

1 David S. Gingras, Esq., CSB #218793
 2 **JABURG & WILK, P.C.**
 3 3200 North Central Avenue, Suite 2000
 4 Phoenix, Arizona 85012
 Telephone: (602) 248-1000
 Facsimile: (602) 248-0522

5 Attorneys for Plaintiff Xcentric Ventures, LLC

6
 7 **IN THE UNITED STATES DISTRICT COURT**
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9
 10 XCENTRIC VENTURES, LLC, an
 Arizona Limited Liability Corporation,

11 Plaintiff,

12 v.

13 ELIZABETH ARDEN d/b/a
 14 COMPLAINTSBOARD.COM, *et al.*,

15 Defendants.

Case No. C 09-80309 MISC JW (RS)

**DECLARATION OF
 DAVID GINGRAS IN SUPPORT OF
 PLAINTIFF'S RESPONSE TO
 DEFENDANT'S MOTION TO
 QUASH**

Hearing Date: Jan. 20, 2010
 Time: 9:30am
 Courtroom: 4

18
 19 **DECLARATION OF DAVID GINGRAS**

20 DAVID GINGRAS hereby deposes and says:

21 1. My name is David Gingras. I am a resident of the State of Arizona, am
 22 over the age of 18 years, and if called to testify in court I could and would truthfully
 23 testify to the following information based upon my own personal knowledge.

24 2. I am an attorney licensed to practice law in the States of Arizona and
 25 California, I am an active member in good standing with the State Bars of Arizona and
 26 California and I am admitted to practice and in good standing with the United States
 27 District Court for the District of Arizona and the United States District Court for the
 28 Northern, Central, and Eastern Districts of California.

JABURG & WILK, P.C.
 ATTORNEYS AT LAW
 3200 NORTH CENTRAL AVENUE
 SUITE 2000
 PHOENIX, ARIZONA 85012

1 3. Since July 2009, I have been employed as General Counsel for Plaintiff
2 Xcentric Ventures, LLC. Prior to July 2009, I was employed as an associate attorney
3 with the law firm of Jaburg & Wilk P.C. in Phoenix Arizona, and I currently remain “of
4 counsel” to the firm. In my capacity as counsel for Xcentric Ventures I have been
5 involved in the litigation of this action since its inception. I have possession of
6 Xcentric’s files relating to this case, and I am personally familiar with the contents
7 thereof.

8 4. Attached hereto as **Exhibit A** is a true and correct copy of a pleading
9 entitled “Motion for Extension of Time to Serve Defendant Elizabeth Arden And
10 Motion for Alternative Service” filed on April 15, 2009 in the United States District
11 Court for the District of Arizona in the matter of *Xcentric Ventures, LLC v. Elizabeth*
12 *Arden d/b/a ComplaintsBoard.com, et al.*, Case No. 2:08-cv-02299-HRH (the “Arizona
13 Litigation”).

14 5. Attached hereto as **Exhibit B** is a true and correct copy of an order entered
15 by the Court in the Arizona Litigation on April 17, 2009.

16 6. Attached hereto as **Exhibit C** is a true and correct copy of a pleading
17 entitled “Notice of Service of Process On Defendant Elizabeth Arden d/b/a
18 ComplaintsBoard.com” filed in the Arizona Litigation on June 23, 2009.

19
20 Pursuant to 18 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is
21 true and correct. Executed on December 30, 2009.

22
23 /s/ David Gingras
24 David Gingras

1 Certificate of Electronic Service

2
3 I hereby certify that on December 30, 2009 I electronically transmitted the
4 attached document to the Clerk's Office using the CM/ECF System for filing, and
5 for transmittal of a Notice of Electronic Filing to the following CM/ECF
6 registrants:

7
8 Erik Syverson, Esq.
9 PICK & BOYDSTON LLP
10 617 South Olive Street, Suite 400
11 Los Angeles, CA 90014
12 Telephone: (213) 624-1996
13 Facsimile: (949) 624-9073

Attorneys for Defendant
ComplaintsBoard.com

14 Google Inc.
15 Attn: Google Legal Support
16 1600 Amphitheatre Parkway
17 Mountain View, CA 94043

18 And a courtesy copy of the foregoing delivered:

19
20 Honorable Richard Seeborg
21 United States District Court
22 280 South First Street
23 San Jose, CA 95113-3002

24
25
26
27
28
s/Leah Matlack _____

Exhibit A

1 Maria Crimi Speth (012574)
2 Laura A. Rogal (025159)
3 **JABURG & WILK, P.C.**
4 3200 N. Central Avenue, Suite 2000
5 Phoenix, Arizona 85012
6 mcs@jaburgwilk.com
7 lar@jaburgwilk.com
8 (602) 248-1000

9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 XCENTRIC VENTURES, L.L.C., an
13 Arizona Limited Liability Corporation,

14 Plaintiff,

15 v.

16 ELIZABETH ARDEN d/b/a
17 COMPLAINTSBOARD.COM;
18 MELBOURNE IT DBS, INC., a Delaware
19 corporation; INTERNET NAMES
20 WORLDWIDE, INC., a Delaware
21 corporation; DOES 1-10, inclusive,

22 Defendants.

Case No. 2:08-cv-02299-HRH

**MOTION FOR EXTENSION OF TIME
TO SERVE DEFENDANT ELIZABETH
ARDEN**

AND

**MOTION FOR ALTERNATIVE
SERVICE**

23 Pursuant to Rule 4(m), Federal Rules of Civil Procedure, Plaintiff Xcentric
24 Ventures, LLC (“Xcentric”) requests an enlargement of time to locate and effect service
25 upon Defendant Elizabeth Arden d/b/a Complaintsboard.com (“Complaintsboard”).
26 Additionally, pursuant to Rule 4(h), Federal Rules of Civil Procedure, Xcentric requests
27 that the Court allow service upon Complaintsboard to be completed using alternative
28 means.

I. THERE IS GOOD CAUSE TO EXTEND TIME TO SERVE DEFENDANT

Xcentric has attempted to serve Complaintsboard; however, due to the evasive nature of Complaintsboard and the apparent lack of any type of legal entity behind the website, Xcentric has been unable to serve the operator of the website at this time. The

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1 website www.complaintsboard.com itself, which contains the content which is subject of
2 this litigation, does not contain any contact information on it. Whereas by law, the
3 website must provide registration information that is available to the public, that
4 registration information is not helpful in serving process on Complaintsboard. As the
5 domain name registration shows, the URL has been registered to a post office box. *See*
6 Domain name registration for www.complaintsboard.com, attached hereto as **Exhibit**
7 **“A”**. Unfortunately, service upon a post office box does not qualify as “proper service”
8 under Rule 4.

9 It is clear that the registrant’s name “Elizabeth Arden” is false, and that alone is not
10 enough to determine upon whom process should be served. Counsel for Xcentric has
11 performed investigations as to who the underlying owner of the website is; however, a
12 usable address for service has not yet been elicited. Internet searches have revealed that
13 the telephone number affiliated with the domain name registration – (510) 595-2002 – is
14 associated with a number of websites that generate scams and/or spam. Whereas each of
15 these website’s registrations utilizes the same post office box and telephone number for
16 the registration, there are a large number of different individuals’ names associated with
17 the website. Even presuming that the registrants’ names are correct as given, Xcentric has
18 been unable to track down each of these individuals within the prescribed 120 day period.

19 Xcentric may be able to determine the true and correct party upon whom it can
20 effectuate service through the company that provides hosting services for the website. To
21 date, Xcentric has made good faith efforts to try to locate the proper party for service;
22 however, those efforts have thus far been fruitless.

