

**COPY TO BE
CONFORMED**

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6 *Attorneys for Defendant*
7 MATCH.COM, LLC,
erroneously sued as Match.com

11 MAY -3 AM 10:46
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

FILED

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12 JANE DOE, individually, and on
behalf of all others similarly situated,

13 Plaintiff,

14 vs.

15 MATCH.COM,

16 Defendant.

Case No. **CV11-03795** SVW (Jenx)

17 Filed as Class Action

18 **NOTICE OF REMOVAL OF CIVIL
ACTION TO THE UNITED STATES
DISTRICT COURT**

19 Filed concurrently with:

20 (1) Corporate Disclosure Statement;
21 (2) Certificate of Interested Parties; and
22 (3) Notice to Adverse Parties.

23 Action filed: April 13, 2011

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MANATT, PHELPS &
PHILLIPS, LLP
ATTORNEYS AT LAW
LOS ANGELES

300242264.3

NOTICE OF REMOVAL OF CIVIL ACTION TO THE UNITED STATES DISTRICT COURT

1 PLEASE TAKE NOTICE that Defendant Match.com, LLC ("Match")
2 removes this civil action from the Los Angeles County Superior Court to the United
3 States District Court for the Central District of California under 28 U.S.C. §§ 1332
4 and 1441, *et seq.*

5 **BASIS FOR JURISDICTION**

6 1. This is a civil action over which this Court has original jurisdiction
7 under 28 U.S.C. § 1332(a)(1) because complete diversity of citizenship and the
8 required amount in controversy both exist. As a result, this action may be removed
9 to this Court under 28 U.S.C. § 1441(a).

10 **FILING OF THE COMPLAINT**

11 2. On April 13, 2011, Plaintiff Jane Doe ("Plaintiff") filed a Class Action
12 Complaint for Injunctive Relief ("Complaint") against Match in the Los Angeles
13 County Superior Court bearing Case No. BC458927. Pursuant to 28 U.S.C. §
14 1446(a), copies of the Complaint and all other papers on file with the state court are
15 attached as **Exhibit A**. Plaintiff's Complaint is the initial pleading setting forth the
16 claim for relief upon which this action is based.

17 **SERVICE OF THE SUMMONS AND COMPLAINT**

18 3. Match has not been served with the summons or Complaint.

19 **ALLEGATIONS OF THE COMPLAINT**

20 4. Match operates a website that enables single people to meet and
21 interact with one another online. (Compl. ¶ 6.)

22 5. Plaintiff alleges that she was sexually assaulted by a man whom she
23 met using Match's service, and that this man had been previously convicted of
24 sexual battery. (Compl. ¶¶ 3, 19-20.) Plaintiff further alleges that Match does not
25 screen its subscribers to determine whether they have "a documented history of
26 sexual assault" or are "registered sex offenders." (*Id.* ¶¶ 4, 16.)

27 6. Based upon these factual allegations, Plaintiff asserts a single claim for
28 injunctive relief under California Civil Code § 1770(a)(1) for failing to "institute

1 basic inexpensive screening processes to weed out known registered sex offenders”
2 (Compl. ¶ 24), and seeks “[a]n injunction prohibiting [Match] from signing up
3 further members until such basic screening is implemented,” plus her attorney’s
4 fees. (*Id.*, Prayer for Relief p. 7.)

5 **DIVERSITY JURISDICTION**

6 7. This Court has original jurisdiction over this matter under 28 U.S.C. §
7 1332(a) because complete diversity of citizenship and the required amount in
8 controversy both exist.

9 **Citizenship of the Parties**

10 8. Plaintiff is a citizen of the State of California. (Compl. ¶ 7.)

