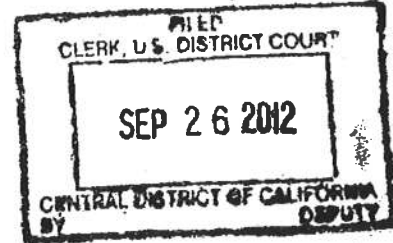


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12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 CINDY LEE GARCIA, an individual,
15 Plaintiff,

16 vs.

17 NAKOULA BASSELEY NAKOULA,
18 an individual also known as SAM
19 BACILE; GOOGLE, INC., a Delaware
20 Corporation; YOUTUBE, LLC, a
21 California limited liability company, and
22 DOES 1 through 10, inclusive.

23 Defendants.

Case No. **CV 12-8315** - MWF
(VBK)

COMPLAINT FOR:

- 1. Direct Infringement of Copyright
- 2. Secondary Infringement of Copyright
- 3. Fraud
- 4. Unfair Business Practices
- 5. Libel
- 6. Intentional Infliction of Emotional Distress

[Demand For Jury Trial]

COPY

1 Plaintiff Cindy Lee Garcia (“Garcia”), by and through her counsel, on personal knowledge
2 as to her own actions and information and belief as to the actions, capabilities and motivation of
3 others, hereby alleges as follows:

4 **NATURE OF CASE**

5 1. On July 2, 2012, Defendant Nakoula Basseley Nakoula (“Nakoula”) uploaded a 14-
6 minute trailer to the Internet, via YouTube.com, entitled “Innocence of Muslims,” (the “Film”)
7 making it available for the entire world to see. On or about September 11, 2012, the film gained
8 worldwide recognition after it was translated into Arabic and posted on YouTube.com. On or
9 around September 11, 2012, an Arabic translation of the film was posted on YouTube, where it
10 became the object of attention in many countries, especially those that are predominantly Muslim.

11 2. In the Film, Mohammed, the founder of the Islamic religion, is painted in a light
12 that is considered to be blasphemous by many Muslims. Specifically, the Film portrays as a child
13 molester, sexual deviant, and barbarian. Immediately after the Film received worldwide
14 recognition as described above, violence erupted in the Middle East. The violence included an
15 attack on the United States Consulate in Benghazi, Libya, resulting in the deaths of four
16 Americans, including United States Ambassador Christopher Stevens and two ex-Navy SEALs.

17 3. Violence has continued to erupt across the world, resulting in dramatic events that
18 have unfolded worldwide, including in Afghanistan, Algeria, Australia, Azerbaijan, Bahrain,
19 Bangladesh, Belgium, Canada, Denmark, Egypt, France, Greece, Hong Kong, India, Indonesia,
20 Iran, Iraq, Israel, Japan, Jordan, Lebanon, Kuwait, Macedonia, Malaysia, the Maldives,
21 Mauritania, Morocco, the Netherlands, Niger, Nigeria, Oman, Pakistan, the Palestinian territories,
22 the Philippines, Qatar, Saudi Arabia, Serbia, Somalia, Sri Lanka, Sudan, Switzerland, Syria,
23 Thailand, Tunisia, Turkey, and the United Kingdom. The Film has been attributed worldwide as
24 directly responsible for the resulting violence. United States Secretary of State Hillary Clinton
25 has condemned the Film, calling it “disgusting and reprehensible.” President Barack Obama has
26 asked YouTube to review taking down the Film, but has taken no court action.

27 4. Plaintiff is an actress who appears in the Film. In the English version of the Film,
28 at minute 9:03, Plaintiff appears to accuse “your Mohammed” of being a “child molester.” These

1 are words that Plaintiff *never spoke*. In fact, Plaintiff was led to believe that she was appearing in
2 a film titled *Desert Warrior*. According to the casting call to which Plaintiff responded, *Desert*
3 *Warrior* was an adventure film set in ancient times. Plaintiff was cast in the part of a mother of
4 young child who was to be married to a character named “Master George.” At no time during the
5 filming of *Desert Warrior* was Plaintiff aware of *any* religious or sexual content. Indeed, while
6 on-set, most of Plaintiff’s scenes involved playing with the actress who portrayed her “daughter.”
7 The words, “Is Mohammed a child molester,” which are attributed to Plaintiff’s character, were
8 words that she *never* uttered on set or during filming. It is obvious that the words heard on the
9 Film are not consistent with the way in which Plaintiff’s mouth moved – making it obvious that
10 she never uttered those words. These are words that Plaintiff finds repugnant, vile, and hostile and
11 would never say in *any* context, even during the course of a performance. Plaintiff is an ordained
12 minister and would never debase another person’s religious beliefs. It is not in her character, and
13 the thought that she would blaspheme *any* religion or god is profoundly distressing to her.

14 5. When Plaintiff was first cast in *Desert Warrior*, she received pages of the script
15 from Defendant Nakoula, who identified himself as “Sam Bacile.” Defendant Nakoula held
16 himself out as the writer and producer of the Film. He managed all aspects of production, and as
17 far as Plaintiff observed, was in charge of all aspects of the production. During filming,
18 Defendant Nakoula gave Plaintiff his telephone number. The pages of *Desert Warrior* script that
19 Plaintiff kept are attached heretoe as Exhibit A.

20 6. Plaintiff believes she signed a contract, but only one that ensured that she would
21 receive IMBD credit for her performance in “Desert Warrior,” primarily because Plaintiff is a non-
22 union actor. She has been unable to locate a copy of any such contract. She is making diligent
23 efforts to obtain a copy either from Defendant Nakoula or from other actors who appeared in the
24 production. So far, she has not been able to locate a copy. She does recall that the contract did
25 *not* call for her to transfer any rights, including any copyrights, and that it was not a “work for
26 hire” agreement.

27 7. In any event, even if Plaintiff did sign a contract (in a form unknown to her at this
28 time, if it exists), Plaintiff contends that any such release is invalid because, no matter what its

1 terms, it was procured by Defendant Nakoula's fraud, deception and misrepresentations. Further,
2 it is the *Defendants'* burden to produce such a release and submit it as evidence, *not* Plaintiff's
3 burden.

4 8. Despite the fact that Plaintiff was led to believe that she was providing a dramatic
5 performance in an adventure film titled *Desert Warrior*, when the Film was released publicly on
6 YouTube, her depicted performance was grotesquely different than the performance that Plaintiff
7 actually had delivered. Specifically, the innocuous lines that Plaintiff delivered on set were
8 overdubbed so as to give the appearance that she was accusing the Islamic religious figure
9 Mohammed of being a child molester and a sexual deviant. In short, Defendant Nakoula used her
10 as a puppet. The words that were put into Plaintiff's mouth are so offensive, not only to Plaintiff
11 but to millions worldwide, that it sparked a riots and violence around the globe. In the Film,
12 Plaintiff is depicted to be a bigot and to hold beliefs that are not only anti-Islamic, but antithetical
13 to Plaintiff's world view.

14 9. Plaintiff would never have, and in fact did not, agree to place her likeness, image,
15 persona, nor her dramatic performance into a hateful production or to be associated with hate
16 speech in any form or fashion.

17 10. Aside from the fallout that occurred after Plaintiff's performance was distorted and
18 disguised, it is clear that Plaintiff has a copyright claim in the dramatic performance she delivered
19 and which was fixed in tangible form when it was filmed during the production of "Desert
20 Warrior." Because she did not assign her rights in her dramatic performance, or her copyright
21 interests, nor was the Film a "work for hire," her copyright interests in her own dramatic
22 performance remain intact.

23 11. Plaintiff has filed an application for federal copyright registration for the rights in
24 her dramatic performance "Desert Warrior." The application is pending; Plaintiff has requested
25 that the Copyright Office expedite it. Whether or not the Copyright Office has yet acted upon
26 Plaintiff's application, federal law creates a copyright when the copyright is created, not upon
27 registration. A true and correct copy of Plaintiff's copyright application, which identifies the
28 works that are the subject of Plaintiff's copyright, is attached as Exhibit B.

1 12. Defendant YouTube’s Terms of Service include the following relevant statements:
 2 (1) YouTube accounts “must provide accurate and complete information”; (2) the user of
 3 YouTube “will comply with all applicable laws”; (3) in uploading content the user must “affirm,
 4 represent, and warrant that you own or have the necessary licenses, rights, consents, and
 5 permissions to publish Content you submit; and you license to YouTube all patent, trademark,
 6 trade secret, copyright or other proprietary rights in and to such Content for publication on the
 7 Service pursuant to these Terms of Service”; and (4) YouTube does not “permit hate speech
 8 (speech which attacks or demeans a group based on race or ethnic origin, religion, disability,
 9 gender, age, veteran status, and sexual orientation/gender identity).” Plaintiff previously requested
 10 that YouTube take down the Film because it constitutes hate speech and because the unauthorized,
 11 dubbed depiction of her violates California state laws pertaining to her right to privacy and right to
 12 control the use of her likeness, among other protected rights that continued exhibition of the Film
 13 violates. YouTube refused Plaintiff’s request.