23 “The 1993 amendments to General Rule 4(m) gave courts greater leeway to
24 preserve meritorious lawsuits despite untimely service of process.” *U.S. v. 2,164*
25 *Watches, More or Less Bearing a Registered Trademark of Guess?, Inc.*, 366 F.3d 767,
26 772 (9th Cir.2004). The Ninth Circuit has previously held that district courts have broad
27 discretion under General Rule 4(m) to extend time for service even without a showing of
28 good cause. *In re Sheehan*, 253 F.3d 507, 513 (9th Cir.2001). A district court may, for
instance, extend time for service retroactively after the 120-day service period has

1 expired. *Mann v. American Airlines*, 324 F.3d 1088, 1090 (9th Cir.2003). Such discretion
 2 is necessary and appropriate here. An extension of time should be granted to allow
 3 Xcentric additional time to locate and serve Defendant Elizabeth Arden d/b/a
 4 Complaintsboard.com.

5 **II. THERE IS GOOD CAUSE TO ALLOW ALTERNATIVE SERVICE**

6 In addition to the enlargement of time Xcentric must be allowed to serve the
 7 Summons and Complaint on Complaintsboard by email. Xcentric may effectuate service
 8 on Complaintsboard “in the manner prescribed by Rule 4(e)(1) for serving an individual”.
 9 It follows therefore that Complaintsboard must be served “pursuant to the law of the state
 10 in which the district court is located”. Rule 4(e), Federal Rules of Civil Procedure.
 11 Therefore, Xcentric may utilize any form of service contemplated by the State of Arizona,
 12 which is the state in which this Court is located.

13 Rule 4.2, Arizona Rules of Civil Procedure, provides the basis upon which a
 14 plaintiff may effect service of process on an out-of-state defendant. Rule 4.2(f) allows for
 15 service by publication

16 Where the person to be served is one whose present residence is unknown
 17 but whose last known residence was outside the state, or has avoided
 18 service of process.

19 Rule 4.2(f), Ariz.R.Civ.P. The rule allows weekly publication for one month of the
 20 Summons, accompanied by a statement as to the manner in which a copy of the pleading
 21 being served may be obtained, in a newspaper published in the county where the action is
 22 pending. *Id.* Incidentally, Rule 4.2(f) also requires, “when the residence of the person to
 23 be served is known,” that the Summons and pleading be mailed to that residence.

24 Service by email is most appropriate here given the nature of Complaintsboard’s
 25 business and the lack of any known (or possibly even known) physical business address.
 26 “Trial courts have authorized a wide variety of alternative methods of service including
 27 publication, ordinary mail, mail to the defendant’s last known address, delivery to the
 28 defendant’s attorney, telex, and most recently, email.” *Rio Properties, Inc. v. Rio Intern.*
Interlink, 284 F.3d 1007, 1016 (9th Cir.2002); see *SEC v. Tome*, 833 F.2d 1086, 1094 (2d
 Cir.1987) (condoning service of process by publication in the Int’l Herald Tribune); *Smith*

1 *v. Islamic Emirate, Nos. 01 Civ. 10132, 01 Civ. 10144*, 2001 WL 1658211, at *2-*3, 2001
 2 U.S. Dist. LEXIS 21712, at *5-*13 (S.D.N.Y. Dec. 26, 2001) (authorizing service of
 3 process on terrorism impresario Osama bin Laden and al-Qaeda by publication); *Levin v.*
 4 *Ruby Trading Corp.*, 248 F.Supp. 537, 541-44 (S.D.N.Y.1965) (employing service by
 5 ordinary mail); *Int'l Controls Corp. v. Vesco*, 593 F.2d 166, 176-78 (2d Cir.1979)
 6 (approving service by mail to last known address); *Forum Fin. Group, LLC v. President*
 7 *& Fellows*, 199 F.R.D. 22, 23-24 (D.Me.2001) (authorizing service to defendant's
 8 attorney); *New Eng. Merchs. Nat'l Bank v. Iran Power Generation & Transmission Co.*,
 9 495 F.Supp. 73, 80 (S.D.N.Y.1980) (allowing service by telex for Iranian defendants);
 10 *Broadfoot v. Diaz (In re Int'l Telemedia Assoc.)*, 245 B.R. 713, 719-20
 11 (Bankr.N.D.Ga.2000) (authorizing service via email).

12 Even if facially permitted by Rule 4(e), a method of service of process must also
 13 comport with constitutional notions of due process. To meet this requirement, the method
 14 of service crafted by this Court must be “reasonably calculated, under all the
 15 circumstances, to apprise interested parties of the pendency of the action and afford them
 16 an opportunity to present their objections.” *Mullane v. Cent. Hanover Bank & Trust Co.*,
 17 339 U.S. 306, 314, 70 S.Ct. 652, 94 L.Ed. 865 (1950) (Jackson, J.). In determining that
 18 service by email was appropriate under facts nearly identical to those here, the court in
 19 *Rio Properties* concluded:

20 Considering the facts presented by this case, we conclude not only that
 21 service of process by email was proper-that is, reasonably calculated to
 22 apprise RII of the pendency of the action and afford it an opportunity to
 23 respond-but in this case, it was the method of service most likely to reach
 24 RII.

25 *Rio Properties, Inc.*, 284 F.3d at 1017. The same situation exists here. On its website,
 26 Complaintsboard offers no physical address through which communications can be made.
 27 Instead, it specifically states “If you have any constructive thoughts, creative ideas, or
 28 reasonable offers, please, contact us immediately via E-mail”, thereby offering email as
 the *only* forum for communication. See Printout from Complaintsboard.com, attached
 hereto as **Exhibit “B”**. Similarly speaking, the domain name registration for
 Complaintsboard only offers up a P.O. Box for service of any physical communications.

1 It appears that Complaintsboard “has embraced the modern e-business model” and “[i]n
2 fact, [it] structured its business such that it could be contacted only via its email address.”
3 *Rio Properties, Inc.*, 284 F.3d at 1017-1018. Since Complaintsboard “listed no easily
4 discoverable street address in the United States” and has “designated its email address as
5 its preferred contact information”, service by email is proper. *Rio Properties, Inc.*, 284
6 F.3d at 1018.

7 **III. CONCLUSION**

8 Defendant Elizabeth Arden d/b/a Complaintsboard.com has failed to allow any
9 identifying information to be made publicly available. As a result, the Court must enter
10 an Order (1) granting Xcentric an additional ninety (90) days in which to serve
11 Complaintsboard, and (2) allowing service of the Summons and Complaint on
12 Complaintsboard to be effectuated by email at all email addresses associated with the
13 website www.complaintsboard.com.

14 DATED this 15th day of April, 2009.

JABURG & WILK, P.C.

15 s/ Laura Rogal
16 Maria Crimi Speth
17 Laura A. Rogal
18 Attorneys for Plaintiff

Jaburg & Wilk, P.C.
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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of April, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing.

I have also caused to be hand delivered a courtesy copy of the foregoing to:

Honorable H. Russel Holland
UNITED STATES DISTRICT COURT
Sandra Day O’Connor Courthouse
401 W. Washington St.
Phoenix, Arizona 85003

I have also sent a courtesy copy via facsimile and e-mail of the foregoing to:

John J. Balitis
Fennemore Craig, P.C.
3003 North Central Avenue, Suite 2600
Phoenix, AZ 85012-2913
Fax: 602.916.5516
E-mail: JBALITIS@FCLAW.com
Attorneys for Defendants Melbourne ITS DBS, Inc.
and Internet Names Worldwide, Inc

s/Debra Gower

Jaburg & Wilk, P.C.
Attorneys At Law
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 248-1000

EXHIBIT A

NetworkSolutions.

Call Us (U.S. Only)
1-800-333-7680

Login Here
Customer Support

- Domain Names
- Web Sites & Hosting
- Online Marketing
- E-Mail
- SSL Certificates
- All Services
- Developers
- Education Center
- Manage Account

WHOIS Search Results

Your WHOIS Search Results



complaintsboard.com

Make an instant, anonymous offer to the current domain registrant. [Learn More](#)

[Make an offer to buy this domain >](#)

BOOKMARK

.PRO IS HERE!