11 9. Match, the sole defendant, is a citizen of the State of Delaware and the
12 State of Texas. Match is a Delaware limited liability company. For purposes of
13 diversity jurisdiction, a limited liability company is a citizen of any state of which
14 any member of the company is a citizen. *See Johnson v. Columbia Properties
Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (“like a partnership, an LLC is a
15 citizen of every state of which its owners/members are citizens”). Match’s sole
16 member is Match.com, Inc., a corporation incorporated under the laws of the State
17 of Delaware with its principal place of business in the State of Texas. (Declaration
18 of Marshall Dye (“Dye Decl.”), attached as **Exhibit B**, ¶ 3.)

19 **Amount in Controversy**

20 10. The amount in controversy exceeds the \$75,000 jurisdictional
21 minimum under 28 U.S.C. § 1332(a).

22 11. The Complaint alleges a single claim for injunctive relief. “In actions
23 seeking declaratory or injunctive relief, it is well established that the amount in
24 controversy is measured by the value of the object of the litigation.” *Hunt v. Wash.
State Apple Advertising Comm’n*, 432 U.S. 333, 347 (1977) (where the object of the
25 litigation was to enjoin a statute, the value of that object “is measured by the losses
26 that will follow from the statute’s enforcement”).

12. In this case, the object of the action is to compel Match to screen its subscribers to determine whether they are registered sex offenders. Match currently has approximately 1.25 million subscribers. (Dye Decl. ¶ 4.) Match has investigated the matter and is informed that the cost of screening subscribers against the national sex offender database will exceed \$75,000 annually. (*Id.*) Accordingly, the amount in controversy exceeds the \$75,000 jurisdictional minimum under 28 U.S.C. § 1332(a).

REMOVAL

13. Match hereby exercises its right under 28 U.S.C. §§ 1441, *et seq.*, to remove this action from the Los Angeles County Superior Court to the United States District Court for the Central District of California.

14. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal will be filed with the Los Angeles County Superior Court, and Match will give written notice of the filing of this Notice of Removal to Plaintiff.

15. By filing this Notice of Removal, Match does not waive any defense that may be available to it, including, but not limited to, any objections to personal jurisdiction or venue, or any defense for failure to state a claim.

16. Match reserves the right to amend or supplement this Notice of Removal.

Dated: May 3, 2011

MANATT, PHELPS & PHILLIPS, LLP
ROBERT H. PLATT
JOSEPH E. LASKA

By:

Joseph E. Laska
Attorneys for Defendant
MATCH.COM, LLC,
erroneously sued as Match.com

EXHIBIT A

1 MARK L. WEBB (STATE BAR NO. 67959)
2 LAW OFFICE OF MARK L. WEBB
3 333 PINE STREET, 5TH FLOOR
4 SAN FRANCISCO, CA 94104
5 TEL: (415) 434-0500

ab036
A1220
FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

APR 13 2011

5 Attorney for Plaintiff
6 Jane Doe, individually, and on
behalf of all others similarly situated

John A. Clarke, Executive Officer/Clerk
BY Gina Deputy
Gina Gridor

324 CCH Emilie H. Elias

8 LOS ANGELES COUNTY SUPERIOR COURT

9 STANLEY MOSK COURTHOUSE

12 JANE DOE, individually, and behalf of all
13 others similarly situated

14 Plaintiff,

15 vs.

17 MATCH.COM,

18 Defendants.

19 Case No.: BC 45892 BY FAX

20 CLASS ACTION COMPLAINT FOR
INJUNCTIVE RELIEF

21 Date Complaint filed: April 13, 2011

23 Plaintiff Jane Doe ("Plaintiff") by her undersigned attorney, brings this class action
24 complaint against Match.com, LLC ("Match"). Plaintiff's allegations are made ~~upon~~
25 knowledge as to her own acts and on information and belief as to all other matters.

27 ///

28 COMPLAINT

CIT/CASE: BC458927 LIA/DEF#:
RECEIPT #: CCH507417088
DATE PAID: 04/13/11 04:21:30 PH
PAYMENT: \$395.00
RECEIVED
CASH: \$395.00
CHECK: \$395.00
CREDIT: \$395.00
CHANGE: \$0.00
CASH: \$395.00
CHECK: \$395.00
CREDIT: \$395.00
PH: \$395.00

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NATURE OF THE ACTION

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3 1. This is a class action against Match for violation of California's Consumer Legal
4 Remedies Act. Plaintiff and members of the class (the "Class") are all paying female Match's
online dating service members and subscribers from August 2010 to present.