14 13. Plaintiff has issued five DMCA “takedown notices” to Defendants YouTube and
 15 Google, who, by rebroadcasting the Film 24 hours a day, 7 days a week, also are infringing
 16 Plaintiff’s protected rights in her performance, which fell within the scope of protection of
 17 copyright laws the instant her dramatic performance was fixed on film. YouTube and Google
 18 have thus far refused to expeditiously remove or disable the infringing content.

19 **GENERAL ALLEGATIONS**

20 **A. Jurisdiction and Venue**

21 14. This is a civil action seeking damages and injunctive relief for copyright
 22 infringement under the copyright laws of the United States, 17 U.S.C. § 101 et seq. Plaintiff also
 23 seeks damages and injunctive relief under California state law, were not preempted by Federal
 24 law.

25 15. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 (federal
 26 question jurisdiction), 28 U.S.C. § 1338(a) (jurisdiction over copyright actions), 28 U.S.C. §
 27 1338(b) action asserting a state claim of unfair competition joined with a substantial and related
 28

1 federal claim under the patent, copyright, or trademark laws), 28 U.S.C. § 1367 (supplemental
2 jurisdiction), and the doctrines of ancillary and pendent jurisdiction.

3 16. This Court has personal jurisdiction over Defendants because all Defendants have
4 “continuous, systematic” ties to California, and/or reside in California.

5 17. Venue in this District is proper because a substantial part of the acts and omissions
6 giving rise to the claims occurred in this district.

7 **B. The Parties**

8 18. Plaintiff Cindy Lee Garcia is an individual and at all relevant times herein was a
9 resident of Kern County, California.

10 19. Defendant Nakoula Basseley Nakoula, also known as Sam Bacile (“Defendant
11 Nakoula” or “Bacile”) is an individual and at all relevant times herein as a resident of Los Angeles
12 County, California.

13 20. Defendant Google, Inc., is a corporation incorporated in Delaware with its principal
14 place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043. Google
15 conducts business throughout California, the nation, and the world.

16 21. Defendant YouTube, LLC, is a Google-owned California limited liability company.
17 YouTube conducts business throughout California, the nation, and the world.

18 22. Plaintiff lacks knowledge of the true names and capacities of the defendants sued
19 herein as DOES 1 through 200, inclusive, and therefore sues these defendants by such fictitious
20 names. DOES 1-150 are unidentified posters of the film, as further described below. DOES 151-
21 200 are individuals who assisted in the production of the film, as further described below.
22 Plaintiff will amend this complaint to allege their true names and capacities when they have been
23 ascertained.

24 23. At all relevant times, each defendant was the agent of each of the other defendants
25 and was acting within the course and scope of such agency. Defendants are jointly and severally
26 liable to Plaintiff.

27
28

1 only it is not speech protected by the First Amendment, it violates Plaintiff Garcia's copyright in
2 her performance.

3 30. Based on information and belief, in around September of 2012, Defendant Nakoula
4 published the Film, with the voices of Plaintiffs and her cast mates dubbed into Arabic, on
5 YouTube. The availability of the Film in Arabic has set off protests and violence first in the
6 Middle East, then worldwide. That violence resulted in the assassination of four embassy officials
7 in Libya, including United States Ambassador Christopher Stevens. On information and belief,
8 Defendant YouTube has made an editorial decision to block the Film from being shown on
9 computers located in Libya, Saudi Arabia, India, Indonesia, and Egypt, but not to block it from
10 being shown in most of the other countries in the world.

11 31. The content of the actors' words in Arabic is currently not known to Plaintiff.

12 32. After the Film was published on YouTube, Plaintiff received death threats, which
13 have increased in numerosity and threat level, despite Plaintiff's efforts to publicly clear her name.

14 33. After the Film was published on YouTube, Plaintiff's family, fearing for their own
15 safety, informed her that she was no longer permitted to see her grandchildren, whom she
16 previously babysat regularly.

17 34. After the Film was published on YouTube, Plaintiff's life changed substantially as
18 a direct result of the Film, in as much as she is now considered a target and the safety of those in
19 her presence cannot be guaranteed.

20 35. On September 19, 2012, an Egyptian Cleric issued a fatwa against Ms. Garcia: "I
21 issue a fatwa and call on the Muslim Youth in American and Europe to do this duty, which is to
22 kill the director, the producer and the actors and everyone who helped and promoted the film."

23 36. Plaintiff requested that Google remove the Film from the YouTube Website. Her
24 request was purportedly passed on to the "YouTube team." The "YouTube team" refused to
25 remove the content, despite her privacy concerns.

26 37. On September 24 and 25, 2012, Plaintiff issued five "takedown notices" to
27 Defendants Google and YouTube pursuant to the Digital Millenium Copyright Act. The notices
28 informed Defendants Google and YouTube that their continued broadcast of the Film on YouTube

1 violated Plaintiff's copyright in her performance. The takedown notices identified an aggregate of
2 171 URLs to be taken down. Defendants Google and YouTube have refused to expeditiously
3 remove or disable the infringing content, despite requests that it do so. A true and correct copy of
4 the DMCA notices is attached as Exhibit C.

5 38. As a result of Defendant Nakoula's falsification of her words in the Film, and
6 Defendants Google and YouTube's refusal to remove the video from the Internet, Plaintiff has
7 suffered the violation of her copyright in her performance, severe emotional distress, the
8 destruction of her career and reputation, the loss of her family and her livelihood, and other
9 financial and non-pecuniary damage. She has been subjected to credible death threats and is in
10 fear for her life and the life and safety of anyone associated with her.

11 39. Despite the suggestions of Defendants and their lawyers that Plaintiff go into
12 hiding, she refuses to do so, because she refuses to become a victim of terrorism and Defendant
13 Nakoula's lies. Her courage in coming forward to clear her name and to tell the world that she
14 does not condone the Film, its message, nor would have ever participated in such an effort is what
15 Plaintiff believes is keeping her alive. Persons around the world, including Muslims, have
16 reached out to her to thank her for taking a strong, public and brave stand against the Film's
17 message, at great peril to herself.

18 **FIRST CAUSE OF ACTION**

19 **Direct Infringement of Copyright**

20 **Against All Defendants**

21 40. Plaintiff repeats and realleges paragraphs 1 through 39 of this Complaint as though
22 set forth in full.

23 41. Plaintiff has properly applied to register, and she owns and controls, the copyright
24 in her performance in *Desert Warrior a/k/a Innocence of Muslims*.

25 42. Without authorization from Plaintiff, or any right under law, Defendants, via
26 YouTube, have unlawfully distributed Plaintiff's copyrighted performance millions of times, by
27 transmitting unauthorized copies of those works to YouTube users upon demand in violation of
28 the Copyright Act, 17 U.S.C. § 106.

1 43. Defendant Nakoula is directly liable for these acts of infringement under the
2 Copyright Act. It was Defendant Nakoula who initially posted an infringing copy of Plaintiff's
3 performance onto YouTube without authorization.

4 44. Defendant YouTube is directly liable for these acts of infringement under the
5 Copyright Act. The infringing file resides on servers controlled by Google and YouTube. Google
6 and YouTube cause and affect the infringing act of transmitting copies of Plaintiff's performance
7 works from their servers to the computers of their users. Moreover, YouTube does more than
8 merely respond to user requests in a passive, content-neutral, and automated manner. As set forth
9 above, *supra* paragraph 30, YouTube has played an active role in determining the countries in
10 which the Film will be made available, so that the maximum number of YouTube users will access
11 the infringing content. Thus, YouTube is actively involved in creating the supply of infringing
12 content, making that content broadly available for distribution to the worldwide public at large,
13 and physically transmitting and distributing that infringing content to users. It further exercises
14 active control over the distribution process, in exercising editorial control over where it will and
15 will not make the Film available. For these reasons, among others, YouTube engages in active
16 conduct in unlawfully distributing Plaintiff's copyrighted performance to its users. In order to
17 facilitate and expedite distribution of infringing files to YouTube users, YouTube also makes
18 additional unauthorized copies of Plaintiff's copyrighted performance on its own servers in
19 violation of the Copyright Act, 17 U.S.C. § 106. These unauthorized copies are not made by or at
20 the request of YouTube users, but rather through the decisions and actions of YouTube for its own
21 business purposes.

22 45. Defendant Google is jointly and severally liable for each act of YouTube's direct
23 infringement because it directed and participated in, and benefited from, YouTube's infringing
24 conduct as alleged herein, and its corporate policies have been the guiding spirit behind and
25 central figure in YouTube's infringing activities. Further, Google earns advertising revenue from
26 traffic directed to the YouTube site.

27 46. Defendants DOES 1-200 are likewise liable under the Copyright Act for the acts of
28 infringement identified above for acting in concert with Defendants to post infringing copies of

1 Plaintiff's performance without authorization, to operate YouTube and/or for infringing
2 reproductions and distributions of Plaintiff's copyrighted performance separately committed by
3 defendants DOES 1-200.