Distinguish Yourself on the Internet with a .Pro Extension



[Learn More](#)

SEARCH AGAIN

Enter a search term:

e.g. networksolutions.com

Search by:

- Domain Name
- IP Address

[Search >](#)

Domain Name..... complaintsboard.com
 Creation Date..... 2006-05-22
 Registration Date..... 2006-05-22
 Expiry Date..... 2009-06-22
 Organisation Name..... Elizabeth Arden
 Organisation Address. P O Box 99800
 Organisation Address.
 Organisation Address. Emeryville
 Organisation Address. 94662
 Organisation Address. CA
 Organisation Address. US

Admin Name..... PrivateRegContact Admin
 Admin Address..... P O Box 99800
 Admin Address.....
 Admin Address..... Emeryville
 Admin Address..... 94662
 Admin Address..... CA
 Admin Address..... US
 Admin Email..... contact@myprivateregistration.com
 Admin Phone..... +1.5105952002
 Admin Fax.....

Tech Name..... PrivateRegContact TECH
 Tech Address..... P O Box 99800
 Tech Address.....
 Tech Address..... Emeryville
 Tech Address..... 94662
 Tech Address..... CA
 Tech Address..... US
 Tech Email..... contact@myprivateregistration.com
 Tech Phone..... +1.5105952002
 Tech Fax.....
 Name Server..... yns1.yahoo.com
 Name Server..... yns2.yahoo.com

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

[Show underlying registry data for this record](#)

Current Registrar: MELBOURNE IT, LTD. D/B/A INTERNET NAMES WORLDWIDE
IP Address: 96.31.74.14 (ARIN & RIPE IP search)
IP Location: (-)
Record Type: Domain Name
Server Type: Apache 2
Lock Status: clientTransferProhibited
Web Site Status: Active
DMOZ: 1 listings
YI Directory: see listings
Web Site Title: Complaints Board

When you register a domain name, current policies require that the contact information for your domain name registration be included in a public database known as WHOIS. To learn about actions you can take to protect your WHOIS information visit www.internetprivacyadvocate.org.

NOTICE AND TERMS OF USE: You are not authorized to access or query our WHOIS database through the use of high-volume, automated, electronic processes or for the purpose or purposes of using the data in any manner that violates these terms of use. The Data in Network Solutions' WHOIS database is provided by Network Solutions for information purposes only, and to assist persons in obtaining information about or related to a domain name registration record. Network Solutions does not guarantee its accuracy. By submitting a WHOIS query, you agree to abide by the following terms of use: You agree that you may use this Data only for lawful purposes and that under no circumstances will you use this Data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or promotional solicitations in any form, including but not limited to, e-mail, telephone, or

Meta Description: Helpful information for consumers regarding allegedly unethical companies, bad business practices. Complain and submit your complaints or research previous complaints
Meta Keywords: complaint form complaints letter customer mortgage loan handling online business systems do not call list
Secure: No
E-commerce: Yes
Traffic Ranking: 4
Data as of: 22-Apr-2008



Need to get your business online?

Our professional designers can build a custom Web site for your business.
\$11.95/month, plus a \$499.00 design fee



Pay Per Click from Network Solutions

Create and manage your pay per click advertising from as low as \$125/month plus \$99 one time set-up fee



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SOLUTIONS TO SELL ONLINE

SOLUTIONS TO GET CUSTOMERS
PROFESSIONAL BUSINESS SOLUTIONS

SOLUTIONS FOR ONLINE SECURITY
LEGAL & POLICY INFO

CORPORATE INFORMATION
PROMOTIONS & OFFERS

RESOURCES
CUSTOMER SUPPORT

SEARCH FOR A DOMAIN:

.com Search

GET A FREE DDMAIN WITH HOSTING



"An outstanding customer service experience"
T.O. Power and Associates



100% Secure Transaction
For your protection, this Web site is secured with the highest level of SSL Certificate encryption.

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EXHIBIT B



SEARCH

Latest Complaints News & Stories Tips & Tricks Questions Videos Images Recalls Groups Submit Complaint

File A Free Complaint

Scammed or Ripped Off? Expose The Truth File A Scam Report www.ShamScam.com

Remove Rip Off Reports

We can help with Rip Off Reports 100% Guaranteed Results. Act Now! www.RemoveYourName.com

Bank of America

Customers Earn Cash Back On Top of Great Deals At Over 270 Retailers. www.BankofAmerica.com/Discounts



Ads by Google

Debitfacts.org

Debit card facts & security advice. Personal money management tips. www.DebitFacts.org

Consumer Complaints

Do You Have a Consumer Complaint? Tell A Lawyer About It Now www.ProtectingTheConsumer.com

Consumer Reports Reviews

Get expert reviews on health and fitness equipment today! www.ConsumerReports.org/Ratings



Ads by Google

Recently Discussed Complaints

- 1. (0 minutes ago) ROBIN SCHULDER SICK PUPPY
2. (0 minutes ago) Natural Source Store/Cosinetyn cancelling trial order
3. (0 minutes ago) Starter Credit Direct trying to take money out of bank account
4. (0 minutes ago) National Association Of Professional Women - NAPW Refund and Consumer Complaint Problems
5. (1 minutes ago) international marine and auto Stolen Money

Consumer Tips & Tricks



Job Seeking in an Unsettled Economy



Teach Your Children To Recognize and Avoid Internet Scams



How to get a credit report for free

Latest Complaints

AcaiBerryDetox

Posted: 15th of Apr, 2009 by LM22

Scam

Complaint Rating:

Yes- what a scam- \$90 for a miracle pill I think not- customer service sucks they mail you absolutely no directions with the product and it is 14 days from the date you order the product? not from when they decide to ship it then they charge my credit card within 10 days to make sure they got...

Comments

United States

Weight Loss Products and Programs

Church's Chicken

Posted: 15th of Apr, 2009 by JEANNIE DRAWDY

POOR CUSTOMER SERVICE

Complaint Rating:

WAS TOLD IT WOULD BE 15 MINUTES FOR CHICKEN TO COOK. WAS IN DRIVE THRU, I WAITED ALMOST 35 MINUTES. KNOW ONE EVERY CAME BACK AND SAID IT BE A LONGER WAIT OR APOLOGIZED, NEVER OFFERED ANYTHING EXTRA FOR THE WAIT. WHEN THEY FINALLY CAME TO THE WINDOW AND GIVE ME THE FOOD, THEY DID NOT SAY ANYTHING....

Comments

United States

Fast Food Restaurants

Fanworks, Inc.

Posted: 15th of Apr, 2009 by thegoal

Item never delivered

Complaint Rating:

Ordered ceiling fan and paid but was never shipped. Company takes weeks to respond to contact and is then evasive. Will not refund money or ship item. Since I paid with Paypal

Submit complaint

Extra Features

Register

Login



Videos

Chinese Nuke Scam



More Videos

Ads by Google

Consumer Complaints

Online Fraud Scam

BBB Complaints

Credit Card Complaint

Latest Groups

mommy you have a big ass

IVORY BRITES

College ripe off

IPA suckers

Loan Mod

Categories

Worst rating

1. ROBIN SCHULDER (-53)
2. IBSN tax (-11)
3. Google Treasure Chest (-10)
4. Natural Source Store, LLC (-10)
5. dawoodi bohra (-10)
6. Acai Berry MyTrialSupport.com (-9)
7. Grant Funding Search (-8)
8. Walmart (-7)
9. Nazareth Powerhouse Gym (-7)
10. LIFTSP/DRI LIFTSP (-6)

Subjects of Wide Speculation

1. ROBIN SCHULDER (294)
SICK PUPPY
2. user zachary1998 (44)
Zachary1998 is a retard
3. IBSN tax (44)
Not trust worthy
4. A&W (25)
Disgusting food!!
5. Larry Bryant (24)
Liar, Cheater, Womanizer
6. Natural Source Store, LLC (23)
Cannot reach customer service to cancel membership
7. Acai Berry MyTrialSupport.com (20)
Honesty
8. Taco Bell (18)
slip and fall
9. Google Treasure Chest (17)
unauthorized charges
10. Larsen Boxers (17)
Sells sick puppy (twice)

Latest News & Stories



Renewable Fuel Prices Driven by Federal Policies



Health Care Tops Lists of N.C. Consumer Complaints in 2008



Home Prices Down To 2003 Levels in January

Stay Away

1. ouke trade company (37)
2. Bank of America (16)
3. Advanced Wellness Research (13)
4. GE Money Bank (8)
5. Google Treasure Chest (28)

appears to be no recourse....