5 2. Match represents itself as "the service for single adults to meet each other online"
6 and states that "one in every five relationships starts online," when in fact Match permits its
7 website to be used to facilitate meetings between innocent members of the public and convicted
8 sexual predators *who are easily discoverable*.

9 3. Plaintiff, paying Match member, met Alan Wurtzel ("Wurtzel"), another Match
10 member, on Match.com in 2010. They set up a meeting, after which Wurtzel forcibly raped her.
11 Felony charges against Wurtzel are currently pending in the Los Angeles Superior Court.
12 Wurtzel was not a garden variety Match member. He was a serial sexual predator, as cursory
13 examination of public records would have disclosed. His record in Los Angeles County,
14 California alone indicates *six separate convictions for sexual battery* in the period recently
15 preceding his attack on Plaintiff.

16 4. With regard to prospective members Match takes no action to undertake *a basic*
17 *screening process* that disqualifies from membership anyone who has a documented history of
18 sexual assault. As a result, Match and male sexual predators benefit, while female members, who
19 join Match because "one of every five relationships begins online," are endangered. Specifically,
20 Match increases its member population; registered sexual predators become members of Match
21 to meet unsuspecting female victims through Match; and female members, such as Plaintiff, get
22 raped.

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5. Instead of implementing inexpensive basic screening process, cost of which can
be easily passed to consumers, Match includes exculpatory language in paragraph 7 of Match's
terms of use. But where Match.com has constructive notice of sexual crimes, as it did with
Wurtzel before he raped Plaintiff, or actual knowledge of such crimes as it does now, paragraph
7 is in fact a one-sided exculpatory provision, which should be invalidated pursuant to Cal. Civ.
Code §1668, Civ. Code §1770(a)(19).

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JURISDICTION AND VENUE

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6. Match is registered with the California Secretary of State to conduct business
within California and conducts substantial business within California. Match is a wholly owned
subsidiary of IAC/InteractiveCorp which has offices in Los Angeles and operates a website for
single adults to meet each other online in California. Members pay a monthly fee to access all
features of the website. The website is interactive and members use its services to interact with
each other online. Because Match has extensive business in California, specifically, Los Angeles,
it should be subject to Los Angeles jurisdiction.

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PARTIES

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7. Plaintiff Jane Doe is a resident of Los Angles California, and at times relevant
thereto a paying subscriber of Match's online dating services.

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8. Match is a Delaware limited liability corporation that maintains its headquarters
and principal place of business in Dallas, Texas. Match is registered with the California
Secretary of State to conduct business within California and conducts substantial business within
California.

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CLASS ACTION ALLEGATIONS

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3 9. Plaintiff brings this class action on her own behalf and on behalf of all similarly
4 situated females who have been Match's members from August 2010 to present and have been
5 exposed to the danger associated with Match allowing male registered sexual predators to
6 become its members

7 10. This action is properly maintainable as a class action.

8 11. The Class is so numerous that joinder of all members is impracticable.

9 12. The number and identities of Class members can easily be determined from the
10 records maintained by Match and/or its agents. The disposition of their claims in a class action
11 will be of benefit to the parties and to the Court.

12 13. The class action is superior to other methods for the fair and efficient adjudication
14 of the claims herein asserted, and no unusual difficulties are likely to be encountered in the
15 management of this action. The likelihood of individual Class member prosecuting separate
16 claims is remote.

