## JS 44 (Rev. 12/07) (CAND Rev 1/10)

## **CIVIL COVER SHEET**

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The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I.	(a) PLAINTIFFS	DEFENDANTS									
Valerie Gudac and Richard Beiles, Individually and on behalf of all other similarly situated					Zynga Game Network, Inc.						
(b) County of Residence of First Listed Plaintiff Lee County, Florida (EXCEPT IN U.S. PLAINTIFF CASES)					County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.						
(c) Attorney's (Firm Name, Address, and Telephone Number)					Attorneys (If Kno	own)					
Francis M. Gregorek, Wolf Haldenslein Adler Freeman & Herz LLI 750 B Street, Suite 2770, San Diego, California 92101 619/239-4599											
Ī	. BASIS OF JURISDIC	III. CI	CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant)								
<u></u>	1 U.S. Government 3 Federal Question (U.S. Government Not a Party)			Citi	izen of This State	PTF	DEF	Incorporated or Princip of Business In Th		PTF	DEF
	2 U.S. Government X 4 Diversity Defendant (Indicate C		enship of Parties in Item III)		izen of Another State	<b>X</b> 2	<b>X</b> 2	Incorporated and Princ of Business In An	•	□ s	□ s
					izen or Subject of a Foreign Country	□ 3 —	☐ <sup>3</sup>	Foreign Nation		☐ 6 ———	<u> </u>
IV. NATURE OF SUIT (Place an "X" in One Box Only)											
_	CONTRACT		RTS PERSONAL IN		FORFEITURE/PI	ENALTY		Ankruptcy		IER STAT	
	130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY	PERSONAL INJURY  310 Airplane 315 Airplane Product Liability 320 Assauk, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury  CIVIL RIGHTS  441 Voting 442 Employment 443 Housing/ Accommodations 444 Welfare 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 440 Other Civil Rights	550 Civil Rights	ury— actice— bility rsonal cct  PERTY  ding nal mage nuage bility  R NS  Vacate  :	610 Agriculture	422 Appeal 28 USC 158     423 Withdrawal 28 USC 157     PROPERTY RIGHTS     820 Copyrights     830 Patent     840 Trademark     861 HIA (1395ff)     862 Black Lung (923)     863 DIWC/DIWW (405/g)     864 SSID Title XVI     865 RSI (405(g))     FEDERAL TAX SUITS     870 Taxes (U.S. Plaintiff or Defendant)     871 IRS — Third Party 26 USC 7609		400 State Reapportionment     410 Antitrust     430 Banks and Banking     450 Commerce     460 Deportation     470 Racketeer Influenced and Corrupt Organizations     480 Consumer Credit     490 Cab le/Sat TV     810 Selective Service     850 Securities/Commodities/ Exchange     575 Sustomer Challenge     USC 3410     890 Oher Statutory Actions     891 Agricultural Acts     892 Economic Stabilization Act     893 Environmental Matters     894 Energy Allocation Act     895 Freedom of Information Act     900 Appeal of Fee Determination Under Equal Access to Justice     950 Constitutionality of State Statutes			
V. ORIGIN (Place an "X" in One Box Only)  I Original 2 Removed from 3 Remanded from 4 Reinstated or 5 another district 7 Judge from Proceeding State Court Appellate Court Reopened (specify)  Transferred from 5 another district 6 Multidistrict 7 Judge from Magistrate Judgment											
VI. CAUSE OF ACTION  Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  18 U.S.C. Section 2510 et seq., 18 U.S.C. Section 2701 et seq., 18 U.S.C. Section 1030 et seq.  Brief description of cause:  Violation of Electronic Communications Privacy Act and Computer Fraud and Abuse Act											
_	II. REQUESTED IN COMPLAINT:	ION	DEMAND S	TAND S CHECK YES only if demanded in complain JURY DEMAND:   Yes No					•		
VIII. RELATED CASE(S)  IF ANY  PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE".											
IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)  SAN FRANCISCO/OAKLAND SAN JOSE SAN											
October 22, 2010  Signature of attorney of record											
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