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21 **SUPERIOR COURT OF CALIFORNIA**
22 **COUNTY OF LOS ANGELES – CIVIL UNLIMITED**

23 **ASHLEY MILLER GREENE,**
24 **INDIVIDUALLY AND ON**
25 **BEHALF OF ALL OTHERS**
26 **SIMILARLY SITUATED,**

27 Plaintiff,

28 v.

AIRBNB, INC.; AND, DOES 1-20
INCLUSIVE,

Defendant.

Case No.: **BC 707653**

CLASS ACTION

COMPLAINT FOR DAMAGES
AND INJUNCTIVE RELIEF
PURSUANT TO CALIFORNIA'S
INVASION OF PRIVACY ACT,
CAL. PENAL CODE § 632.7

JURY TRIAL DEMANDED

BY FAX

FILED
Superior Court of California
County of Los Angeles

MAY 24 2018

Sherri R. Carter, Executive Officer/Clerk of Court
By Beth Smith Deputy
Britny Smith

SS-12

CIT/CASE: BC707653
LEA/DEF#:

RECEIPT #: DCH612315003
DATE PAID: 05/25/18 06:13 AM
PAYMENT: \$1,435.00 310
RECEIVED:

CHECK:	\$1,435.00
CASH:	\$0.00
CHANGE:	\$0.00
CARD:	\$0.00

~~BC305823~~

05/25/2018

1 INTRODUCTION

2 1. The California State Legislature passed the California Invasion of Privacy Act
3 ("CIPA") in 1967 to protect the right of privacy of the people of California,
4 replacing prior laws which permitted the recording of telephone conversations
5 with the consent of one party to the conversation. California Penal Code §
6 632.7 was added to CIPA in 1992 due to specific privacy concerns over the
7 increased use of cellular and cordless telephones. Section 632.7 prohibits
8 intentionally recording all communications involving cellular and cordless
9 telephones, not just confidential communications.

10 2. ASHLEY GREENE ("Plaintiff") bring this class action for damages, injunctive
11 relief, and any other available legal or equitable remedies, resulting from the
12 illegal actions of Defendant AIRBNB, INC. ("Defendant") and its related
13 entities, subsidiaries and agents in willfully employing and/or causing to be
14 employed certain recording equipment in order to record the telephone
15 conversations of Plaintiff without the knowledge or consent of Plaintiff in
16 violation of California Penal Code § 632.7 thereby invading Plaintiff's privacy.

17 3. Plaintiff alleges as follows upon personal knowledge as to their own acts and
18 experiences, and, as to all other matters, upon information and belief, including
19 the investigation conducted by Plaintiff's attorneys.

20 4. California Penal Code § 632.7 prohibits one party to a telephone call from
21 intentionally recording the same conversation without the knowledge or consent
22 of the other while the person being recorded is on a cellular telephone.

23 5. Unlike California Penal Code § 632, there is no requirement under California
24 Penal Code § 632.7 that the communication be confidential.

25 6. Plaintiff alleges that Defendant continues to violate Penal Code § 632.7 by
26 impermissibly recording its telephone conversations with California residents
27 while said residents are on cellular telephones.

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JURISDICTION AND VENUE

- 7. Jurisdiction of this Court is proper because the events leading to Plaintiff's cause of action occurred in Los Angeles County and in the State of California.
- 8. This action arises out of Defendant's violations of California's Invasion of Practice Act, Cal. Penal Code § 632.7 ("CIPA").
- 9. Because Defendant conducts business within the State of California, personal jurisdiction is established.
- 10. Venue is proper.

PARTIES

- 11. Plaintiff is, and at all times mentioned herein was, an individual citizen and resident of the State of California.
- 12. Plaintiff is informed and believes, and thereon alleges, that Defendant is, and at all times mentioned herein was, a corporation incorporated in the State of Delaware and headquartered in the State of California. Defendant as a part of its business is in the business of debt collection and regularly collects debts. Defendant has a policy and practice of recording telephone conversations with the public, including California residents.
- 13. Plaintiff is informed and believes, and thereon alleges, that Defendant's employees and agents are directed, trained and instructed to, and do, record cellular telephone conversations with the public, including California residents.
- 14. The true names and capacities, whether individual, corporate (including officers and directors thereof), associate or otherwise of Defendants sued herein as DOES 1 through 20, inclusive, are unknown to Plaintiff, who therefore sues these Defendants by such fictitious names, pursuant to the California Civil Procedure Code § 474. Plaintiff is informed and believes, and thereon alleges that each Defendant designated as a DOE is involved in or is in some manner responsible as a principal, beneficiary, agent, co-conspirator, joint venturer,

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alter ego, third-party beneficiary, or otherwise, for the agreements, transactions, events and/or acts hereinafter described, and thereby proximately caused injuries and damages to Plaintiff. Plaintiff request that when the true names and capacities of these DOE Defendants are ascertained, they may be inserted in all subsequent proceedings, and that this action may proceed against them under their true names.