17 14. There is a well-defined community of interest in the questions of law and fact
18 involved affecting members of the Class. Among the questions of law and fact which are
19 common to the Class, and which predominate over questions affecting any individual Class
20 member are, *inter alia*, the following:

21 (a) Whether or not Match has a duty to provide basic screening of sex offenders to
22 safeguard its membership from undue risk of harm;

23 (b) Whether said duty, if it exists, calls for injunctive relief that is, cease and desist
24 from sign up further members because they are at risk without further screening;

1 (c) The number and frequency of convicted sex offenders that are allowed to join
2 Match;

3 (d) The number of members who have been subjected to sexual assault from
4 convicted sex offenders that could have been uncovered had the screening been implemented;

5 (e) Whether or not Match advertising that one in five relationships begin online,
6 without doing any screening for sexual predators, violates Civil Code Section 1770(a)(10) which
7 states: "advertising goods and services with intent not to supply reasonably expectable
8 demand...".

9
10 15. Plaintiff is a member of the Class and is committed to prosecuting this action.
11 Plaintiff has retained competent counsel experienced in litigation. Plaintiff's claims are typical of
12 the claims of other members of the Class in that each Class member was subjected to the same
13 conduct, was harmed in the same way and has claims for relief under the same legal theories.
14 Plaintiff does not have interests antagonistic to or in conflict with those she seeks to represent.
15 Plaintiff is, therefore, an adequate representative of the Class.
16

17 **FACTUAL ALLEGATIONS**
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19 16. As alleged herein Match does not conduct even a basic screening for registered
20 sex offenders before allowing prospective male members to become a Match subscriber.

21 17. Match actively advertises that actively advertises "one in five relationships begin
22 with online dating".

23 18. Induced by this advertising single females become paying subscribers hoping to
24 start a *relationship* with Match member.

25 19. Plaintiff became Match member and met Wurtzel, another Match.com member,
26 on Match.com in 2010. They set up a meeting, after which Wurtzel forcibly raped her. Felony
27 charges against Mr. Wurtzel are currently pending in the Los Angeles Superior Court.
28

20. Wurtzel was a serial sexual predator, as cursory examination of public records would have disclosed. His record in Los Angeles County, California alone indicates *six separate convictions for sexual battery* in the period recently preceding his attack on Plaintiff.

21. On information and belief there may be thousands of sexual predators using on-line dating services for criminal purposes.

FIRST CAUSE OF ACTION

(Violation of Civ. Code §1770(a)(10))

(Injunctive Relief Only)

22. Plaintiff incorporates by reference and re-alleges each and every allegation set forth above as though fully set forth herein.

23. Civil Code §1770(a)(10) is a portion of the California Consumer's Protection Act and states that "advertising goods and services with intent not to supply reasonably expectable demand...".

24. Plaintiffs hereby allege that defendant has breached its duty to provide services as defined in the above code section in that def is aware that sexual predators use its dating service to find sexual prey. Despite this knowledge def has refused to institute basic inexpensive screening processes to weed out known registered sex offenders.

25. As a result of this breach, defendant exposes numerous members of its dating service to a grave risk of harm.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request:

1. An injunction issue prohibiting defendant from signing up further members until such basic screening is implemented;
2. An order granting attorneys fees;
3. An order granting any other further relief as may be just and proper.

Dated: April 12, 2011

By:

MARK L. WEBB

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 Mark L. Webb, SBN 57969
 LAW OFFICES OF MARK WEBB
 333 Pine Street, 5th Floor
 San Francisco, CA 94104
 TELEPHONE NO: (415) 434-0500
 ATTORNEY FOR (Name): Plaintiff Jane Doe, et al.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
 STREET ADDRESS: 111 N. Hill Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: Los Angeles, CA 90012
 BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:
 Jane Doe, et al., v. Match.com

CIVIL CASE COVER SHEET		Complex Case Designation	CASE NUMBER:
<input checked="" type="checkbox"/> Unlimited <input type="checkbox"/> Limited (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)		<input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	BC 458927
			JUDGE:
			DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
<input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	<input checked="" type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	<input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Real Property	Enforcement of Judgment
<input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23)	<input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	<input type="checkbox"/> Enforcement of judgment (20)
Non-PI/PD/WD (Other) Tort	Unlawful Detainer	Miscellaneous Civil Complaint
<input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35)	<input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	<input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
Employment	Judicial Review	Miscellaneous Civil Petition
<input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. Large number of separately represented parties
- b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. Substantial amount of documentary evidence
- d. Large number of witnesses
- e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f. Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): 1 (Injunctive Relief)

