

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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In the Matter of the Application of JOHN CATSIMATIDIS,

Petitioners,

Index No.:

For an order pursuant to section 3102(c) of the Civil  
Practice Laws and Rules to compel disclosure from **PETITION**

-against-

GOOGLE, INC. and YOUTUBE, LLC,

Respondents,

of the identity of the defendants JOHN DOE and/or  
JANE DOE a/k/a "GROCERY EMPLOYEES  
UNITED" being unknown to the Petitioner, in an  
action about to be commenced.

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STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

John A. Catsimatidis, being duly sworn, deposes and says:

1. I am the Petitioner herein and reside in the County of New York and maintain an office at 823 Eleventh Avenue New York, New York. This application arises out of videos posted to Respondents' websites by JOHN DOE and/or JANE DOE on or about August 28<sup>th</sup> and August 31<sup>st</sup> of 2013.

2. These videos posted by JOHN DOE and/or JANE DOE are defamatory in nature, they contain material misstatements of fact and were made with reckless disregard for the truth.

3. JOHN DOE and/or JANE DOE's video posted to Respondents' websites on August 31<sup>st</sup> alleges that I "pled guilty to 100 counts of wiretapping and paid a \$1 million fine." This statement is not true and was maliciously made with reckless

disregard of the truth. JOHN DOE and/or JANE DOE's video goes on to state that because of these statements (which are false) I cannot be trusted. Clearly, JOHN DOE and/or JANE DOE made this video with the intent to damage my business and my prospect in becoming Mayor of New York City.

4. JOHN DOE and/or JANE DOE's video posted to Respondents' websites on August 28<sup>th</sup> alleges that I made various payments in lawsuits brought against me and alleges that one was paid by me as a fine imposed by the New York Attorney General. These statements are not true and were made maliciously with reckless disregard of the truth. JOHN DOE and/or JANE DOE's video goes on to state that because of these statements (which are false) I cannot be trusted. Clearly, JOHN DOE and/or JANE DOE made this video with the intent to damage my business and my prospect in becoming Mayor of New York City.

5. These postings by JOHN DOE and/or JANE DOE were made with the intention to harm my reputation as a businessman and as a political figure. These postings were made with the intention to interfere with my relationships, my livelihood and my political aspirations.

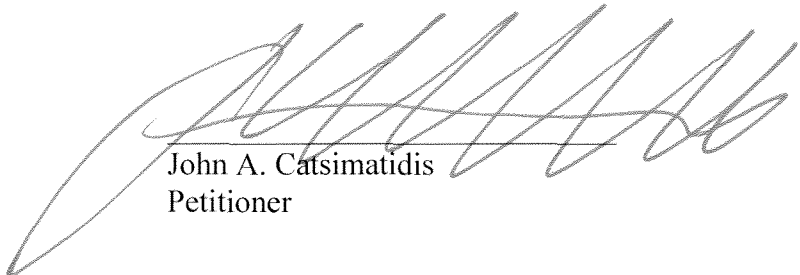
6. I am seeking from Respondent the identity(ies) of JOHN DOE and/or JANE DOE. This information is material and necessary because if I am unable to ascertain the identities of JOHN DOE and/or JANE DOE with absolute certainty, I will be unable to bring a defamation suit, remedy my damages and achieve justice as I have no way to determine who the proper defendants are without that information.

7. If I am denied the relief sought herein, it will unfairly thwart my ability to bring my meritorious lawsuit.

8. This application is made by Order to Show Cause so that pre-action discovery can be made in order to ascertain the identities of JOHN DOE and/or JANE DOE and so that I may start a meritorious action against JOHN DOE and/or JANE DOE.

9. No previous application has been made for the order or relief requested herein.

**WHEREFORE**, it is respectfully requested that the order to show cause attached herein be granted in all respect.



John A. Catsimatidis  
Petitioner

Sworn to before me this  
12 day of September, 2013.



Nicholas C. Katsoris  
Notary Public

NICHOLAS C. KATSORIS, Notary Public  
State of New York, 02KA5052857  
Qualified in New York County  
Certificate Filed in New York County  
Commission Expires Dec. 4, 2013