4 47. The foregoing acts of infringement by Defendants have been willful, intentional
5 and purposeful, in disregard of and indifferent to Plaintiff's rights.

6 48. As a direct and proximate result of Defendants' infringement of Plaintiff's
7 exclusive rights under copyright, Plaintiff is entitled to damages as well as Defendants' profits
8 pursuant to 17 U.S.C. § 504(b), including but not limited to advertising revenues resulting from
9 the placement of embedded advertisements in the Film as posted on YouTube.com.

10 49. Alternatively, Plaintiff is entitled to the maximum statutory damages, in the amount
11 of \$150,000 per infringement, pursuant to 17 U.S.C. § 504(c), or for such other amount as may be
12 proper pursuant to 17 U.S.C. § 504(c).

13 50. Plaintiff further is entitled to her attorneys' fees and full costs pursuant to 17 U.S.C.
14 § 505.

15 51. Defendants' conduct is causing, and unless enjoined and restrained by this Court
16 will continue to cause, Plaintiff great and irreparable injury that cannot fully be compensated for
17 or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C.
18 § 502, Plaintiff is entitled to a preliminary and permanent injunction prohibiting further
19 infringements of her copyright and exclusive rights under copyright.

20 **SECOND CAUSE OF ACTION**

21 **Indirect Infringement of Copyright**

22 **Against All Defendants**

23 52. Plaintiff repeats and realleges paragraphs 1 through 51 of this Complaint as though
24 set forth in full.

25 53. Users of YouTube have infringed, and continue to infringe, Plaintiff's copyright,
26 including without limitation those copyrighted works identified in Exhibit B, by reproducing and
27 distributing works owned by Plaintiff through YouTube, without authorization from Plaintiff, or
28 right under law, in violation of the Copyright Act, 17 U.S.C. § 106. Defendants are liable as

1 secondary infringers under the Copyright Act for each infringing reproduction and distribution of
2 Plaintiff's performance by YouTube users.

3 54. Defendants YouTube and Google are liable under the Copyright Act for inducing
4 the infringing acts of YouTube users. As set forth above, Defendants YouTube and Google
5 operate YouTube and provide the YouTube website and service to their users, with the object of
6 promoting the use of YouTube to infringe Plaintiff's copyrighted performance, as shown by
7 YouTube's clear expression and other affirmative steps to foster infringement. As set forth above,
8 Defendants YouTube and Google's inducement of copyright infringement is evident from, among
9 other things: (i) the continuing infringing content available on YouTube; (ii) technical measures
10 designed to facilitate the widespread dissemination of Plaintiff's copyrighted content, even after
11 she has requested takedown of the infringing content; and (iii) Defendants' failure to use any of
12 the readily-available means to curtail infringement on the YouTube website. Defendants Google
13 and YouTube, therefore, are liable for inducing the unauthorized reproduction and distribution of
14 Plaintiff's copyrighted work in violation of the Copyright Act, 17 U.S.C. § 106.

15 55. Defendant YouTube is separately liable under the Copyright Act for the infringing
16 acts of its users as a contributory copyright infringer. Defendant YouTube had actual and
17 constructive knowledge of massive copyright infringement of Plaintiff's copyrighted performance
18 by YouTube users, including, without limitation, by means of repeated notices by Plaintiff
19 concerning the infringing files. Indeed, YouTube has full knowledge that it is being used
20 continuously to infringe Plaintiff's rights as a copyright owner. Notwithstanding that knowledge,
21 Defendant YouTube continues to provide a material contribution to that infringement as set forth
22 above, including without limitation by (i) operating, maintaining and further developing the
23 YouTube website and service so as to facilitate YouTube users' infringement of Plaintiff's
24 copyright, (ii) storing infringing content on its servers and making reproductions of such works for
25 faster distribution, and (iii) making multiple copies of Plaintiff's copyrighted work to enable users
26 to quickly access Plaintiff's copyrighted work. Without the active contributions from defendant
27 YouTube, the infringement complained of herein could not have taken place at all, and certainly
28 not on the massive scale enabled by Defendants' actions. Defendant YouTube is, therefore,

1 contributorily liable for the unauthorized reproduction and distribution of Plaintiff's copyrighted
2 works, including those listed on Exhibit B hereto, in violation of the Copyright Act, 17 U.S.C. §
3 106.

4 56. Defendant YouTube is separately liable under the Copyright Act for the infringing
5 acts of its users as a vicarious copyright infringer. Defendant YouTube had the right and ability to
6 supervise and control its users' infringing activity as set forth above, including without limitation
7 by removing Plaintiff's copyrighted performance from its website, terminating infringing users or
8 blocking their access to the YouTube website and service, by policing its computer service to
9 disable access to infringing content, and/or by implementing any number of industry standard
10 technologies or policies that would have substantially curtailed infringing uses of YouTube. In
11 addition, at all relevant times Defendant YouTube derived a financial benefit attributable to its
12 users' copyright infringement, including infringement of Plaintiff's copyright, specifically through
13 advertising revenues obtained by embedding advertisements into copies of the Film broadcast on
14 YouTube.com. Defendant YouTube is therefore vicariously liable for the unauthorized
15 reproduction and distribution of Plaintiff's copyrighted works, including those listed on Exhibit B
16 hereto, in violation of the Copyright Act, 17 U.S.C. § 106.

17 57. Defendant Nakoula is jointly and severally liable for each act of infringement for
18 which YouTube is liable because he initially posted the infringing copy of Plaintiff's performance,
19 thus directing, participating in, and benefitting from YouTube's infringing conduct as alleged
20 herein.

21 58. Defendants DOES 1-200 are liable under the Copyright Act for the acts of
22 infringement identified above, for acting in concert with Defendants to operate YouTube and/or
23 for unlawfully inducing, knowingly facilitating, and profiting from copyright infringement by
24 YouTube users.

25 59. The foregoing acts of infringement by Defendants have been willful, intentional
26 and purposeful, in disregard of and indifferent to Plaintiff's rights.

27 60. As a direct and proximate result of Defendants' infringement of Plaintiff's
28 exclusive rights under copyright, Plaintiff is entitled to damages as well as Defendants' profits

1 pursuant to 17 U.S.C. § 504(b), including but not limited to advertising revenues resulting from
2 the placement of embedded advertisements in the Film as posted on YouTube.com.

3 61. Alternatively, Plaintiff is entitled to the maximum statutory damages, in the amount
4 of \$150,000 per infringement, pursuant to 17 U.S.C. § 504(c), or for such other amount as may be
5 proper pursuant to 17 U.S.C. § 504(c).

6 62. Plaintiff further is entitled to her attorneys' fees and full costs pursuant to 17 U.S.C.
7 § 505.

8 63. Defendants' conduct is causing, and unless enjoined and restrained by this Court
9 will continue to cause, Plaintiff great and irreparable injury that cannot fully be compensated for
10 or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. § 502,
11 Plaintiff is entitled to a preliminary and permanent injunction prohibiting further infringements of
12 her copyright and exclusive rights under copyright.

13 THIRD CAUSE OF ACTION

14 **Fraud**

15 **Against Defendant Nakoula and DOES 151-200**

16 64. The allegations set forth in paragraphs 1 through 63 are realleged and incorporated
17 herein by reference.

18 65. Defendant Nakoula and DOE Defendants 151-200 represented to Plaintiff that the
19 Film was an "adventure" film, and that she would be depicted as a benign historical character.

20 66. Defendant Nakoula and DOE Defendants 151-200's representations that he
21 intended to make an "adventure" film, and that Plaintiff would be depicted as a concerned mother,
22 were false. Instead, Defendant Nakoula and DOE Defendants 151-200 made an anti-Islam
23 propaganda film, in which Plaintiff is falsely made to appear to accuse the founder of the Islamic
24 religion of being a sexual deviant and child molester.

25 67. When Defendant Nakoula and DOE Defendants 151-200 represented to Plaintiff
26 that he intended to make an "adventure" film, and that her character was merely to express
27 concern for her child, they knew that the representations were false, or they made the
28 representations with reckless disregard as to their falsity.

1 81. By making and republishing the Film, Defendant Nakoula and the DOE Defendants
2 made a statement of and concerning Plaintiff or words that suggest that Plaintiff approved the
3 finished product and message of the Film, and stating that Plaintiff said blasphemous words,
4 which she did not.

5 82. The statements are false as they pertain to Plaintiff. In making these statements,
6 Defendant Nakoula and the DOE Defendants knew or should have known that Plaintiff has never
7 called the founder of Islam a child molester.

8 83. Furthermore, these statements are defamatory because they carry the meaning that
9 Plaintiff is a religious bigot.

10 84. The statements have been understood by those who saw and heard them on
11 YouTube to mean that Plaintiff it a religious bigot.

12 85. Plaintiff is informed and believes and thereon alleges that the statements that
13 Defendant Nakoula, along with DOE Defendants 151-200, literally “put in her mouth,” which
14 Google refuses to remove from YouTube, have been seen and heard by millions of individuals
15 throughout the world, whose names are not presently known to Plaintiff.

