

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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ALLIANCE HARM RECOVERY, LLC,

Plaintiff,

-against-

GOOGLE DATA, INC., GOOGLE, INC. and
GOOGLE INFORMATION, INC.,

Defendants.

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Index No.

Plaintiff designates
Nassau County as the
place of trial

The basis of the
venue is Plaintiff's
principal place of
business

SUMMONS

Plaintiff resides at
220-46 73rd Avenue
Bayside NY 11364

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Garden City, New York
April 22, 2014

By: _____

Jules A. Epstein, Esq.
JULES A. EPSTEIN, P.C.
Attorneys for Plaintiff
600 Old Country Road, Suite 505
Garden City, New York 11530
(516) 745-1325

Defendants' Address:

Google Data, Inc.
c/o Secretary of State

Google, Inc.
c/o Secretary of State

Google Information, Inc.
c/o Secretary of State

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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ALLIANCE HARM RECOVERY, LLC,

Index No.

Plaintiff,

-against-

VERIFIED COMPLAINT

GOOGLE DATA, INC., GOOGLE, INC. and
GOOGLE INFORMATION, INC.,

Defendants.

-----X

S I R S :

PLEASE TAKE NOTICE that Plaintiff, by their attorneys JULES A. EPSTEIN, P.C., complaining of the Defendants respectfully sets forth and allege:

JURISDICTIONAL STATEMENT

1. At all relevant times, Plaintiff Alliance Harm Recovery, LLC ("Alliance") was and is a domestic limited liability company with its principle place of business in Nassau County, New York.

2. Upon information and belief, Defendant Google Data, Inc. was and is a foreign corporation authorized to do business in the State of New York.

3. Upon information and belief, Defendant Google, Inc. was and is a foreign corporation authorized to do business in the State of New York.

4. Upon information and belief, Defendant Google Information, Inc. was and is a foreign corporation authorized to do business in the State of New York.

5. Defendants are hereafter collectively referred to as "Google" or "Defendant".

6. The Court has jurisdiction of this matter pursuant to CPLR 301 and 302.

STATEMENT OF FACTS

7. Plaintiff is the owner, or the agent for the owner, of certain personal, financial, business and medical records and information.

8. Upon information and belief, Google is the world's largest Internet search engine.

9. In or about February, 2014, Plaintiff's and its principal's proprietary and confidential business, financial, personal and medical data and information was inadvertently and unintentionally scanned into the Internet.

10. As a consequence thereof, volumes of sensitive and confidential business, financial, personal and health information owned by Plaintiff or its principal became available to the public on the Google website or through the Google search engine.

11. On March 6, 2014 and March 11, 2014 Plaintiff informed Google of the inadvertent and unintentional breach of Plaintiff's FTP's file server and demanded that Google block and/or remove such proprietary and confidential business, personal, financial and medical data from viewing public access and from the Internet.

12. Despite such written notice and demand, Google failed and refused to remove Plaintiff's confidential and proprietary information from public viewing and from the Internet.

FIRST CAUSE OF ACTION

13. Plaintiff repeats, reiterates and realleges the allegations set forth above.

14. By virtue of the foregoing, Plaintiff is entitled to a permanent injunction requiring Defendants to remove from the Internet and public viewing Plaintiff's proprietary, confidential, personal, business, medical and financial data located at Plaintiff's IP address and DNS entry as follows:

cpe-72-229-7-169.nyc.res.rr.com72.229.7.169

15. Plaintiff has no adequate remedy at law.

SECOND CAUSE OF ACTION

16. Plaintiff repeats, reiterates and realleges the allegations set forth above.

17. By virtue of Google's failure and refusal, despite Plaintiff's written demand and notice, to remove Plaintiff's confidential and proprietary content from the Internet, Plaintiff has been damaged in a sum to be determined by the Court but belief to be not less than \$100,000.

WHEREFORE, Plaintiff demands judgment:

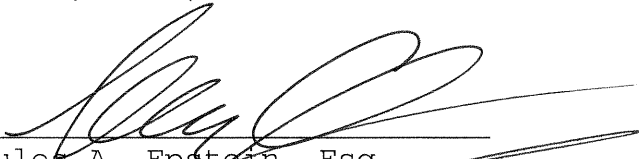
a. On the first cause of action, a permanent injunction and judgment ordering and directing Defendants to remove from the Internet and public viewing Plaintiff's confidential and proprietary business, financial, personal and medical content described as cpe-72-229-7-169.nyc.res.rr.com72.229.7.169.

b. On the second cause of action damages as determined by the Court but believed to be not less than \$100,000.

c. The interest, costs and disbursements of the action.

Dated: Garden City, New York
April 25, 2014

Yours, etc.,



Jules A. Epstein, Esq.
JULES A. EPSTEIN, P.C.
Attorney for Plaintiff
600 Old Country Road, Suite 505
Garden City, NY 11530
516-745-1325

VERIFICATION

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

Jacqueline M. Cohen

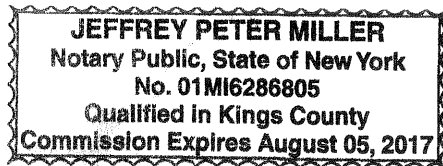
being duly sworn, deposes and says:
I am the manager of Alliance Harm Recovery, LLC, a limited liability company and a party in the within action; I have read the foregoing **COMPLAINT** and know the contents thereof; and the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. This verification is made by me because the above party is a corporation and I am an officer thereof.

The grounds of my belief as to all matters not stated upon my knowledge are as follows: Book, records and correspondence in my files.

Jacqueline M. Cohen

Sworn to before me on this
 25 day of April, 2014

Jeffrey Peter Miller
Notary Public



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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Plaintiff,

-against-

GOOGLE DATA, INC., GOOGLE, INC. and GOOGLE INFORMATION, INC.,

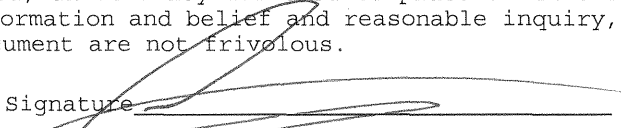
Defendants.

SUMMONS AND COMPLAINT

JULES A. EPSTEIN, P.C.
Attorney for Plaintiff
600 Old Country Road, Suite 505
Garden City, NY 11530
(516) 745-1325
(516) 222-1499 (Fax)

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: 4/10/14

Signature 

Print Signer's Name JULES A. EPSTEIN

Service of a copy of the within is hereby admitted

Dated, Attorney(s) for Defendants

SIR: PLEASE TAKE NOTICE

NOTICE OF ENTRY that the within is a (certified) true copy of a entered in the office of the clerk of the within named Court on 2014

NOTICE OF SETTLEMENT that an Order of which the within is a true copy will be presented for settlement to the one of the judges of the within named Court, at 100 Supreme Court Drive, Mineola, NY on , at 9:30 A. M.

Dated: Yours, etc.,
Jules A. Epstein, P.C.
Attorney for Plaintiff
600 Old Country Road, Suite 505
Garden City, NY 11530
(516) 745-1325
(516) 222-1499 (Fax)

General Information

Court	New York Supreme Court, Nassau County
Docket Number	601936/2014
Status	Open