Comments

United States

Home & Garden

Starter Credit Direct

Posted: 15th of Apr, 2009 by Cheryl Graham

trying to take money out of bank account

Complaint Rating:

I received a overdraft fee from my bank and they told me Starter Credit Direct is trying to take money out of my checking account that I didn't authorize. They have tried this 3 times and were trying to do it again while I was in the office at the bank. I was charged \$35.00 for each time...

Comments

United States

Credit Cards

Ikea

Posted: 15th of Apr, 2009 by DLA

Assembly costs

Complaint Rating:

Before I purchased the Besta TV entertainment center wall unit, I asked about assembly, because I knew I could never do it myself. I was told by an IKEA employee, who had my "shopping list" in front of her, that it would be 10-20% of the purchase price. Okay, I could handle...

Comments

United States

Furniture

Rabbi Yitzhak J. Miller

Posted: 15th of Apr, 2009 by Shalom

Rabbi Yitzhak Miller

Complaint Rating:

I can't believe that this so called "leader" has now set up shop on the internet... Do people have any idea what kind of havoc he caused in our community? And to answer the questions he poses on the frontpage of the website: Is he scary? Will he bite? ...YES and...YES....

Comments

United States

Wedding Services

H and R Block

Posted: 15th of Apr, 2009 by muffy1969

Filing taxes

Complaint Rating:

We just reviewed our packet of taxes from last yr that HR block gave us. We received a completely different person's 1040 with all his personal info all over it...his ss#, his address, his income...

- ◊ Airlines
- ◊ Arts & Humanities
- ◊ Books
- ◊ Building, Construction
 - Flooring Installation
 - Roofing
- ◊ Business & Finances
 - Banks
 - Scam & Fake Checks
 - Loans
 - Collections Agencies
 - Tax Services
 - Bad Business Partners
 - Credit Cards
 - Savings & Investments
 - Equipment Leasing & Financing
- ◊ Cars, Parts & Vehicles
 - Car Rental
 - Auto Insurance & Loan
 - Car Service Centers
 - Car Dealers
 - Gas Stations
 - Car Driving Schools
 - Towing
- ◊ Clothing, Shoes & Acc
 - Dry Cleaners & Laundry
- ◊ Computers & Accessories
- ◊ Consumer Electronics
 - Mobile & Cell Phones
 - Vacuum Cleaners
 - Washing Machines
- ◊ E-Shopping
- ◊ Education
 - Colleges and Universities
 - Schools
 - Driving Schools
- ◊ Entertainment
- ◊ Fake & Novelty ID
- ◊ Family & Relationships
 - Deadbeat Parents
 - Sexual Abuse
 - Online Dating Services
 - Astrology Readers
- ◊ Food
- ◊ Furniture
 - Mattresses
- ◊ Gambling Games
- ◊ Government & Police
 - Passport Services
 - Non-profit Organizations

- 6. Starter Credit Direct (4)
- 7. Burger King (24)
- 8. Gracebag Trade Co.,Ltd (10)
- 9. DirecTV (12)
- 10. Airtel (36)

Latest Questions

internet
 Find a reputal invention company
 Tremarax
 K2 SMOKES
 VCA Antech, Inc



This is why I would never ever do business with them again. They are the...

Comments United States Business & Finances

The Brick

Posted: 15th of Apr, 2009 by Shamim

broken promises

Complaint Rating:

It was my first purchase from The Brick and the last.

1st they made me wait for the deliveries for two days and did not show up. Both days i took days off form work and did not receive my calls.

2nd the mastress they sent was defefctive and i requested reslection...

Comments Canada Furniture

judaism chicago Rabbi Jonathan Ginsburg Gail Ginsburg

Posted: 15th of Apr, 2009 by Tikvah

judaism chicago Rabbi Jonathan Ginsburg Gail Ginsburg

Complaint Rating:

Rabbi Jonathan Ginsburg Sexual Misconduct
 Woman sues St. Paul rabbi, temple alleging sexual exploitation
 By Paul Gustafson

Star Tribune (St. Paul, MN) - January 22, 2004

www.startribune.com/stories/462/4332508.html

A former female...

Comments United States Airlines

Grant360.com

Posted: 15th of Apr, 2009 by anneice jonas-reid

unauthorized charges

Complaint Rating:

I WANT MY MONEY BACK i am -80.00 in my account because of these theives i am calling the cops and a lawyer if i dont recieve my money back i think this company and grantboy.com run together i want my money now!!! or it is not going to be a pleasure knowing me!!! I cant afford this and you people...

- Government Grants
- Health & Beauty
 - Health & Life Insurance
 - Plastic Surgery
 - Medical Negligence and Deficiency
 - Diet Products
 - Cosmetics
 - Dental Services
 - Vision, Glasses, Lenses
 - Drug Stores
 - Hair and Beauty Salons
 - Weight Loss Products and Programs
 - Beauty & Day Spas
 - Doctors
- Home & Garden
 - Pool & Bath Services
 - Security Services
 - Appliances
 - Utility Services
 - Plumbing Services
- Hotels
- Internet Services
 - Hosting & Web Design
 - Internet Providers
- Jewelry & Watches
- Job & Career
 - Bullying and Harassment at Work
 - Work at Home
 - Employment Agencies
 - Employers
 - Employees
- Kids & Baby
- Law & Civil Rights
 - Lawyers and Attorneys
 - Solicitors
- Magazines & Newspapers
- Movement & Delivery
- Nature & Environment
- News & Media
- Online Scams
 - Lottery Scams
 - Ebay Scams
 - Alibaba Scams
 - Phishing
 - Online Surveys
 - Sweepstakes
 - PTC/PTR Sites
- Other

Comments

United States

Government Grants

Primetimesav8

Posted: 15th of Apr, 2009 by f. Notmeyoudon't

unauthorized debit charge

Complaint Rating:

I just had a debit card transaction, charging my account \$16.95. I never ordered anything nor had I ever heard of them. Watch out and watch your bank accounts on a daily basis. I made my bank aware of the scam....

Comments

United States

Unauthorized Charges

FWM Laboratories/acai berry

Posted: 15th of Apr, 2009 by f. laura73

free-trial fraud

Complaint Rating:

Ordered "free trial" ("pay only s & h of \$3.95) on 12/14/08. After that, received numerous charges of \$88.00 on my VISA card. Called the company numerous times to cancel, and charges are still appearing on my bill. I did not receive any notice of choices of cancellation from...

Comments

United States

Credit Cards

Rabbi Jonathan Ginsburg Gail Ginsburg judaism chicago

Posted: 15th of Apr, 2009 by f. Tikvah

Rabbi Jonathan Ginsburg Gail Ginsburg judaism chicago

Complaint Rating:

Rabbi Jonathan Ginsburg Sexual Misconduct Woman sues St. Paul rabbi, temple alleging sexual exploitation By Paul Gustafson

Star Tribune (St. Paul, MN) - January 22, 2004

www.startribune.com/stories/462/4332508.html

A former female...