16 86. These words were slanderous because they tend to injure Plaintiff in her profession,
17 trade and business by imputing to her a general disqualification for working with the public,
18 something that the occupation and duties of her profession peculiarly require, and the profitability
19 of which is naturally lessened if she is believed to be a religious bigot.

20 87. These words published by Defendant Nakoula and the DOE Defendants were stated
21 not as a matter of opinion, but as a matter of fact, and therefore were not protected or privileged in
22 any way.

23 88. The words published by Defendant Nakoula and the DOE Defendants also were
24 slanderous because Plaintiff never called the founder of Islam a child molester, either on the set of
25 the Film or at any other place or time.

26 89. At no relevant time did Plaintiff ratify or consent to the dissemination of the
27 statements, on YouTube or anywhere else. In fact, Plaintiff subsequently contacted Defendant
28

1 Nakoula to ask him to remove the Film from YouTube and also contacted Google and YouTube to
2 request the same thing, numerous times.

3 90. Plaintiff is informed and believes and thereon alleges that Defendant Nakoula and
4 the DOE Defendants repeated the false statements to others, including a worldwide audience on
5 YouTube.

6 91. The words that Defendant Nakoula and the DOE Defendants put, and kept, in
7 Plaintiff's mouth carried a defamatory meaning by their very terms and were understood by those
8 who saw and heard them in a way that defamed Plaintiff.

9 92. Defendant Nakoula and the DOE Defendants further published such statements
10 deliberately and with knowledge and intention that such words would be heard by a worldwide
11 YouTube.com audience.

12 93. As a proximate result of Defendant Nakoula and the DOE Defendants' publication
13 of the false statements, Plaintiff has suffered loss of her reputation, shame, mortification, and hurt
14 feelings all to her general damages in a sum to be proven at trial.

15 94. As a further result of Defendant Nakoula and the DOE Defendants' publication of
16 the false statements, Plaintiff has suffered special damages according to proof.

17 95. As the above-described statements were published with malice and oppression and
18 fraud, an award of exemplary and punitive damages is necessary and appropriate.

19 **SIXTH CAUSE OF ACTION**

20 **Against Defendant Nakoula and the DOE Defendants**

21 **Intentional Infliction of Emotional Distress**

22 96. The allegations set forth in paragraphs 1 through 95 are realleged and incorporated
23 herein by reference.

24 97. The conduct set forth hereinabove was extreme and outrageous and an abuse of the
25 authority and position of Defendant Nakoula and the DOE Defendants, and each of them. Said
26 conduct was intended to cause severe emotional distress, or was done in conscious disregard of the
27 probability of causing such distress. Said conduct exceeded the inherent risks of Plaintiff's work
28 as an actress and was not the sort of conduct normally expected to occur in the production of a

1 Film, or in the posting of a film to YouTube. Defendants, and each of them, engaged in conduct
2 intended to make Plaintiff a target of extremist violence.

3 98. The foregoing conduct did in fact cause Plaintiff to suffer extreme emotional
4 distress. As a proximate result of said conduct, Plaintiff suffered embarrassment, anxiety,
5 humiliation and emotional distress, and will continue to suffer said emotional distress in the future
6 in an amount according to proof.

7 **PRAYER**

8 Plaintiff Garcia prays for judgment against Defendants as follows:

9 1. For a preliminary and permanent injunction enjoining Defendants and their
10 respective officers, agents, servants, employees, and attorneys, and all persons in active concert or
11 participation with each or any of them, from directly committing, aiding, encouraging, enabling,
12 inducing, causing, materially contributing to, or otherwise facilitating the unauthorized
13 reproduction or distribution of copies of Plaintiff's copyrighted performance.

14 2. For all damages to which Plaintiff may be entitled, including but not limited to
15 Defendants' profits, in such amounts as may be found. Alternatively, as Plaintiff's election, for
16 statutory damages in the maximum amount allowed by law.

17 3. For special damages arising from the loss of business and business opportunities,
18 according to proof at trial.

19 4. For restitution.

20 5. For exemplary and punitive damages.

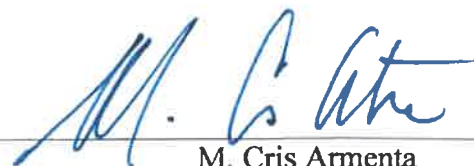
21 6. For attorney fees and costs of suit incurred herein.

22 7. For such other and further relief as the Court deems just and proper.

23
24 THE ARMENTA LAW FIRM, A.P.C.

25 Dated: September 26, 2012

26
27 By: _____



M. Cris Armenta
Attorneys for Plaintiff
Cindy Lee Garcia

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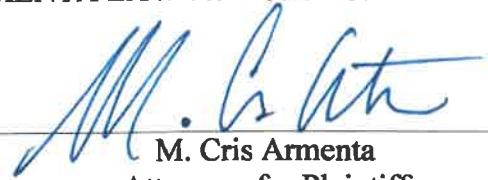
REQUEST FOR JURY TRIAL

Plaintiff hereby requests a trial for jury.

Dated: September 26 2012

THE ARMENTA LAW FIRM, A.P.C.

By:



M. Cris Armenta
Attorneys for Plaintiff
Cindy Lee Garcia

EXHIBIT A

60

EXT. KERO'S TENT - DAY

60

ME

Kero's wife, Om Roman, is sitting quietly and knitting when Kero enters excitedly.

KERO

Let the house of Kero be joyous.

RAMON

What is wrong with you husband? We do not have that much to be happy for.

KERO

Oh but we do. The Master has asked our daughter's hand in marriage.

RAMON seems concerned.

RAMON

And this make you happy?

KERO

Yes, of course, it makes me very happy! My daughter shall have the stars!

RAMON

Are you crazy? Is your George crazy? Your daughter has not yet reached her 13th year yet. George must be fifty five years old by now!

ABI KERO

He is fifty-three not fifty-five. He has both wealth and power. My daughter shall be his bride whether we say yes or no. And he has promised to make the Caliph of the Bossas after him.

RAMON

Then there is nothing I can do for my poor daughter Hillary. She is not yet thirteen years of age and he is fifty three. What a strange world that we live in... what a strange world.

There is a moment of silence and George enters.

60

EXT. KERO'S TENT - DAY

60

ME

Kero's wife, Om Roman, is sitting quietly and knitting when Kero enters excitedly.

KERO

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There is a moment of silence and George enters.

61

EXT. HOUSE OF KERO - DAY

61

RAMON goes outside to fetch her daughter. Some women are doing chores. She finds the children playing together on the tree swings. She takes Hillary by the hand and goes inside the house.

ADD TO DAY 

62

INT. HOUSE OF KERO - DAY

62

KERO

Thank you Master. You bless me by coming into my humble home.

GEORGE

You are a good man and a good follower of me Kero. You will be a good father in law and you shall indeed have your place in God's paradise.

KERO

Praise be to God... praise be to God.

RAMON returns leading Hillary by the hand. She takes her over to George and puts her hand into George's hand.

RAMON

Hillary this is George, Master. He is going to be your husband.

George looks at her with that look that only a man can give a woman as he rubs the back of her hand.

GEORGE

Isn't that wonderful Hillary, my bride? Praise be to God.

George stands and picks Hillary up in his arms.

GEORGE (CONT'D)

Come, for now you belong to me, to the Master.

He walks toward the door carrying the girl. Hillary looks back toward her mother and reaches out a hand. She calls out, nearly in tears, simply because she does not understand what just happened.

HILLARY

Mother... Mother... RAMON, I'm hungry.

RAMON looks at her.

RAMON

It is okay Hillary... every thing will be alright.

RAMON watches them leave. It is obvious she doesn't believe her own words. A single tear runs down her cheek.

63

EXT. KERO'S TENT - DAY

63

George carries Hillary outside as the other women are blessing them.

WOMEN

May God bless you both... May God
bless you both.

Hillary is frightened and does not know what is happening.
Once again she calls out to her mother.

HILLARY

Mother... Mother... Mother I'm
hungry.

GEORGE

With me there is no need to be
frightened, my bride.

HILLARY

Where are you taking me?

GEORGE

Wherever I want to go. I am the
Master. Do you not know that my
bride?

George says something in her ear. She slaps him on his face,
but he just laughs.

GEORGE

Kero... did you announce the good news to the bride? I would not be surprised if she has fainted over the good news.

RAMON

I am the only one who came close to fainting.

GEORGE

From joy, of course, my mother in law.

RAMON

Of course, my son in law.

GEORGE

I already knew that or I would not be the Master. Now where is my bride? Where is my beautiful bride, my father in law?

RAMON

She is on the swing with other children, my son in law.

KERO

Go and fetch her woman. Do not keep your soon to be son in law waiting... I mean the Master waiting!

RAMON does as she is told and immediately gets up and heads out the door.

EXHIBIT B

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.



