirty days of  
15 service of the Complaint and summons. *See* 28 U.S.C. § 1446(b).

16 5. Pursuant to LRCiv 3.6, Google is not aware of any pending or undecided  
17 motions in the State Court Action.

18 6. This Court has original jurisdiction over this civil suit under 28 U.S.C.  
19 §§ 1331 and 1338 and 15 U.S.C. § 1121(a), and it may be removed to this Court by Google  
20 pursuant to 28 U.S.C. § 1441, because this matter is a civil action arising, in part, under the  
21 laws of the United States, and in part under common-law and state law claims that are  
22 subject to supplemental jurisdiction under 28 U.S.C. § 1367.

23 **FEDERAL QUESTION JURISDICTION**

24 7. Removal jurisdiction based upon a federal question exists when a federal  
25 question is presented on the face of a plaintiff’s complaint. *See Caterpillar Inc. v. Williams*,  
26 482 U.S. 386, 392 (1987). The State Court Action is within the original jurisdiction of this  
27 Court under 28 U.S.C. § 1331 because it contains claims “arising under the Constitution,  
28 laws, or treaties of the United States.”

1           8.       Specifically, Plaintiff’s alleged trademark claims rely exclusively on his  
2 purported trademark registration with the United States Patent and Trademark Office.  
3 **Exhibit B** at pp. 2, 3, 8, 12. The Complaint alleges, “Defendant has refused to acknowledge  
4 the Plaintiff’s *registered trademark* with USPTO.gov and continues against plaintiffs (sic)  
5 will to broadcast *said trademark* throughout the Google and YouTube platforms *without*  
6 *the expressed written consent of Plaintiff.*” *Id.* at 2 (emphasis added). The Complaint does  
7 not assert any claims under Arizona state law; instead, Plaintiff asserts his purported federal  
8 trademark registration for no other reason than to claim federal trademark rights.

9           9.       This action is also within the original jurisdiction of this Court, and therefore  
10 removable, under 28 U.S.C. § 1338. 28 U.S.C. § 1338(a) provides: “[t]he district courts  
11 shall have original jurisdiction of any civil action arising under any Act of Congress relating  
12 to . . . trademarks.” 28 U.S.C. § 1338(b) provides: “The district courts shall have original  
13 jurisdiction of any civil action asserting a claim of unfair competition when joined with a  
14 substantial and related claim under the copyright, patent, plant variety protection or  
15 trademark laws.”

16           10.      The Lanham Act also provides for original jurisdiction in this Court for  
17 actions arising under the act. 15 U.S.C. § 1121(a) states: “[t]he district and territorial courts  
18 of the United States shall have original jurisdiction . . . of all actions arising under [the  
19 Lanham Act], without regard to the amount in controversy or to diversity or lack of diversity  
20 of the citizenship of the parties.”

21           11.      Separately, the Complaint invokes the Privacy Act of 1974, 5 U.S.C. § 552a.  
22 **Exhibit B** at pp. 2, 13. Plaintiff alleges, “Defendant has violated the Privacy Act of 1974,  
23 5 U.S.C. § 552a,, (sic) by way of unauthorized broadcasting and/or publishing of plaintiffs  
24 (sic) personal information.” *Id.* at 2. Plaintiff’s claims, therefore, invoke these federal law  
25 issues (although Google strongly disputes that it has violated any federal law or regulation).

26           12.      Because this is a civil action over which this Court has original jurisdiction  
27 under 28 U.S.C. §§ 1331 and 1338(a) and 15 U.S.C. § 1121(a), it is removable under 28  
28 U.S.C. § 1441(a), which provides: “Except as otherwise expressly provided by an Act of

1 Congress, any civil action brought in a State court of which the district courts of the United  
2 States have original jurisdiction, may be removed by the defendant or the defendants, to the  
3 district court of the United States for the district and division embracing the place where  
4 such action is pending.”

5 **SUPPLEMENTAL JURISDICTION**

6 13. Where “all other claims that are so related [to the federal claims] . . . that they  
7 form part of the same case or controversy,” the Court has supplemental jurisdiction over  
8 those claims under 28 U.S.C. § 1367(a).

9 14. Here, Plaintiff’s tort claims (intentional infliction of emotional distress and  
10 defamation) are based on the same underlying facts as the Privacy Act and trademark  
11 claims, namely the appearance of Plaintiff’s name and information about him on third party  
12 websites that appear when one does a search for his name. These claims are so related to  
13 the federal claims described above that they form a part of the same case or controversy. 28  
14 U.S.C. § 1367(a).