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: April 12, 2011

Mark L. Webb

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL _____ HOURS/ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.	6. Location of property or permanently garaged vehicle.
2. May be filed in central (other county, or no bodily injury/property damage).	7. Location where petitioner resides.
3. Location where cause of action arose.	8. Location wherein defendant/respondent functions wholly.
4. Location where bodily injury, death or damage occurred.	9. Location where one or more of the parties reside.
5. Location where performance required or defendant resides.	10. Location of Labor Commissioner Office

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 6.
Medical Malpractice	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input checked="" type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: Jane Doe, et al.	CASE NUMBER
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A Civil Case Cover Sheet Category No.		B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
		<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.	
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
		<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2., 5.
		<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
		<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
		<input checked="" type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Real Property	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	Other Contract (37)	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
		<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Unlawful Detainer	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
		<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
		<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
		<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
Unlawful Detainer	Other Real Property (26)	<input type="checkbox"/> A6032 Quiet Title	2., 6.
		<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
		<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
		<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
		<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: Jane Doe, et al.	CASE NUMBER
----------------------------------	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.	
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.	
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.	
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.	
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.	
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.	
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.	
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6008 Claims Involving Mass Tort	1., 2., 8.	
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.	
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.		
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.		
Provisionally Complex Litigation	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.	
		<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.	
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 8.	
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.	
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.	
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.	
Enforcement of Judgment	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.	
	Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
			<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
			<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
			<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.	
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 8.	
		<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.	
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.	
		<input type="checkbox"/> A6190 Election Contest	2.	
		<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.	
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2., 3., 4., 8.	
		<input type="checkbox"/> A6100 Other Civil Petition	2., 9.	

SHORT TITLE Jane Doe, et al.	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II, Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.		ADDRESS: Address not available, being filed under fictitious name
<input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input checked="" type="checkbox"/> 4. <input checked="" type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input checked="" type="checkbox"/> 9. <input type="checkbox"/> 10.		
CITY: Los Angeles	STATE: CA	ZIP CODE: 90036

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: April 12, 2011


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

EXHIBIT B

DECLARATION OF K. MARSHALL DYE

I, K. Marshall Dye, declare as follows:

1. I am over 18 years old. I have personal knowledge of the facts set forth in this declaration. If called as a witness, I can and will testify competently to all of these facts.

2. I am the Director of Litigation of Match.com, LLC ("Match"), the defendant in this action. In my role as Director of Litigation, I am familiar with the complaint ("Complaint") filed by Plaintiff Jane Doe ("Plaintiff") and the allegations contained in the Complaint.

3. Match is a Delaware limited liability company. Match's sole member is Match.com, Inc., a corporation incorporated under the laws of the State of Delaware with its principal place of business in the State of Texas.

4. Match currently has approximately 1.25 million subscribers. Match has investigated the cost of screening its subscribers against the national sex offender database, and Match has been informed that the cost will exceed \$75,000 annually.

I declare under penalty of perjury under the laws of the United States of America that the contents of this declaration are true and correct, and that this declaration was executed by me on May 2, 2011, in Dallas, Texas.