Privacy Act Notice: Sections 408-410 of title 17 of the United States Code authorize the Copyright Office to collect the personally identifying information requested on this form in order to process the application for copyright registration. By providing this information you are agreeing to routine uses of the information that include publication to give legal notice of your copyright claim as required by 17 U.S.C. §705. It will appear in the Office's online catalog. If you do not provide the information requested, registration may be refused or delayed, and you may not be entitled to certain relief, remedies, and benefits under the copyright law.

PA	PAU
EFFECTIVE DATE OF REGISTRATION	
Month	Day
Year	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
"Desert Warrior"

PREVIOUS OR ALTERNATIVE TITLES ▼
"Innocence of Muslims"

NATURE OF THIS WORK ▼ See instructions

Audio-visual work, pertaining to Cindy Lee Garcia's dramatic performance in "Desert Warrior" and put on film

2 a NAME OF AUTHOR ▼ Cindy Lee Garcia

DATES OF BIRTH AND DEATH
Year Born ▼ 1957 Year Died ▼ NA

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country U.S.A.
OR { Citizen of U.S.A.
Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
Dramatic performance in film entitled "Desert Warriors" affixed to film

NOTE
Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼ Cindy Lee Garcia

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country U.S.A.
OR { Citizen of U.S.A.
Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
Dramatic performance fixed in tangible medium of expression (i.e. film)

c NAME OF AUTHOR ▼ Cindy Lee Garcia

DATES OF BIRTH AND DEATH
Year Born ▼ 1957 Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country U.S.A.
OR { Citizen of U.S.A.
Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED
2011 Year

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published. Month July Day 2 Year 2012
only partially published. U.S.A. Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
Cindy Lee Garcia c/o The Armenta Law Firm, 11900 W. Olympic Boulevard, Suite 730, Los Angeles, CA 90064

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼
[Ms. Garcia did not sign any work for hire agreement nor a release or relinquishment of her rights when she acted in "Desert Warrior."]

APPLICATION RECEIVED _____

ONE DEPOSIT RECEIVED _____

TWO DEPOSITS RECEIVED _____

FUNDS RECEIVED _____

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page
• See detailed instructions • Sign the form at line 8

DO NOT WRITE HERE
Page 1 of _____ pages

EXAMINED BY _____	FORM PA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE Yes	FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼ If your answer is No, do not check box A, B, or C.

a. This is the first published edition of a work previously registered in unpublished form.

b. This is the first application submitted by this author as copyright claimant.

c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a 6

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

Garcia gave a dramatic performance for "Desert Warrior" fixed in film in 2011. Since then, the producer of the film altered her performance, dubbing in words she did not say, and changing the film's intent and name to "Innocence of Muslims."

See instructions before completing this space

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account Name ▼ Account Number ▼

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

M. Cris Armenta, The Armenta Law Firm APC, 11900 W. Olympic Boulevard, Suite 730, Los Angeles, CA 90064

b

Area code and daytime telephone number (310) 826-2826

Fax number (310) 826-5456

Email cris@crisarmenta.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▶

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Cindy Lee Garcia

Date September 25, 2012

Handwritten signature (X) ▼

See attached faxed signature



x

Certificate will be mailed in window envelope to this address:

Name ▼
Number/Street/Apt ▼
City/State/Zip ▼

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office-PAD
101 Independence Avenue SE
Washington, DC 20559-8230

9

*17 U.S.C. §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500

TOTAL P.03

EXAMINED BY _____	FORM TA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
<input type="checkbox"/> Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) If your answer is No, do not check box A, B, or C.

a. This is the first published edition of a work previously registered in unpublished form.

b. This is the first application submitted by this author in copyright claimant.

c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give Previous Registration Number Year of Registration

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

a 6

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

Garcia gave a dramatic performance for "Desert Warrior" fixed in film in 2011. Since then, the producer of the film altered her performance, dubbing in words she did not say, and changing the film's intent and name to "Innocence of Muslims."

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name Account Number

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip

M. Cris Armenta, The Armenta Law Firm APC, 11900 W. Olympic Boulevard, Suite 730, Los Angeles, CA 90064

b

Area code and daytime telephone number (310) 826-2826 Fax number (310) 826-5456

Email cris@crisarmenta.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of _____

Name of author or other copyright claimant, in case of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Cindy Lee Garcia Date September 25, 2012

Handwritten signature (X) _____
 x *Cindy Lee Garcia*

Continuation will be mailed in window envelope to this address:

Name

Number/Street

City/State/Zip

NOTES:

- Complete all necessary spaces.
- Sign your application in space 8.
- 1. Application form
- 2. Nonrefundable filing fee in check or money order payable to: Register of Copyrights
- 3. Check self enclosed

Library of Congress Copyright Office-PAD
 101 Independence Avenue, S.E.
 Washington, DC 20540-4200

9

17 U.S.C. §200(a): Any person who knowingly makes a false statement of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

P.03

Sent from my iPhone

Begin forwarded message:

From: Copyright Office <cop-rc@loc.gov>
Date: September 25, 2012 1:42:10 PM EDT
To: Cris Armenta <cris@crisarmenta.com>
Subject: Acknowledgement of Receipt

Thank you for submitting your registration claim using the electronic Copyright Office (eCO) System. This email confirms that your application and payment for the work Desert Warrior were received on 09/25/2012. The following applies to registration claims only (not preregistrations):

The effective date of registration is established when the application, payment AND the material being registered have been received. If you have not yet sent the material to be registered, logon to eCO (https://eco.copyright.gov/eService_enu/) and click the blue case number associated with your claim in the Open Cases table, then do one of the following:

Upload a digital copy (if eligible): Click the "Upload Deposit" button at the top of the Case Summary screen, then browse and select the file(s) you wish to upload. Be sure to click the "Upload Complete" button on the Case Summary screen when you have finished uploading your file(s). Note: only certain categories of works are eligible to be registered with digital copies (See FAQs: http://www.copyright.gov/eco/faq.html#eCO_1.4 and <http://www.copyright.gov/eco/help-file-types.html>).

Mail a physical copy(ies): Click the Create Shipping Slip button at the top of the Case Summary screen, then click the Shipping Slip link that appears in the Send By Mail table. Print out and attach the shipping slip to the copy(ies) of your work. For multiple works, be sure to attach shipping slips to the corresponding copies.

A printable copy of the application will be available within 24 hours of its receipt. To access the application, click the My Applications link in the left top most navigation menu of the Home screen.

You will be issued a paper certificate by mail after the registration has been completed. You may check the status of this claim via eCO using this number 1-828151641. [THREAD ID: 1-DP2T9R]

United States Copyright Office

To: David Hardy; Credence Sol; Jason Armstrong
Cc: Heather Rowland
Subject: Case 2:12-cv-08315-MVF-VBK Document 1 Filed 09/26/12 Page 33 of 63 Page ID #:33
Fwd: Acknowledgement of Receipt

Heather Rowland

From: Cris Armenta
Sent: Tuesday, September 25, 2012 10:44 AM

Heather Rowland

Subject: FW: Case# 1-828151641 Cindy Lee Garcia Attn: Marti/212230

From: ctoinfo [<mailto:ctoinfo@loc.gov>]
Sent: Wednesday, September 26, 2012 11:22 AM
To: Heather Rowland
Cc: ctoinfo
Subject: RE: Case# 1-828151641 Cindy Lee Garcia Attn: Marti/212230

Heather Rowland,

That's fine.

Kind Regards,

Contractor to LOC/Copyright Technology Office
Library of Congress
101 Independence Ave, SE
Washington DC 20540
Office # 202-707-3002

mw

From: Heather Rowland [<mailto:heather@crisarmenta.com>]
Sent: Wednesday, September 26, 2012 2:21 PM
To: ctoinfo
Subject: RE: Case# 1-828151641 Cindy Lee Garcia Attn: Marti/212230

I will mail a copy on DVD/R and it will be to your office tomorrow via FedEx. Does that work?

Thanks,

Heather Rowland
Assistant to M. Cris Armenta
The Armenta Law Firm APC
11900 Olympic Boulevard, Suite 730
Los Angeles, CA 90064
(310) 601-8715 Direct
(310) 384-3548 Cell
(310) 826-5456 Fax
www.crisarmenta.com

From: ctoinfo [<mailto:ctoinfo@loc.gov>]
Sent: Wednesday, September 26, 2012 11:19 AM
To: Heather Rowland
Cc: ctoinfo
Subject: RE: Case# 1-828151641 Cindy Lee Garcia Attn: Marti/212230

Heather Rowland,

It is not recommended that you do both, only one or the other.

The upload feature has been enabled.

Multiple uploads are permitted.

You can either upload your work electronically or send it in by mail. You should log into your account, click on open cases, click on your case number (make sure that your pop-up blocker is off), and you should then see buttons that will give you the option to upload your work electronically or send it by mail. If you want to upload, click on the 'upload deposit' button. A screen should come up (maximize that window) that will allow you to browse for your work and submit it electronically via upload to the Copyright Office. After clicking on the "Upload Deposit" button to upload your files, wait until you have completed uploading ALL of your files *THEN AND ONLY THEN* click on the "Upload Complete" button to complete the process. If you want to send your work by mail you should click on the button to 'create a shipping slip'. It should create a link for a shipping slip that you can click on that will open up the slip. You should print it out and send in with your work.