15 15. This Court should exercise supplemental jurisdiction over Plaintiff’s related  
16 causes of action. Plaintiff’s related causes of action do not raise novel or complex issues of  
17 state law, nor predominate over the claims over which this Court has original jurisdiction.  
18 There are no exceptional circumstances or other compelling reasons for this Court to decline  
19 supplemental jurisdiction. *See* 28 U.S.C. § 1367(c). Thus, removal is proper under 28  
20 U.S.C. § 1441(c).

21 **DIVERSITY JURISDICTION**

22 16. Although the primary basis for removal is federal question jurisdiction as  
23 stated above, this Court also has original jurisdiction over the State Court Action based on  
24 the diversity of citizenship of the parties.

25 17. Pursuant to 28 U.S.C. § 1332(a)(1), district courts have original jurisdiction  
26 over civil actions where the matter in controversy exceeds \$75,000 and is between citizens  
27 of different U.S. states.

28

1 18. The amount in controversy is required because, according to the Prayer for  
2 Relief in the FAC, Plaintiff seeks “\$100,000,000.” That amount exceeds the \$75,000  
3 amount in controversy required under 28 U.S.C. § 1332(a).

4 19. There is complete diversity between the parties. Google is headquartered in  
5 California and incorporated in Delaware. According to the caption of the Complaint,  
6 Plaintiff’s residence is in Buckeye, Arizona, which indicates that he is domiciled there.

7 20. As such, the State Court Action is also removable under 28 U.S.C. § 1441(a).

8 **VENUE**

9 21. Venue is proper in this Court because this is the District “embracing the place  
10 where such action is pending” in state court, which is Maricopa county in the District of  
11 Arizona. 28 U.S.C. § 1441(a).

12 **NOTICE TO STATE COURT AND PLAINTIFF**

13 22. Contemporaneously with this filing, Google is filing a Notice of Filing of  
14 Notice of Removal with the Superior Court, attached as **Exhibit E**, and is providing written  
15 notice of this filing to Plaintiff, as required by 28 U.S.C. § 1446(d) and LRCiv 3.6, attached  
16 as **Exhibit F**.

17 **ADOPTION AND RESERVATION OF DEFENSES**

18 23. Nothing in this Notice of Removal shall be interpreted as a waiver or  
19 relinquishment of any of Google’s rights to assert any defense or affirmative matter under  
20 Arizona law, Rule 12 of the Federal Rules of Civil Procedure, any state or federal statute,  
21 or otherwise.

22 For all the foregoing reasons, Google requests to remove this action from the  
23 Superior Court to the United States District Court, District of Arizona. In the event the Court  
24 considers remand *sua sponte*, Google respectfully requests the opportunity to submit  
25 additional argument or evidence in support of removal as may be necessary.  
26  
27  
28

1 Dated: November 14, 2023

BRYAN CAVE LEIGHTON PAISNER  
LLP

2  
3  
4 By: /s/ George C. Chen  
George C. Chen  
Matt Stanford  
Two North Central Avenue, Suite 2100  
Phoenix, AZ 85004-4406  
5 Telephone: +1 602 364 7000  
6 Facsimile: +1 602 364 7070  
7 Email: george.chen@bclplaw.com  
matt.stanford@bclplaw.com

8  
9 COOLEY LLP  
Bobby Ghajar  
1333 2nd Street, Suite 400  
10 Santa Monica, California 90401  
Telephone: (310) 883-6400  
11 Facsimile: (310) 883-6500

12 Brian J. Focarino  
(bfocarino@cooley.com)  
500 Boylston Street, 14th Floor  
13 Boston, Massachusetts 02116  
Telephone: (617) 937-2300  
14 Facsimile: (617) 937-2400

15  
16 Attorneys for Defendant  
GOOGLE LLC

BRYAN CAVE LEIGHTON PAISNER LLP  
TWO NORTH CENTRAL AVENUE, SUITE 2100  
PHOENIX, ARIZONA 85004-4406

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2023, I electronically transmitted the attached document to the Clerk’s Office using CM/ECF System for filing and mailed a copy to:

Lance Benedict  
3915 North Brooklyn Drive  
Buckeye, Arizona 85396  
Planet13@me.com  
Plaintiff Pro Per