Comments

United States

Sexual Abuse

Universal Marketing

Posted: 15th of Apr, 2009 by f. JaneWeisner

Fraud

Complaint Rating:

Universal Marketing told me they had a qualified

Pets & Animals

- Animal/Pet Hospitals
- Cat Breeders
- Dog Breeders

Products & Services

- Flowers Delivery
- Photo Services
- Department Stores
- Cleaning Services / Laundry
- Tobacco Products
- Retail Stores

Public Transportation & Taxi

- Traffic Problems

Real Estate

- Mortgage Companies
- Apartments Rental
- Home Insurance
- Timeshares
- Condo and Home Owners Associations

Restaurants & Bars

- Fast Food Restaurants

Scam Contests

- SMS Scam Contests

Society & Culture

Software & Games

Sports & Recreation

- Fitness Centers

Telecommunications

- Mobile/Cellular Service Providers

- International Calling Cards

Telemarketing

Travel & Vacations

- Travel Agencies
- Vacation Clubs

TV, Music & Video

- Satellite & Cable TV
- DVD Order & Rental
- Annoying Commercials
- Movies

Unauthorized Charges

- Unauthorized Mobile Charges

Unsolicited Phone Calls

Wedding Services

➔ Suggest new category

Smile upon Life :)

Three blondes were walking in the forest one day...

buyer for the sale of my Silver Leaf - Villages Time Share. The closing would be in 4 weeks and they needed \$2500 for title search, closing cost and such. I haven't heard from them since. I am going to file a fraud complaint with the Massachusetts...



Comments United States Timeshares

Club Mahindra

Posted: 15th of Apr, 2009 by Sandeep Singh Rathod

False Commitment and Lack of Tranparency

Complaint Rating:

I was invited to ClubMahindra outlet over phone, to which I visited along with my family at Vashi, Navi Mumbai. After spending an hour with an marketing executive Mr. Hathiram, I was forced to convided that I should take the membership. I asked him let us take a day to think over it and go...

Comments India Vacation Clubs

Acai Berry Edge

Posted: 15th of Apr, 2009 by alma montes

cancel order

Complaint Rating:

Please cancel my any order from now on. I did not order the stuff that I have been getting but it was taken out of my account. Please do not do this anymore....

Comments United States Credit Cards

grantboy.com

Posted: 15th of Apr, 2009 by anneice jonas-reid

unauthorized withdrawl

Complaint Rating:

They overdrafted my account by 70 plus i had to order a new card at 10.00 I WANT MY ***** MONEY BACK NOW. Or it is off to the cops i go its pricks like these that prey on people. but they have messed with the wrong person now!! i have 4 small children and i cant afford this i am not in the...

Comments United States Government Grants

LOVING ESSENTIALS

Posted: 15th of Apr, 2009 by BuccBarney

STOLE \$69.00 FROM US

Complaint Rating:

THIS COMPANY TOOK \$69.00 OUT OF OUR ACCOUNT. I looked the comany up on the internet and there is NO information about the company at ALL. The transaction is still pending with my bank, and I can't stop the transaction yet, also have to wait until it is completed...Then I can look and see...

Comments United States Scam & Fake Checks

Google Success Kit

Posted: 15th of Apr, 2009 by Jennifer

unauthorized charges

Complaint Rating:

I have an unauthorized charge to my bank account for \$39.95 and would like it removed but I can't find a contact number to call and cancel. I would like this not only completely cancelled but a refund for \$39.95 twice!...

Comments United States Government Grants

Tier One Warranty

Posted: 15th of Apr, 2009 by Robert Culp

Refusal to pay claims

Complaint Rating:

This company is a SCAM. They take your money, make you wait for 3 months and 5000 miles. Then once you try to use the Warranty they make up excuses NOT TO PAY. Like Pre-Existing condition, or Not a covered part. DO NOT USE THIS COMPANY...

Comments United States Cars, Parts & Vehicles

Comcast

Posted: 15th of Apr, 2009 by joseph roy

defective product/service

Complaint Rating:

Have all 3 services from comcast; however, for past apx. 6 weeks, home telephone service is not dependable. Internet as well, though this has been an issue for a much longer time. The telephone/internet modem stops working and calls are dropped. Today, again, the modem went through what appears...

Comments United States Satellite & Cable TV

David Werner International

Posted: 15th of Apr, 2009 by J. D.

Heads I Win, Tails You Lose!

Complaint Rating:

Hopefully you are reading this before you sign an agreement with David Werner International. I paid him \$37, 000.00 and today I am still looking for employment. After 12 months of listening to David Werner and his claims, he produced no interview, no leads....zero results. Looking back...

Comments United States Employment Agencies

gasolineredemption

Posted: 15th of Apr, 2009 by earlie crockett

havent received

Complaint Rating:

i havent received any gas coupons yet not for November, December, January, February, March, or april the number i needed to call is aout of service can someone contact me soon please...

Comments United States Gas Stations

grants360

Posted: 15th of Apr, 2009 by 52firedome

unautherized charges

Complaint Rating:

I signed up to grants360 for \$195 but today found out that my account has been charged over \$38.00 extra for something I didn't order. I'm contacting the fraud deptment of my bank to sere if I can get help.These scam artist need to be stopped .They are preying on people who are trying...

Comments United States Government Grants

ACAI ADVANCED

Posted: 15th of Apr, 2009 by Carroll

authoried charges

Complaint Rating:

BEWARE OF ACAI ADVANCED. YOU WILL BE DOUBLED TEAMED!!! I ordered the free trail of the ACAI ADVANCED c/o GLF . The only thing they said you would be charged for is \$5.95 shipping. They made me sick so I called and cancelled it within the trail period. They told me to send back the bottle and...

Comments United States Diet Products

Previous | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9...5937 |
Next

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If you have any constructive thoughts, creative ideas, or reasonable offers, please, contact us immediately via E-mail
Site owners are not responsible for the information posted on this website

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

XCENTRIC VENTURES, L.L.C., an)	
Arizona Limited Liability)	
Corporation,)	
)	
Plaintiff,)	
)	
vs.)	
)	
ELIZABETH ARDEN, d/b/a)	
Complaintsboard.com, et al.,)	
)	No. 2:08-cv-2299-HRH
Defendants.)	
_____)	

O R D E R

Motion for Extension of Time
and for Alternative Service

Plaintiff moves for an extension of time to effect service pursuant to Rule 4(m), Federal Rules of Civil Procedure, and seeks leave to effect service of its summons and complaint by alternative service pursuant to Rule 4(h), Federal Rules of Civil Procedure.¹

It appearing that plaintiff has diligently pursued all available means of identifying a viable physical address for service of defendant Elizabeth Arden, d/b/a Complaintsboard.com, the motion for extension of time for an additional 90 days within which to serve that defendant is granted.

With respect to alternative service, it is not clear to the court whether the named defendant is an individual or a corporate

¹Docket No. 7.

or other legal entity. That uncertainty makes no substantial difference, for both Rule 4(e) and 4(h) make provision for various and alternative means of service. In order that constitutional due process concerns be eliminated, service of plaintiff's summons and complaint as to Elizabeth Arden, d/b/a Complaintsboard.com, shall be effected as follows:

- (1) By publication in accordance with Rule 4.2, Arizona Rules of Civil Procedure;
- (2) By mailing a copy of plaintiff's complaint and summons, with first-class postage prepaid, to any known address associated with the defendant;
- (3) By e-mail, sending a copy of plaintiff's complaint and summons to the defendant's self-identified e-mail address; and
- (4) By preparing and conveying orally or by voice mail to defendant at the telephone number affiliated with the defendant: 510-595-2002, advice of the complaint and summons and where copies of the same may be obtained. Plaintiff will preserve a copy of the message orally transmitted or conveyed to defendant by voice mail.

DATED at Anchorage, Alaska, this 17th day of April, 2009.

/s/ H. Russel Holland
United States District Judge

Exhibit C

1 Maria Crimi Speth (012574)
2 Laura A. Rogal (025159)
3 **JABURG & WILK, P.C.**
4 3200 N. Central Avenue, Suite 2000
5 Phoenix, Arizona 85012
6 mcs@jaburgwilk.com
7 lar@jaburgwilk.com
8 (602) 248-1000

9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 XCENTRIC VENTURES, L.L.C., an
13 Arizona Limited Liability Corporation,

14 Plaintiff,

15 v.

