

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JUMP ALGORITHMS, LLC)
)
Petitioner,)
)
vs.)
)
TWITTER INC.)
)
Respondent.)

Case No.

2014L004578
CALENDAR/ROOM E
TIME 00:00
Discovery

2014 APR 24 PM 4:32

**VERIFIED PETITION FOR DISCOVERY BEFORE SUIT
TO IDENTIFY RESPONSIBLE PERSONS PURSUANT TO
ILLINOIS SUPREME COURT RULE 224**

Jump Algorithms, LLC (“Jump”), collectively with affiliated entities including Jump Trading, LLC, by its undersigned attorneys and pursuant to Illinois Supreme Court Rule 224, respectfully petitions this Court to enter an order requiring Twitter, Inc. (“Twitter”) to identify the legal name of a certain internet user. In support of this Petition, Jump states:

1. Jump is the owner of the registered Jump Trading name and logo trademarks and licenses the use of those trademarks to Jump Trading, LLC (“Jump Trading”). Jump Trading is a financial technology firm that engages in algorithmic trading of a wide variety of financial instruments. Jump Trading is recognized in the financial markets as a leading global trading firm.

2. Twitter is a Delaware corporation with its principal place of business located at 1355 Market St., Ste 900 San Francisco, CA 94103. Twitter conducts, and at all relevant times has conducted, business within the State of Illinois.

3. Between April 19 and April 21, 2014, one of Twitter’s registered members, jumptrading@algorithmswild, posted a series of comments posing as Jump Trading and infringing

Jump's trademarks. For example:

- a. On April 19, 2014, jumptrading@algoswild tweeted the following tweets: "HFT people fear it because they don't understand it."; "The securities exchanges' practice of selling early access to their trading data to insiders is a bigger problem than HFT"; "Many venues have pricing models that pay me a rebate to passively post liquidity";
- b. On April 20, 2014, jumptrading@algoswild tweeted the following tweets: "Majority of High-Frequency Trading is Not Predatory #hft"; "Biggest myth about HFT is the business media actually understand it. #hft"; "Another state AG just trying to make a name for himself, seems to be all the rage. #hft"; "I am not an HFT trader I am a provider of LIQUIDITY. I must be you pay me for it!!!!"; "I love the three card monty trade@!"; "Pissed off with the market doing nothing going to give it one more chance before I release Godzilla #hft."

4. The jumptrading@algoswild account describes jumptrading@algoswild as a *"Quant/Developer code-Drone Phd maths CS Degree EE Degree Quant Developer for HFT Global Player in Chicago/NY/Singapore/UK."* "HFT" is an abbreviation commonly used in the financial industry for high frequency trading, a designation used to refer to Jump Trading. In addition, the "roles" listed in the biography are job titles commonly used by Jump Trading. Jump Trading has office locations and affiliates in Chicago, New York, Singapore, and the United Kingdom. jumptrading@algoswild is identifying himself or herself as an "HFT Global Player" in the four geographical locations that Jump Trading has an office or an affiliate office and is thereby posing as Jump Trading or as an authorized Jump Trading representative.

5. The true legal name of this individual is unknown to Jump.

6. The true legal name of this individual is known, however, to Respondent Twitter. That is because an individual must register with Twitter, including by providing his or her legal name and email address(es), before he or she can post a "tweet." On information and belief, Twitter also records the member's Twitter account information and Internet Protocol ("IP") address every time he or she logs-in to Twitter and tweets.

7. Twitter requires a court order before it will disclose information about its users. *See* <https://twitter.com/privacy>.

8. Jump needs to obtain the legal name of “jumptrading@algoswild” to learn the identity of those who may be responsible in damages for impersonating Jump Trading and infringing Jump’s intellectual property, including its trademarks.

9. Illinois Supreme Court Rule 224 authorizes this Court to enter a pre-litigation discovery order requiring Twitter to produce discovery to Jump that would identify the legal name and other identifying information of “jumptrading@algoswild.” Illinois Supreme Court Rule 224 provides: “A person or entity who wishes to engage in discovery for the sole purpose of ascertaining the identity of one who may be responsible in damages may file an independent action for such discovery.” The Committee Comments to Rule 224 state: “This rule provides a tool by which a person or entity may, with leave of court, compel limited discovery before filing a lawsuit in an effort to determine the identity of one who may be liable in damages.”

10. The discovery that Jump seeks is limited to documents sufficient to identify the individual who unlawfully posted the tweets, such as his or her registration with Twitter and account usage logs. Such discovery will not impose any undue hardship or expense on Twitter because the legal name of “jumptrading@algoswild” is registered with Twitter and is readily accessible to Twitter.

11. Tessa Wendling, General Counsel of Jump, has verified the matters set forth herein.

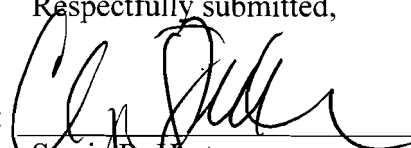
WHEREFORE, Jump respectfully requests that this Court enter an order requiring Twitter to disclose: (i) the name and email address of Twitter registered user “jumptrading@algoswild”; (ii) the IP address(es) for each log-in attempt associated with “jumptrading@algoswild” during the period April 19, 2014 to April 22, 2014; (iii) the IP address

used when "jumprading@algoswild" was registered as a Twitter account user; and (iv) any and all other information in Twitter's custody or control that may enable Jump to identify the true identity of "jumprading@algoswild."

Date: April 24, 2014

Respectfully submitted,


By:



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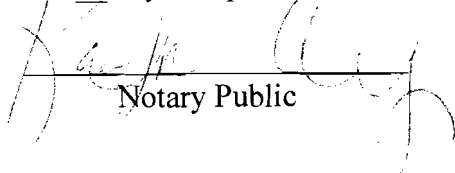
VERIFICATION OF TESSA WENDLING

The undersigned, General Counsel for Jump, hereby certifies, under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, that the factual statements set forth in the foregoing Verified Petition for Pre-Litigation Discovery are true and correct to the best of her knowledge, information and belief.



Tessa Wendling

Subscribed to and sworn before me
this 24 day of April, 2014.



Notary Public



General Information

Court	Illinois Circuit Court, Cook County, Law Division
Docket Number	2014-L-004578
Status	Open