/s/ Cathy Russell

BRYAN CAVE LEIGHTON PAISNER LLP  
TWO NORTH CENTRAL AVENUE, SUITE 2100  
PHOENIX, ARIZONA 85004-4406

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# ***EXHIBIT F***



BRYAN CAVE LEIGHTON PAISNER LLP  
TWO NORTH CENTRAL AVENUE, SUITE 2100  
PHOENIX, ARIZONA 85004-4406

1 COOLEY LLP  
Bobby Ghajar, CA Bar No. 198719 (pro hac vice application pending)  
2 (bghajar@cooley.com)  
1333 2nd Street, Suite 400  
3 Santa Monica, California 90401  
Telephone: (310) 883-6400  
4 Facsimile: (310) 883-6500

5 Brian J. Focarino, CA Bar No. 305382 (pro hac vice application  
pending)  
6 (bfocarino@cooley.com)  
500 Boylston Street, 14th Floor  
7 Boston, Massachusetts 02116  
Telephone: (617) 937-2300  
8 Facsimile: (617) 937-2400

9 BRYAN CAVE LEIGHTON PAISNER LLP, #145700  
George C. Chen, AZ Bar No. 019704  
10 george.chen@bclplaw.com  
Matt Stanford, AZ Bar No. 037168  
11 matt.stanford@bclplaw.com  
Two North Central Avenue, Suite 2100  
12 Phoenix, Arizona 85004-4406  
Telephone: +1 602 364 7000  
13 Facsimile: +1 602 364 7070

14 Attorneys for Defendant  
GOOGLE LLC

15 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
16 **IN AND FOR THE COUNTY OF MARICOPA**  
17

18 LANCE M. BENEDICT, an Individual,

19 v.

20 GOOGLE LLC, a Delaware Corporation  
and DOES 1 through 100, inclusive,

21 Defendants.  
22

No.

**NOTICE TO PLAINTIFF OF  
REMOVAL OF STATE COURT  
CIVIL ACTION TO THE UNITED  
STATES DISTRICT COURT [28  
U.S.C. §§ 1331, 1338, 1367, 1441; 15  
U.S.C. § 1121]**

Maricopa County Superior Court  
Case No. CV2023-014018

23  
24  
25 **TO PLAINTIFF LANCE M. BENEDICT:**

26 **PLEASE TAKE NOTICE** that, pursuant to 28 U.S.C. §§ 1331, 1338, 1367, 1441,  
27 and 1446, 15 U.S.C. § 1121, and LRCiv 3.6, Defendant Google LLC (“Google”), by and  
28

1 through its attorneys, hereby notifies Plaintiff Lance M. Benedict that on November 14,  
2 2023, Google filed a Notice of Removal of this civil action from the Superior Court of  
3 Arizona for the County of Maricopa (the “Superior Court”), where it is currently pending  
4 as Case No. CV2023-014018, to the United States District Court for the District of Arizona.

5 This Notice of Removal removes the above-captioned matter from the Superior  
6 Court to the United States District Court for the District of Arizona.

7 Dated: November 14, 2023

BRYAN CAVE LEIGHTON PAISNER  
LLP

8  
9  
10 By:           /s/ George C. Chen            
George C. Chen  
Matt Stanford  
Two North Central Avenue, Suite 2100  
Phoenix, AZ 85004-4406  
Telephone: +1 602 364 7000  
Facsimile: +1 602 364 7070  
Email: george.chen@bclplaw.com  
matt.stanford@bclplaw.com

11  
12  
13  
14  
15 COOLEY LLP  
Bobby Ghajar  
1333 2nd Street, Suite 400  
Santa Monica, California 90401  
Telephone: (310) 883-6400  
Facsimile: (310) 883-6500

16  
17  
18 Brian J. Focarino  
(bfocarino@cooley.com)  
500 Boylston Street, 14th Floor  
Boston, Massachusetts 02116  
Telephone: (617) 937-2300  
Facsimile: (617) 937-2400

19  
20  
21 Attorneys for Defendant  
GOOGLE LLC

22  
23 The foregoing was e-filed via AZTurboCourt and  
24 emailed this 14<sup>th</sup> day of November, 2023, to:

25 Lance Benedict  
3915 North Brooklyn Drive  
26 Buckeye, Arizona 85396  
Planet13@me.com  
27 Plaintiff Pro Per

28           /s/ Cathy Russell