If you continue to experience problems please phone for assistance.

Kind Regards,

Contractor to LOC/Copyright Technology Office
Library of Congress
101 Independence Ave, SE
Washington DC 20540
Office # 202-707-3002

mw 2122230

From: (310) 826-2826
Maria Armenta
The Armenta Law Firm
11900 Olympic Boulevard
Los Angeles, CA 90064

Origin ID: CIBA



Ship Date: 26SEP12
ActWgt: 1.0 LB
CAD: 8678074/INET3300

Delivery Address Bar Code



SHIP TO: (310) 601-8715
Copyright Office - MP
Library of Congress
101 INDEPENDENCE AVE SE

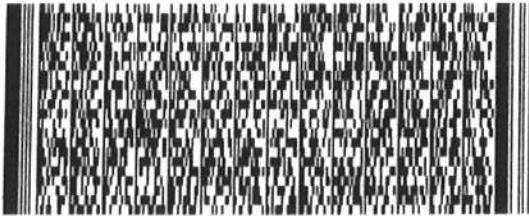
WASHINGTON, DC 20559

BILL SENDER

Ref # Garcia
Invoice #
PO #
Dept #

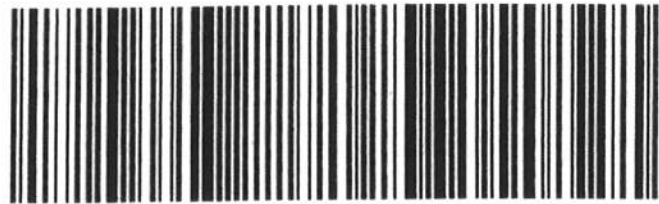
THU - 27 SEP A2
STANDARD OVERNIGHT

TRK# 7990 5616 8750
0201



XC YKNA

20559
DC-US
DCA



515G1003A/A44

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

EXHIBIT C

Cris Armenta

From: david@dmcasolutions.com on behalf of David Hardy
<David.Hardy@DMCASolutions.com>
Sent: Monday, September 24, 2012 12:56 PM
To: debratucker@google.com; copyright@google.com
Cc: Cris Armenta
Subject: DMCA Takedown Request
Attachments: YouTube-Google Takedown Notice (9-24-12).pdf

Dear Ms. Tucker:

Attached please find a Takedown Request prepared and sent to you pursuant to the Digital Millennium Copyright Act, relative to videos of the film identified as *"The Innocence of the Muslims"* that have been posted on YouTube.

I am also faxing a copy of this Takedown Request to you at (650) 872-8513.

Sincerely,

David E. Hardy, President
DMCA Solutions, LLC
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

September 24, 2012

Sent by Facsimile & Email

YouTube, LLC
Attn: Debra Tucker, Designated Agent
901 Cherry Avenue
San Bruno, CA
Fax: (650) 872-8513
Email: debratucker@google.com
Email: copyright@google.com

Re: YouTube DMCA Takedown Request: Copyright Infringement
Video – ***The Innocence of the Muslims***

Dear Ms. Tucker:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Cindy Lee Garcia for the purposes of filing this Takedown Request, hereby submits the following:

What is the Issue:

Copyright Infringement: Cindy Lee Garcia, an actress, has an original copyright that remains vested in her in her audio-visual dramatic performance in a film in which her performance has been altered and adulterated without her consent and posted on YouTube, infringing her copyright.

Copyright Infringement: Who is Affected

Cindy Lee Garcia, the copyright owner

Identification of the Copyrighted Work Claimed to have been Infringed:

Cindy Lee Garcia's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without her consent and posted on YouTube under the title ***The Innocence of the Muslims***.

Identification of the material that is claimed to be infringing

Video posted on YouTube under the title ***The Innocence of Muslims*** but originally titled *The Desert Warrior*

URLs of the Offending Video:

<http://www.youtube.com/watch?v=1nW54iK-7Cs&feature=fvsr>

http://www.youtube.com/watch?v=2Q_tD0BGhy4

http://www.youtube.com/watch?v=fBDTS_YAWyl

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

<http://www.youtube.com/watch?v=ffVBdyU5ONQ&feature=related>

<http://www.youtube.com/watch?v=FteusCTGO3M>

<http://www.youtube.com/watch?v=HWHajR9IMME>

<http://www.youtube.com/watch?v=i7Smzt607oE>

<http://www.youtube.com/watch?v=i7Smzt607oE&feature=fvsrc>

<http://www.youtube.com/watch?v=VnYcWmcYBrw&feature=fvsrc>

<http://www.youtube.com/watch?v=X6s8eFkt90Q>

<http://www.youtube.com/watch?v=XKtTIPnZ8iU>

<http://www.youtube.com/watch?v=ypz3kS75bsw>

Copyright Owner's Name: Cindy Lee Garcia

Authorized Agent: DMCA Solutions, LLC
31 Hastings Street
Mendon, MA 01756
USA
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Cindy Lee Garcia, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:



David Hardy, President

Cris Armenta

From: david@dmcasolutions.com on behalf of David Hardy
<David.Hardy@DMCASolutions.com>
Sent: Monday, September 24, 2012 6:47 PM
To: debratucker@google.com; copyright@youtube.com
Cc: Cris Armenta
Subject: DMCA Takedown Request #2
Attachments: YouTube - Google Takedown Request #2 (9-24-12).docx

Dear Ms. Tucker:

Attached please find a Takedown Request prepared and sent to you pursuant to the Digital Millennium Copyright Act, relative to videos of the film identified as "*The Innocence of the Muslims*" that have been posted on YouTube.

I am also faxing a copy of this Takedown Request to you at (650) 872-8513.

Sincerely,

David E. Hardy, President
DMCA Solutions, LLC
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

September 24, 2012

Sent by Facsimile & Email

YouTube, LLC

Attn: Debra Tucker, Designated Agent

901 Cherry Avenue

San Bruno, CA

Fax: (650) 872-8513

Email: debratucker@google.com

Email: copyright@youtube.com

Re: YouTube DMCA Takedown Request: Copyright Infringement
Video – *The Innocence of the Muslims* – Takedown Request #2

Dear Ms. Tucker:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Cindy Lee Garcia for the purposes of filing this Takedown Request, hereby submits the following:

What is the Issue:

Copyright Infringement: Cindy Lee Garcia, an actress, has an original copyright that remains vested in her in her audio-visual dramatic performance in a film in which her performance has been altered and adulterated without her consent and posted on YouTube, infringing her copyright.

Copyright Infringement: Who is Affected

Cindy Lee Garcia, the copyright owner

Identification of the Copyrighted Work Claimed to have been Infringed:

Cindy Lee Garcia's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without her consent and posted on YouTube under the title *The Innocence of the Muslims*.

Identification of the material that is claimed to be infringing

Video posted on YouTube under the title *The Innocence of Muslims* but originally titled *The Desert Warrior*

URLs of the Offending Video:

<http://www.youtube.com/watch?v=MAiOEV0v2RM>

http://www.youtube.com/watch?v=X_wTvx6-ok4

<http://www.youtube.com/watch?v=xMZcd6UY1s4>

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31 Hastings Street
Mendon, MA 01756

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<http://www.youtube.com/watch?v=X6s8eFkt90Q>

<http://www.youtube.com/watch?v=wdw-cgjH-ZU>

<http://www.youtube.com/watch?v=oLip6P2ksd8>

http://www.youtube.com/watch?v=3dUwhPIAi_Y

<http://www.youtube.com/watch?v=PbX3Caqm960>

<http://www.youtube.com/watch?v=qmodVun16Q4>

<http://www.youtube.com/watch?v=LoBwR9KEGUc&bpctr=1348536278>

<http://www.youtube.com/watch?v=E1ggHpWXvbs>

http://www.youtube.com/watch?v=p_wRkA16SNg

<http://www.youtube.com/watch?v=PbX3Caqm960>

<http://www.youtube.com/watch?v=qmodVun16Q4>

<http://www.youtube.com/watch?v=qmodVun16Q4>

<http://www.youtube.com/watch?v=n20lbnB2XM>

<http://www.youtube.com/watch?v=XIWYZA1MqAA>

http://www.youtube.com/watch?v=SL8hW_ZZaY

<http://www.youtube.com/watch?v=8QTtKQR0PBY>

<http://www.youtube.com/watch?v=iDigtAhMeIY>

Copyright Owner's Name: Cindy Lee Garcia

Authorized Agent: DMCA Solutions, LLC
31 Hastings Street
Mendon, MA 01756
USA
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

Page 3

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Cindy Lee Garcia, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:

A handwritten signature in black ink, appearing to read 'David Hardy', with a large, stylized flourish at the end.