16 ELIZABETH ARDEN d/b/a
17 COMPLAINTSBOARD.COM;
18 MELBOURNE IT DBS, INC., a Delaware
19 corporation; INTERNET NAMES
20 WORLDWIDE, INC., a Delaware
21 corporation; DOES 1-10, inclusive,

22 Defendants.

Case No. 2:08-cv-02299-HRH

**NOTICE OF SERVICE OF PROCESS
ON DEFENDANT ELIZABETH
ARDEN D/B/A
COMPLAINTSBOARD.COM**

23 Pursuant to this Court's Order dated April 17, 2009 (Doc. # 8), Plaintiff Xcentric
24 Ventures, LLC ("Xcentric") hereby notifies the Court that it has effected service upon
25 Defendant Elizabeth Arden d/b/a Complaintsboard.com ("Complaintsboard") by
26 complying with each of the four means of service identified within the Court's Order.
27 Specifically, Xcentric (1) published notice in accordance with Rule 4.2, Arizona Rules of
28 Civil Procedure¹; (2) mailed a copy of the Complaint and Summons, with first-class
postage prepaid, to all known address associated with Complaintsboard²; (3) e-mailed a
copy of the Complaint and Summons to the Complaintsboard e-mail addresses³; and (4)

¹ See Exhibit A, Affidavit of Publication

² See Exhibit B, Declaration of Anne Sneed

³ See Exhibit B; see also Exhibit C, Declaration of Laura Rogal

Jaburg & Wilk, P.C.
Attorneys At Law
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 248-1000

1 conveyed by voice mail to Complaintsboard at the telephone number affiliated with
2 Complaintsboard information about the Complaint and Summons and where copies of the
3 same could be obtained⁴. In completing each of the aforementioned methods of service
4 upon Complaintsboard, Defendant Elizabeth Arden d/b/a Complaintsboard.com has
5 therefore been properly served with the Summons and Complaint.

6 DATED this 23rd day of June, 2009.

7 **JABURG & WILK, P.C.**

8
9 /s/ Laura A. Rogal
10 Maria Crimi Speth
11 Laura A. Rogal
12 Attorneys for Plaintiff

13 **CERTIFICATE OF SERVICE**

14 I hereby certify that on the 23rd day of June, I electronically transmitted the attached
15 document to the Clerk's Office using the CM/ECF System for filing.

16 I have also caused to be hand delivered a courtesy copy of the foregoing to:

17 Honorable H. Russel Holland
18 UNITED STATES DISTRICT COURT
19 Sandra Day O'Connor Courthouse
20 401 W. Washington St.
21 Phoenix, Arizona 85003

22 I have also sent a courtesy copy via e-mail of the foregoing to:

23 editor.complaintsboard@gmail.com
24 Defendant Elizabeth Arden d/b/a Complaintsboard.com

25 /s/ Anne Sneed
26
27

28 ⁴ See Exhibit B

Jaburg & Wilk, P.C.
Attorneys At Law
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 248-1000

EXHIBIT A

ARIZONA CAPITOL TIMES

P.O. Box 2260
Phone: (602) 258-7026

Phoenix, AZ 85002
Fax: (602) 258-2504

AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA)
County of Maricopa) ss

Laura M. Kaminski, being duly sworn, deposes and says: I am the Public Notices Manager of the Arizona Capitol Times, a weekly newspaper of general circulation published at Phoenix, Maricopa County, Arizona, and that the

SUMMONS IN A CIVIL CASE

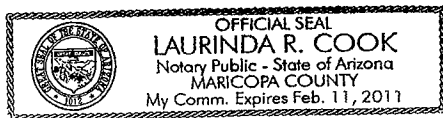
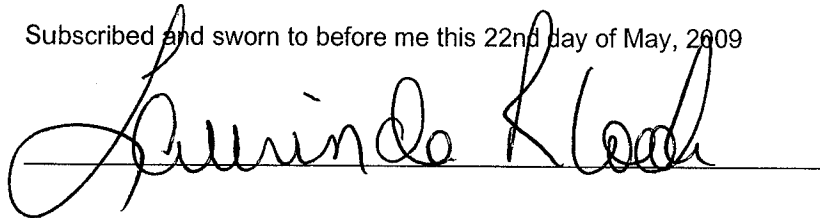
XCENTRIC VENTURES, L.L.C., v. ELIZABETH ARDEN d/b/a COMPLAINTSBOARD.COM, et al

CASE 2:08-CV-02299-HRH

was published in said newspaper once a week for 4 successive and/or consecutive weeks, with publication dates as follows: 05/01/2009, 05/08/2009, 05/15/2009, 05/22/2009 .



Subscribed and sworn to before me this 22nd day of May, 2009



CASE 2:08-CV-02299-HRH / XCENTRIC VENTURES, L.L.C.
v. ARDEN

SUMMONS IN A CIVIL CASE

Maria Crimi Speth, Jaburg & Wilk, P.C., 3200 North Central Avenue, Suite 2000, Phoenix, Arizona 85012.

UNITED STATES DISTRICT COURT, DISTRICT OF ARIZONA
XCENTRIC VENTURES, L.L.C., an Arizona limited liability corporation, v. ELIZABETH ARDEN d/b/a COMPLAINTSBOARD.COM; et al.

TO: ELIZABETH ARDEN d/b/a/ COMPLAINTSBOARD.COM.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY: Maria Crimi Speth, Jaburg & Wilk, P.C., 3200 North Central Avenue, Suite 2000, Phoenix, Arizona 85012 an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Copies of the pleadings can be obtained at Jaburg & Wilk's office at above address.

DATE: Dec 18, 2008. /s/ Richard R. Weare, Clerk; By: /s/ illegible, Deputy Clerk.

5/1, 5/8, 5/15, 5/22, 2009 editions Arizona Capitol Times

EXHIBIT B

1 Maria Crimi Speth (012574)
2 Laura A. Rogal (025159)
3 **JABURG & WILK, P.C.**
4 3200 N. Central Avenue, Suite 2000
5 Phoenix, Arizona 85012
6 mcs@jaburgwilk.com
7 lar@jaburgwilk.com
8 (602) 248-1000

9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 XCENTRIC VENTURES, L.L.C., an
13 Arizona Limited Liability Corporation,

Case No. 2:08-cv-02299-HRH

14 Plaintiff,

15 v.

DECLARATION OF ANNE E. SNEED

16 ELIZABETH ARDEN d/b/a
17 COMPLAINTSBOARD.COM;
18 MELBOURNE IT DBS, INC., a Delaware
19 corporation; INTERNET NAMES
20 WORLDWIDE, INC., a Delaware
21 corporation; DOES 1-10, inclusive,

22 Defendants.

23 I, Anne E. Sneed, declare:

24 1. My name is Anne Sneed. I am employed as a legal assistant at the law firm
25 of Jaburg & Wilk, P.C., attorneys of record for Plaintiff Xcentric Ventures, LLC. This
26 Declaration is made of my own personal knowledge and is submitted in support of
27 Plaintiff's Notice of Service of Process on Defendant Elizabeth Arden d/b/a
28 Complaintsboard.com in this matter.

2. To comply with this Court's Order dated April 17, 2009, I utilized the
publicly available information regarding the registration of the domain name
www.complaintsboard.com, which was attached to Plaintiff's Motion for Alternative
Service as Exhibit "A" (Doc. # 7-2).

Jaburg & Wilk, P.C.
Attorneys At Law
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 248-1000

1 3. Pursuant to this Court's Order dated April 17, 2009, I personally mailed a
2 copy of the Complaint and Summons, with first-class postage prepaid, to:

3 Elizabeth Arden
4 P.O. Box 99800
5 Emeryville, CA 94662

6 4. Pursuant to this Court's Order dated April 17, 2009, I personally e-mailed a
7 copy of the Complaint and Summons to contact@myprivateregistration.com. A true and
8 correct copy of my email is attached to this Declaration as Exhibit "1".

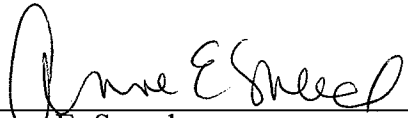
9 5. On April 24, 2009, pursuant to this Court's Order dated April 17, 2009, I
10 personally called (510) 595-2002; however, the mailbox was full.