K. Marshall Dye

PROOF OF SERVICE

I, Nancy Tokuda, declare as follows:

I am employed in Los Angeles County, Los Angeles, California. I am over the age of eighteen years and not a party to this action. My business address is MANATT, PHELPS & PHILLIPS, LLP, 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On May 3, 2011, I served the within:

**NOTICE OF REMOVAL OF CIVIL ACTION TO THE UNITED STATES
DISTRICT COURT**

on the interested parties in this action addressed as follows:

Mark L. Webb
Law Office of Mark L. Webb
333 Pine Street, 5th Floor
San Francisco, CA 94104

(BY OVERNIGHT MAIL) By placing such document(s) in a sealed envelope, for collection and overnight mailing at Manatt, Phelps & Phillips, LLP, Los Angeles, California following ordinary business practice. I am readily familiar with the practice at Manatt, Phelps & Phillips, LLP for collection and processing of overnight service mailing, said practice being that in the ordinary course of business, correspondence is deposited with the overnight messenger service, Federal Express, for delivery as addressed.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made and that the foregoing is true and correct.

Executed on May 3, 2011, at Los Angeles, California.

✓ 201

Nancy Tokuda

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Stephen V. Wilson and the assigned discovery Magistrate Judge is John E. McDermott.

The case number on all documents filed with the Court should read as follows:

CV11- 3795 SVW (JEMx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

**COPY TO BE
CONFORMED**

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself)
JANE DOE, individually and on behalf of all others similarly situated

DEFENDANTS
MATCH.COM

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)
Mark L. Webb
Law Office of Mark L. Webb
333 Pine Street, 5th Floor
San Francisco, California 94104
Tel.: (415) 434-0500

Attorneys (If Known)
Robert H. Platt
Joseph E. Laska
Manatt, Phelps & Phillips, LLP
11355 West Olympic Boulevard
Los Angeles, California 90064
Tel.: (310) 412-4000

II. BASIS OF JURISDICTION (Place an X in one box only.)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)
 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

1 Original 2 Removed from 3 Remanded from 4 Reinstated or 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge
Proceeding State Court Appellate Court Reopened

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No

MONEY DEMANDED IN COMPLAINT: \$

VI. CAUSE OF ACTION (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Putative class action removed under 28 USC Section 1441(a) because diversity jurisdiction exists under 28 USC Section 1332(a).

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 520 General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 530 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/ Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 22 Appeal 28 USC 158	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/ Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> SOCIAL SECURITY
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 61 HIA(1395ff)
<input type="checkbox"/> 891 Agricultural Act		<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act		<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee		<input type="checkbox"/> 690 Other	<input type="checkbox"/> 863 DIWC/DIWW 405(g))
<input type="checkbox"/> 893 Environmental Matters		<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act					<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act					<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice					<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 210 Land Condemnation				
	<input type="checkbox"/> 220 Foreclosure				
	<input type="checkbox"/> 230 Rent Lease & Ejectment				
	<input type="checkbox"/> 240 Torts to Land				
	<input type="checkbox"/> 245 Tort Product Liability				
	<input type="checkbox"/> 290 All Other Real Property				

CV11-03795

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Plaintiff resides in Los Angeles County.	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Match.com, Inc., the sole member of Defendant Match.com, LLC, is a Delaware corporation with its principal place of business in Texas.

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
The claim arose in Los Angeles County.	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Date May 3, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

PROOF OF SERVICE

I, Nancy Tokuda, declare as follows:

I am employed in Los Angeles County, Los Angeles, California. I am over the age of eighteen years and not a party to this action. My business address is MANATT, PHELPS & PHILLIPS, LLP, 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On May 3, 2011, I served the within:

CIVIL COVER SHEET

on the interested parties in this action addressed as follows:

Mark L. Webb
Law Office of Mark L. Webb
333 Pine Street, 5th Floor
San Francisco, CA 94104

(BY OVERNIGHT MAIL) By placing such document(s) in a sealed envelope, for collection and overnight mailing at Manatt, Phelps & Phillips, LLP, Los Angeles, California following ordinary business practice. I am readily familiar with the practice at Manatt, Phelps & Phillips, LLP for collection and processing of overnight service mailing, said practice being that in the ordinary course of business, correspondence is deposited with the overnight messenger service, Federal Express, for delivery as addressed.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made and that the foregoing is true and correct.

Executed on May 3, 2011, at Los Angeles, California.

Nancy Tokuda