David Hardy, President

Cris Armenta

From: david@dmcasolutions.com on behalf of David Hardy
<David.Hardy@DMCASolutions.com>
Sent: Monday, September 24, 2012 7:23 PM
To: debratucker@google.com; copyright@youtube.com
Cc: Cris Armenta
Subject: DMCA Takedown Request #3 (9-24-12)
Attachments: YouTube-Google Takedown Request #3 (9-24-12).docx

Dear Ms. Tucker:

Attached please find a Takedown Request prepared and sent to you pursuant to the Digital Millennium Copyright Act, relative to videos of the film identified as "*The Innocence of the Muslims*" that have been posted on YouTube.

Sincerely,

David E. Hardy, President
DMCA Solutions, LLC
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

September 24, 2012

Sent by Facsimile & Email

YouTube, LLC
Attn: Debra Tucker, Designated Agent
901 Cherry Avenue
San Bruno, CA
Fax: (650) 872-8513
Email: debratucker@google.com
Email: copyright@youtube.com

Re: YouTube DMCA Takedown Request: Copyright Infringement
Video – ***The Innocence of the Muslims*** – Takedown Request #3

Dear Ms. Tucker:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Cindy Lee Garcia for the purposes of filing this Takedown Request, hereby submits the following:

What is the Issue:

Copyright Infringement: Cindy Lee Garcia, an actress, has an original copyright that remains vested in her in her audio-visual dramatic performance in a film in which her performance has been altered and adulterated without her consent and posted on YouTube, infringing her copyright.

Copyright Infringement: Who is Affected

Cindy Lee Garcia, the copyright owner

Identification of the Copyrighted Work Claimed to have been Infringed:

Cindy Lee Garcia's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without her consent and posted on YouTube under the title ***The Innocence of the Muslims***.

Identification of the material that is claimed to be infringing

Video posted on YouTube under the title ***The Innocence of Muslims*** but originally titled *The Desert Warrior*

URLs of the Offending Video:

<http://www.youtube.com/watch?v=BJqhCKyLOvE>

<http://www.youtube.com/watch?v=vElHfaiK93M>

<http://www.youtube.com/watch?v=YSwi94xfNFE>

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31 Hastings Street
Mendon, MA 01756

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<http://www.youtube.com/watch?v=jDYdlkpgStY>

<http://www.youtube.com/watch?v=IE5McEN4HKA&bpctr=1348538846>

<http://www.youtube.com/watch?v=A2aNEreHzi0>

<http://www.youtube.com/watch?v=YSwi94xfNFE>

<http://www.youtube.com/watch?v=KCD33i3kDkk>

<http://www.youtube.com/watch?v=J-8jcjUPpNI>

<http://www.youtube.com/watch?v=GKRHED2RuL0>

<http://www.youtube.com/watch?v=zvxJtVDA5s4>

<http://www.youtube.com/watch?v=LrlfRLh1OJM>

<http://www.youtube.com/watch?v=i7Smzt607oE>

<http://www.youtube.com/watch?v=lutCBSBPa0U&bpctr=1348539718>

<http://www.youtube.com/watch?v=ezflX0bU01I>

<http://www.youtube.com/watch?v=CHjLxHRK3Yk>

<http://www.youtube.com/watch?v=-iFHMZGLp48&bpctr=1348539839>

<http://www.youtube.com/watch?v=i7Smzt607oE>

<http://www.youtube.com/watch?v=i7Smzt607oE>

<http://www.youtube.com/watch?v=Vh1G0nV4h-w>

Copyright Owner's Name: Cindy Lee Garcia

Authorized Agent: DMCA Solutions, LLC
31 Hastings Street
Mendon, MA 01756
USA
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

Page 3

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Cindy Lee Garcia, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:

A handwritten signature in black ink, appearing to read "David Hardy", with a large, stylized flourish extending to the right.

David Hardy, President

Cris Armenta

From: david@dmcasolutions.com on behalf of David Hardy
<David.Hardy@DMCASolutions.com>
Sent: Monday, September 24, 2012 10:09 PM
To: debratucker@google.com; copyright@youtube.com
Cc: Cris Armenta
Subject: DMCA Takedown Request #4
Attachments: YouTube-Google Takedown Request #4 (9-24-12).docx

Dear Ms. Tucker:

Attached please find a Takedown Request prepared and sent to you pursuant to the Digital Millennium Copyright Act, relative to videos of the film identified as "*The Innocence of the Muslims*" that have been posted on YouTube.

Sincerely,

David E. Hardy, President
DMCA Solutions, LLC
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

September 24, 2012

Sent by Email

YouTube, LLC

Attn: Debra Tucker, Designated Agent

901 Cherry Avenue

San Bruno, CA

Email: debratucker@google.com

Email: copyright@youtube.com

Re: YouTube DMCA Takedown Request: Copyright Infringement
Video – ***The Innocence of the Muslims*** – Takedown Request #4

Dear Ms. Tucker:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Cindy Lee Garcia for the purposes of filing this Takedown Request, hereby submits the following:

What is the Issue:

Copyright Infringement: Cindy Lee Garcia, an actress, has an original copyright that remains vested in her in her audio-visual dramatic performance in a film in which her performance has been altered and adulterated without her consent and posted on YouTube, infringing her copyright.

Copyright Infringement: Who is Affected

Cindy Lee Garcia, the copyright owner

Identification of the Copyrighted Work Claimed to have been Infringed:

Cindy Lee Garcia's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without her consent and posted on YouTube under the title ***The Innocence of the Muslims***.

Identification of the material that is claimed to be infringing

Video posted on YouTube under the title ***The Innocence of Muslims*** but originally titled *The Desert Warrior*

URLs of the Offending Video:

<http://www.youtube.com/watch?v=1RagKWM8ldk>

http://www.youtube.com/watch?v=1wkyqd9_NtY

<http://www.youtube.com/watch?v=2AJ2ElzJ11w>

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Mendon, MA 01756

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<http://www.youtube.com/watch?v=2IC2wpYa7KE>

http://www.youtube.com/watch?v=2TI9GbNk_gY

<http://www.youtube.com/watch?v=6KJq-rNjLk8>

<http://www.youtube.com/watch?v=6ySE-yYeelE>

<http://www.youtube.com/watch?v=7EmQRlbQbJk>

<http://www.youtube.com/watch?v=7qcFACwflj8>

<http://www.youtube.com/watch?v=8jYrk--UFh0>

<http://www.youtube.com/watch?v=A1ezRBS5Jhs>

<http://www.youtube.com/watch?v=a5gABvYSbis>

<http://www.youtube.com/watch?v=ADdj48gHKGQ>

http://www.youtube.com/watch?v=AQqqy6_RiD0

<http://www.youtube.com/watch?v=Ar3ju0D81Lg>

<http://www.youtube.com/watch?v=B-pGehBwKFY>

<http://www.youtube.com/watch?v=BGYNJmlaEbk>

<http://www.youtube.com/watch?v=bkplXBnFT3c>

<http://www.youtube.com/watch?v=BMhwVg4imO8>

<http://www.youtube.com/watch?v=BPQM2nfVyz0>

<http://www.youtube.com/watch?v=bYaKOBkd4io>

<http://www.youtube.com/watch?v=C7KeGApikUs>

<http://www.youtube.com/watch?v=dAaDPAnlvx0>

<http://www.youtube.com/watch?v=DlzesXXwUiU>

<http://www.youtube.com/watch?v=dx3z4ly5Exs>

<http://www.youtube.com/watch?v=EHby-q7KgC0>

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31 Hastings Street
Mendon, MA 01756

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<http://www.youtube.com/watch?v=engQ9MX4Cyc>

<http://www.youtube.com/watch?v=eqQ74At3Psc>

<http://www.youtube.com/watch?v=fAMCA7JdQYk>

<http://www.youtube.com/watch?v=fm3P9mEi3Xk>

<http://www.youtube.com/watch?v=FsC7yHse-iQ>

<http://www.youtube.com/watch?v=gORgR7UiXgY>

<http://www.youtube.com/watch?v=h2MHczJyFNQ>

<http://www.youtube.com/watch?v=HDeWjf877yw>

<http://www.youtube.com/watch?v=HkGOubHiT6I>

<http://www.youtube.com/watch?v=HR0Vj-8dqTM>

<http://www.youtube.com/watch?v=Hv4HwUQS-yY>

<http://www.youtube.com/watch?v=IDK2yl6U48M>

<http://www.youtube.com/watch?v=Jslqig3VkrE>

<http://www.youtube.com/watch?v=K3IAgMuNj0A>

<http://www.youtube.com/watch?v=kAQ5onF0Lc4>

http://www.youtube.com/watch?v=Lgx1_JVxfZE

<http://www.youtube.com/watch?v=lhBoPXEPUsQ>

<http://www.youtube.com/watch?v=Ln3VAwuLxCE>

<http://www.youtube.com/watch?v=mjoa3QazVy8>

<http://www.youtube.com/watch?v=n8s6bYHELaw>

<http://www.youtube.com/watch?v=NggEJ5PTPbw>

<http://www.youtube.com/watch?v=NuOFer5WqYo>

<http://www.youtube.com/watch?v=o3ey9m4ApdY>

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31 Hastings Street
Mendon, MA 01756