11 6. On April 27, 2009, pursuant to this Court's Order dated April 17, 2009, I
12 personally called (510) 595-2002; however, the mailbox was full.

13 7. On May 18, 2009, pursuant to this Court's Order dated April 17, 2009, I
14 personally called (510) 595-2002; however, the mailbox was full.

15 I declare under penalty of perjury that the foregoing is true and correct.

16
17 DATED this 23rd day of June, 2009.

18 
19 Anne E. Sneed

Jaburg & Wilk, P.C.
Attorneys At Law
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 248-1000

EXHIBIT A

Customer Feedback | Give Us Your Ideas | About Us MySolutionSpot™

US Dollar - USD

Shopping Cart (0)

Network Solutions.

Call Us (U.S. Only)
1-800-333-7680

Login Here
Customer Support

Domain Names Web Sites & Hosting Online Marketing E-Mail SSL Certificates All Services Developers Education Center Manage Account

WHOIS Search Results

Your WHOIS Search Results



complaintsboard.com

Make an Instant, anonymous offer to the current domain registrant. Learn More

Make an offer to buy this domain

BOOKMARK

.PRO IS HERE!

Distinguish Yourself on the Internet with a .Pro Extension



Learn More

SEARCH AGAIN

Enter a search term:

e.g. networksolutions.com

Search by:

Domain Name

IP Address

Search

Domain Name..... complaintsboard.com
 Creation Date..... 2006-05-22
 Registration Date.... 2006-05-22
 Expiry Date..... 2009-05-22
 Organisation Name.... Elizabeth Arden
 Organisation Address. P O Box 99800
 Organisation Address.
 Organisation Address. Emeryville
 Organisation Address. 94662
 Organisation Address. CA
 Organisation Address. US
 Admin Name..... PrivateRegContact Admin
 Admin Address..... P O Box 99800
 Admin Address.....
 Admin Address..... Emeryville
 Admin Address..... 94662
 Admin Address..... CA
 Admin Address..... US
 Admin Email..... contact@myprivateregistration.com
 Admin Phone..... +1.5105952002
 Admin Fax.....
 Tech Name..... PrivateRegContact TECH
 Tech Address..... P O Box 99800
 Tech Address.....
 Tech Address..... Emeryville
 Tech Address..... 94662
 Tech Address..... CA
 Tech Address..... US
 Tech Email..... contact@myprivateregistration.com
 Tech Phone..... +1.5105952002
 Tech Fax.....
 Name Server..... yns1.yahoo.com
 Name Server..... yns2.yahoo.com

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

Show underlying registry data for this record

Current Registrar: MELBOURNE IT, LTD. D/B/A INTERNET NAMES WORLDWIDE
 IP Address: 96.31.74.14 (ARIN & RIPE IP search)
 IP Location: -(-)
 Record Type: Domain Name
 Server Type: Apache 2
 Lock Status: clientTransferProhibited
 Web Site Status: Active
 DMOZ: 1 listings
 Y! Directory: see listings
 Web Site Title: Complaints Board

When you register a domain name, current policies require that the contact information for your domain name registration be included in a public database known as WHOIS. To learn about actions you can take to protect your WHOIS information visit www.internetprivacyadvocate.org.

NOTICE AND TERMS OF USE: You are not authorized to access or query our WHOIS database through the use of high-volume, automated, electronic processes or for the purpose or purposes of using the data in any manner that violates these terms of use. The Data in Network Solutions' WHOIS database is provided by Network Solutions for information purposes only, and to assist persons in obtaining information about or related to a domain name registration record. Network Solutions does not guarantee its accuracy. By submitting a WHOIS query, you agree to abide by the following terms of use: You agree that you may use this Data only for lawful purposes and that under no circumstances will you use this Data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, e-mail, telephone, or

Meta Description: Helpful information for consumers regarding allegedly unethical companies, bad business practices. Complain and submit your complaints or research previous complaints

Meta Keywords: complaint form complaints letter customer mortgage loan handling online business systems do not call list

Secure: No

E-commerce: Yes

Traffic Ranking: 4

Data as of: 22-Apr-2008



Need to get your business online?
Our professional designers can build a custom Web site for your business.
\$11.95/month, plus a \$499.00 design fee



Pay Per Click from Network Solutions
Create and manage your pay per click advertising from as low as \$125/month plus \$99 one time set-up fee



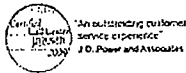
- SOLUTIONS TO GET ONLINE
- SOLUTIONS TO GET CUSTOMERS
- SOLUTIONS FOR ONLINE SECURITY
- CORPORATE INFORMATION
- SOLUTIONS TO SELL ONLINE
- PROFESSIONAL BUSINESS SOLUTIONS
- LEGAL & POLICY INFO
- PROMOTIONS & OFFERS

RESOURCES
CUSTOMER SUPPORT

SEARCH FOR A DOMAIN:

.com Search

GET A FREE DOMAIN WITH HOSTING



100% Secure Transaction
For your protection, this Web site is secured with the highest level of SSL Certificate encryption.
© Copyright 2009 Network Solutions. All rights reserved.

EXHIBIT 1


Anne E. Sneed

From: Anne E. Sneed
Sent: Friday, April 24, 2009 10:39 AM
To: 'contact@myprivateregistration.com'
Cc: Laura A. Rogal
Subject: Elizabeth Arden d/b/a Complaintsboard.com
Attachments: Order, Summons and Complaint.pdf

Through this email, this firm is serving you with the attached Order, Summons and Complaint as filed in the U.S. District Court of Arizona. If you have any questions, you may contact Laura Rogal at 602-248-1000 or lar@jaburgwilk.com.

Anne E. Sneed
Legal Assistant to Daniel L. Hulsizer,
Sharon R. Sprague, Laura Rogal
Jaburg & Wilk, P.C.
3200 N. Central Ave., Ste. 2000
Phoenix, AZ 85012
Tel: (602) 248-1022
Fax: (602) 248-0522
www.jaburgwilk.com
aes@jaburgwilk.com

This communication is intended only for the individual or entity to whom it is directed. It may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. Dissemination, distribution, or copying of this communication by anyone other than the intended recipient, or a duly designated employee or agent of such recipient, is prohibited. If you have received this communication in error, please notify us immediately by telephone at (602) 248-1000, or via e-mail, and delete this message and all attachments thereto

 Please consider the environment before printing this e-mail.

Anne E. Sneed

From: Melbourne_IT [donotreply@melbourneit.com.au]
Sent: Friday, April 24, 2009 10:41 AM
To: Anne E. Sneed
Subject: Melbourne IT - My Private Registration

THIS IS AN AUTOMATED MESSAGE - DO NOT REPLY

You are attempting to contact a domain name that is protected by "My Private Registration" service.

To ensure that your message is delivered to the administrative contact you will need to complete the form at the following web site.

<http://www.melbourneit.com.au/cc/emailmanagement/>

You will need to submit the following information:

- * Your Name & email address
- * Your Message to the registrant

Regards

"My Private Registration" Team.



+61 3 8624 2300
Call us & speak with a real eBusiness Consultant

- PRODUCTS
- MY ACCOUNT
- RENEW
- PROGRAMS
- WHOIS
- HELP
- ABOUT
- Domain Names
- Email Services
- Website Hosting
- Website Design
- Online Marketing
- Dedicated Servers
- Office Tools
- Website Security

Log In | Order

[Home](#) > [Find Domain Holder](#)

Contact Domain Administrator

This form allows you to send an email to the administration email address of the domain name you enter.

Send Email

Domain Name

Your email address

Name

Subject

Message

Through this email, this firm is serving you with the attached Order, Summons and Complaint as filed in the U.S. District Court of Arizona. If you have any questions, you may contact Laura Rogal at 602-248-1000 or lar@jaburgwilk.com.