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<http://www.youtube.com/watch?v=o7RQqavrd0E>

<http://www.youtube.com/watch?v=O8Wc5PsXmPo>

<http://www.youtube.com/watch?v=Oqzib6N0wE8>

<http://www.youtube.com/watch?v=ov9bd23F1yA>

<http://www.youtube.com/watch?v=q26i0VLRbQE>

<http://www.youtube.com/watch?v=qf-44Q3SV0Y>

<http://www.youtube.com/watch?v=Qi3sDuWPvos>

<http://www.youtube.com/watch?v=QOcQvZ UNwU>

<http://www.youtube.com/watch?v=rKOa87wgPp4>

<http://www.youtube.com/watch?v=SIPLKwpV6NE>

<http://www.youtube.com/watch?v=sXKyPPgrMi4>

<http://www.youtube.com/watch?v=tHpacSiAI9U>

<http://www.youtube.com/watch?v=tRa9L5OPS0M>

<http://www.youtube.com/watch?v=tRBGBGDZj7o>

<http://www.youtube.com/watch?v=tvV6p5IHDLM>

<http://www.youtube.com/watch?v=UDd6bine9io>

<http://www.youtube.com/watch?v=v5TBXoKErus>

<http://www.youtube.com/watch?v=Vh5LEJNE70c>

<http://www.youtube.com/watch?v=vNZW4KCPURQ>

<http://www.youtube.com/watch?v=vYnwZeZ8p8Y>

<http://www.youtube.com/watch?v=W1MYYfCg2X4>

<http://www.youtube.com/watch?v=WI8FoYpglNw>

<http://www.youtube.com/watch?v=XKtTIPnZ8iU>

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31 Hastings Street
Mendon, MA 01756

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<http://www.youtube.com/watch?v=xLxzfOPDMIo>

<http://www.youtube.com/watch?v=xYVfBNKbfRQ>

http://www.youtube.com/watch?v=YFogvC4_zgY

<http://www.youtube.com/watch?v=zx-j8lzx6dQ>

<http://www.youtube.com/watch?v=WCCdyRzC2A>

<http://www.youtube.com/watch?v=yGsQ0fuaXA>

Copyright Owner's Name: Cindy Lee Garcia

Authorized Agent: DMCA Solutions, LLC
31 Hastings Street
Mendon, MA 01756
USA
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Cindy Lee Garcia, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:



David Hardy, President

Cris Armenta

From: david@dmcasolutions.com on behalf of David Hardy
<David.Hardy@DMCASolutions.com>
Sent: Tuesday, September 25, 2012 10:05 AM
To: debratucker@google.com; copyright@youtube.com
Cc: Cris Armenta
Subject: DMCA Takedown Request #5
Attachments: YouTube-Google Takedown Request #5 (9-25-12).docx

Dear Ms. Tucker:

Attached please find a Takedown Request prepared and sent to you pursuant to the Digital Millennium Copyright Act, relative to videos of the film identified as "*The Innocence of the Muslims*" that have been posted on YouTube.

Sincerely,

David E. Hardy, President
DMCA Solutions, LLC
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

Page 2

<http://www.youtube.com/watch?v=9dqHt6gsoxU>

<http://www.youtube.com/watch?v=NQ5UAralcWE>

<http://www.youtube.com/watch?v=XxlaQKgiRLY>

<http://www.youtube.com/watch?v=DdOUoGfHg-l>

http://www.youtube.com/watch?v=7Ojxb_VkHAs

<http://www.youtube.com/watch?v=ns0rQ-dZC0>

<http://www.youtube.com/watch?v=TGB24q8K97w>

<http://www.youtube.com/watch?v=YPVxQ3NDMPk>

<http://www.youtube.com/watch?v=YBISPSxUS5E>

<http://www.youtube.com/watch?v=Rdh8ayz0B-Y>

<http://www.youtube.com/watch?v=eeO3MEj8s38>

http://www.youtube.com/watch?v=DmVg_j4-0wk

<http://www.youtube.com/watch?v=oMR0cUljTE8>

<http://www.youtube.com/watch?v=YQ1w6HA3154>

<http://www.youtube.com/watch?v=QnMQ8k-4VgY>

<http://www.youtube.com/watch?v=G16J4zFn5VI>

<http://www.youtube.com/watch?v=FTH0P746SJQ>

<http://www.youtube.com/watch?v=sOoIJyq03Wk>

<http://www.youtube.com/watch?v=SB28D9KITkc>

<http://www.youtube.com/watch?v=6Bn5SkIxb1A>

<http://www.youtube.com/watch?v=T2wsrTi3j4o>

<http://www.youtube.com/watch?v=TJyCUUfMCDI>

http://www.youtube.com/watch?v=Tt_nkMCCPxxk

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31 Hastings Street
Mendon, MA 01756

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<http://www.youtube.com/watch?v=GKi8pna53hg>
<http://www.youtube.com/watch?v=AP3Yg5vJNK0>
<http://www.youtube.com/watch?v=obe0PmyW6Ek>
<http://www.youtube.com/watch?v=1KMsSiBdplQ>
<http://www.youtube.com/watch?v=vP2soXU7quM>
<http://www.youtube.com/watch?v=dXEM4EmB2sM>
<http://www.youtube.com/watch?v=1ryHcwXjib0>
http://www.youtube.com/watch?v=G3g_R-RovR8
<http://www.youtube.com/watch?v=Yyk9ghudS5w>
<http://www.youtube.com/watch?v=w9zatob4YxY>
http://www.youtube.com/watch?v=s_AOeKOGqI0
<http://www.youtube.com/watch?v=yW-fXw1EKXc>
<http://www.youtube.com/watch?v=UEZhWm2oK9k>
<http://www.youtube.com/watch?v=hftuDpFP4WI>
<http://www.youtube.com/watch?v=4midXCjFO-Q>

Copyright Owner's Name: Cindy Lee Garcia

Authorized Agent: DMCA Solutions, LLC
31 Hastings Street
Mendon, MA 01756
USA
(202) 350-0200
David.Hardy@DMCASolutions.com

DMCA Solutions

31 Hastings Street
Mendon, MA 01756

Page 4

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Cindy Lee Garcia, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:

A handwritten signature in black ink, appearing to read 'David Hardy', with a large, stylized flourish extending to the right.

David Hardy, President

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

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) CINDY LEE GARCIA	DEFENDANTS NAKOULA BASSELEY NAKOULA, an individual also known as SAM BACILE; GOOGLE, INC., a Delaware Corporation; YOUTUBE, LLC, a California limited liability company, and DOES 1 through 20, inclusive
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) M. CRIS ARMENTA, THE ARMENTA LAW FIRM, APC 11900 OLYMPIC BOULEVARD, SUITE 730, LOS ANGELES, CA 90064 (310) 826-2826, (310) 826-5456 FAX	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 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.) <table style="width:100%; border: none;"> <tr> <td style="border: none;">Citizen of This State</td> <td style="border: none; text-align: center;">PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td style="border: none;">Incorporated or Principal Place of Business in this State</td> <td style="border: none; text-align: center;">PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2 <input type="checkbox"/> 2</td> <td style="border: none;">Incorporated and Principal Place of Business in Another State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5 <input type="checkbox"/> 5</td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td style="border: none;">Foreign Nation</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <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 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
Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <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 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 Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge

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: \$ actual or/and statutory damages

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.)

17 U.S.C. Section 101 - Copyright Infringement

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

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <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	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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**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
Kern	

(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
Los Angeles, Santa Clara	

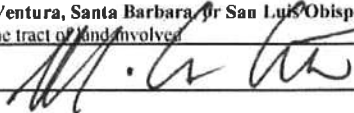
(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

* 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

9/26/12

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))

Name & Address:
M. Cris Armenta, SBN#177403
The Armenta Law Firm, APC
11900 Olympic Blvd, Suite 730
Los Angeles, CA 90064

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CINDY LEE GARCIA

CASE NUMBER

PLAINTIFF(S)

CV12-8315-MWF(VBK)

v.

NAKOULA BASSELEY NAKOULA, an individual
also known as SAM BACILE; GOOGLE, INC., a
Delaware Corporation; et al. (See Attachment A)

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S): See Attachment A

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, M. Cris Armenta, whose address is 11900 Olympic Blvd, Suite 730, Los Angeles, CA 90064. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: SEP 26 2012

By: MARILYN DAVIS
Deputy Clerk

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

Cindy Lee Garcia
VS.
Nakoula Basseley Nakoula, et al

ATTACHMENT A PLAINTIFFS

CINDY LEE GARCIA, an individual,
Plaintiffs,

DEFENDANTS

NAKOULA BASSELEY NAKOULA, an individual also known as SAM BACILE;
GOOGLE, INC., a Delaware Corporation; YOUTUBE, LLC, a California limited
liability company, and DOES 1 through 200, inclusive.

Defendants.