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+61 3 8624 2300
Call us & speak with a real
eBusiness Consultant

- PRODUCTS
 - MY ACCOUNT
 - RENEW
 - PROGRAMS
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- [Domain Names](#)
[Email Services](#)
[Website Hosting](#)
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[Online Marketing](#)
[Dedicated Servers](#)
[Office Tools](#)
[Website Security](#)

[Log In](#) | [Order](#)

[Home](#) > [Find Domain Holder](#)

Contact Domain Administrator

Thank You,

An email has been sent to the administration email address of complaintsboard.com with the following details:

From address: aes@jaburgwilk.com
Subject: Summons and Complaint
Through this email, this firm is serving you with the attached Order, Summons and Complaint as filed in the U.S. District Court of Arizona. If you have any questions, you may contact Laura Rogal at 602-248-1000 or lar@jaburgwilk.com.

Now you've completed this request you may want to:

- » [View your Domain Names](#)
- » [Go to your My Account Console](#)
- » [Search for more Domain Names](#)

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EXHIBIT C

1 Maria Crimi Speth (012574)
2 Laura A. Rogal (025159)
3 **JABURG & WILK, P.C.**
4 3200 N. Central Avenue, Suite 2000
5 Phoenix, Arizona 85012
6 mcs@jaburgwilk.com
7 lar@jaburgwilk.com
8 (602) 248-1000

9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 XCENTRIC VENTURES, L.L.C., an
13 Arizona Limited Liability Corporation,

Case No. 2:08-cv-02299-HRH

14 Plaintiff,

15 v.

DECLARATION OF LAURA ROGAL

16 ELIZABETH ARDEN d/b/a
17 COMPLAINTSBOARD.COM;
18 MELBOURNE IT DBS, INC., a Delaware
19 corporation; INTERNET NAMES
20 WORLDWIDE, INC., a Delaware
21 corporation; DOES 1-10, inclusive,

22 Defendants.

23 I, Laura Rogal, declare:

24 1. My name is Laura Rogal. I am employed as an associate at the law firm of
25 Jaburg & Wilk, P.C., attorneys of record for Plaintiff Xcentric Ventures, LLC. This
26 Declaration is made of my own personal knowledge and is submitted in support of
27 Plaintiff's Notice of Service of Process on Defendant Elizabeth Arden d/b/a
28 Complaintsboard.com in this matter.

2. On April 24, 2009, to comply with this Court's Order dated April 17, 2009,
I visited the website www.complaintsboard.com to determine any additional means of
contact with the Defendant.

Jaburg & Wilk, P.C.
Attorneys At Law
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 248-1000

1 3. At the bottom of the Complaints Board website, there is a statement that
 2 says "If you have any constructive thoughts, creative ideas, or reasonable offers, please,
 3 contact us immediately via E-mail." The word "E-mail" in this sentence contained a
 4 hyperlink that brought up a new webpage with a form that allowed the user to submit their
 5 name, email address, and statement to the purported "Editor" of Complaints Board.¹

6 4. Before I submitted my notice to Complaints Board, I took a screen shot of
 7 my submission:

Complaints Board
 Made by the people for the people

Latest Complaints | News & Stories | Tips & Tricks | Questions | Videos | Images | Recalls | Groups

T-Mobile Investigation
 Improperly billed for cell phone minutes? Contact us now.
www.GarzoCivics.com/online

Fight Back
 Tell someone who can help you! Submit your complaint for free.
TopClassAuctions.com/Complaint-Form

Acai Power 500 Revealed
 Is Acai Berry Power 500 a Scam? You'll be "Shocked" What We Found!
www.AntiScam.org/Reviews/

Acai Berry Juice Prices
 We Have Millions of Products Acai Berry Juice for Sale. Reviews
www.kentleg.com

"I'm Happy I Lost My Job"
 I found an easy way to get \$5000+ a month online after I lost my job!
www.entrepreneur.com/new-age-job

Painful Monavie News
 Shocking Free Report Reveals Cold, Hard Facts About 21st Century MLM
www.gptCenest.com

Send email to "Editor"

Your name:

Your E-mail:

Subject:

Message:

Confirmation code:

Recently Discussed Complaints

1. (2 minutes ago)
Tmobile
 New Google G1 Phone not working - Poor customer Support
2. (5 minutes ago)
Kingcade & Garcia
 The WORse Bankruptcy Lawyer
3. (4 minutes ago)
acai advanced a1
 unauthorized charges
4. (6 minutes ago)
Homecomings Financial
 Cheating people out of their homes!
5. (8 minutes ago)

Jaburg & Wilk, P.C.
 Attorneys At Law
 3200 N. Central Avenue, Suite 2000
 Phoenix, Arizona 85012
 (602) 248-1000

¹ As of June 22, 2009, this link has been either altered or deleted, and there is no longer any way to contact the administrators of the Complaints Board website directly through their webpage.

EXHIBIT 1

Anne E. Sneed

From: Laura A. Rogal
Sent: Friday, April 24, 2009 2:46 PM
To: 'ComplaintsBoard.com'
Cc: Maria Crimi Speth; Anne E. Sneed
Subject: RE: Lawsuit Filed Against ComplaintsBoard.com
Attachments: Order, Summons and Complaint.pdf

Please see the attached Summons and Complaint, along with the court's Order allowing service of these documents by email.

From: ComplaintsBoard.com [mailto:editor.complaintsboard@gmail.com]
Sent: Friday, April 24, 2009 2:40 PM
To: Laura A. Rogal
Subject: Re: Lawsuit Filed Against ComplaintsBoard.com

May we know what is the name of the plaintiff company?

--

Sincerely,
Ivonne Wainwright
www.ComplaintsBoard.com

EXHIBIT 2

Anne E. Sneed

From: Laura A. Rogal
Sent: Tuesday, June 23, 2009 9:59 AM
To: Anne E. Sneed
Subject: FW: Lawsuit Filed Against ComplaintsBoard.com

From: Laura A. Rogal
Sent: Friday, May 15, 2009 10:43 AM
To: 'ComplaintsBoard.com'
Cc: Maria Crimi Speth
Subject: RE: Lawsuit Filed Against ComplaintsBoard.com

No, the Complaint is not a joke. The ComplaintsBoard.com website has copied wholesale certain content from the Ripoffreport.com website. Pursuant to the Court's Order, your time to answer the Complaint begins to run on May 31, 2009, meaning that you must file with the Court an answer the Complaint no later than 20 days after May 31, 2009, or you will be found to be in default and judgment will be entered against you.

From: ComplaintsBoard.com [mailto:editor.complaintsboard@gmail.com]
Sent: Friday, April 24, 2009 3:20 PM
To: Laura A. Rogal
Subject: Re: Lawsuit Filed Against ComplaintsBoard.com

Is this a joke or something, or have you mixed up the the websites?

<http://www.complaintsboard.com/?search=rip-off+report>

--
Sincerely,
Ivonne Wainwright
www.ComplaintsBoard.com

EXHIBIT 3

Anne E. Sneed

From: Laura A. Rogal
Sent: Tuesday, June 23, 2009 9:58 AM
To: Anne E. Sneed
Subject: FW: Lawsuit Filed Against ComplaintsBoard.com

From: Laura A. Rogal
Sent: Wednesday, May 27, 2009 5:31 PM
To: 'ComplaintsBoard.com'
Subject: RE: Lawsuit Filed Against ComplaintsBoard.com

If you choose not to file an answer, a default will be entered against you by the Court. Your domain name is registered using an address located within the United States, and therefore the Court has jurisdiction over you and your domain name. As you have been told previously, you will be deemed served as of June 1, 2009, and if you choose to take no further action judgment will be entered against you.

From: ComplaintsBoard.com [mailto:editor.complaintsboard@gmail.com]
Sent: Wednesday, May 20, 2009 12:08 AM
To: Laura A. Rogal
Subject: Re: Lawsuit Filed Against ComplaintsBoard.com

Unfortunately we cannot come to the court or send you an answer as we are located in Europe (outside US).

--
Sincerely,
Ivonne Wainwright
www.ComplaintsBoard.com