15. Plaintiff is informed and believes, and thereon alleges that at all times herein mentioned, Defendants DOES 1 through 20, were agents or employees of each of their co-defendants and, in doing the things hereafter mentioned, each was acting in the scope of his authority as such agent or employee and with the permission and consent of their co-defendants, and each of them.

FACTUAL ALLEGATIONS

16. Defendant is, and at all times mentioned herein was, a corporation doing business in California.

17. Plaintiff is informed and believes, and on the basis of that information and belief alleges, that at all times mentioned in this Complaint, Defendants whether agents or employees in doing the things alleged in this Complaint, were acting within the course and scope of that agency and employment.

18. Plaintiff is informed and believes that at all times relevant Defendant operates a business wherein "hosts" may open up their homes/apartments/condominiums to "guests" for a price using Defendant's website: <https://www.airbnb.com> to make reservations.

19. At all times relevant, Plaintiff is an individual residing within the State of California.

20. Prior to 2017, Plaintiff became a host for Defendant.

21. As a host, Plaintiff maintained regular contact with Defendant.

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1 22. Sometime prior to October 2017, Defendant instituted an online system wherein
2 parties could go online and request to receive a call from Defendant. Upon
3 requesting to receive said call, the person would receive an estimated time of
4 the call. Subsequently a call would be placed to the requesting party by
5 Defendant.

6 23. This system is instituted as an alternative to waiting on hold for long periods of
7 time waiting for an available representative.

8 24. As Plaintiff regularly maintained contact with Defendant, Plaintiff would avoid
9 being put on hold by requesting the Defendant place a phone call to Plaintiff.

10 25. On or around October 2017 and through April 2018, Plaintiff requested
11 approximately fifty phone calls using this system.

12 26. When said phone calls were place to Plaintiff's cellular telephone number:
13 (XXX) XXX- 5250, a machine voice would answer, Plaintiff would confirm
14 Plaintiff's identity, and Plaintiff would confirm that Plaintiff requested said call.

15 27. After said preliminary matters were finished, Plaintiff would be connected to
16 one of Defendant's live representatives.

17 28. At no time during any of the approximately fifty phone calls did Defendant
18 inform Plaintiff that the calls placed to here cellular telephone were being
19 recorded.

20 29. Nor was Plaintiff informed at any time relevant via Defendant's online system
21 that said calls would be recorded.

22 30. These conversations with Defendant pertained to Plaintiff's status as a host and
23 concerned Plaintiff's guests.

24 31. Said conversations concerned Plaintiff's home and Plaintiff's private financial
25 information.

26 32. Said conversations, at their very core, are private.

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1 33. Defendant is in the practice of having conversations which are highly personal
2 and involve private financial information.

3 34. Information of this nature is not regularly discussed with others.

4 35. Plaintiff had no reasonable expectation that any of Plaintiff's conversations
5 with Defendant would be recorded.

6 36. Had Plaintiff known that the conversations were recorded, Plaintiff would have
7 conducted herself differently.

8 37. Plaintiff was shocked to discover that said conversations were recorded by
9 Defendant without Plaintiff's knowledge or consent.

10 38. Plaintiff found Defendant's clandestine recording to be highly offensive due to
11 the delicacy of the topics discussed during said conversations.

12 39. Had Plaintiff received a recording disclosure at the outset of the call, as Plaintiff
13 is accustomed to hearing, Plaintiff would have not discussed such private
14 information with Defendant.

15 40. The conversation with Plaintiff, was without Plaintiff's knowledge or consent,
16 recorded by Defendant, causing harm and damage to Plaintiff.

17 41. At no time during the call did Plaintiff give consent for the call to be monitored,
18 recorded and/or eavesdropped upon.

19 42. Plaintiff is informed and believes, and thereon alleges, that during the relevant
20 time period, Defendant has had a policy and a practice of recording telephone
21 conversations with consumers.

22 43. Plaintiff is further informed and believes, and thereon alleges that Defendant's
23 employees and agents are directed, trained and instructed to, and do, record
24 telephone conversations with the public, including Plaintiff and other California
25 residents.

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1 44. Plaintiff is informed and believes, and thereon alleges, that during the relevant
2 time period, Defendant has had all of its calls which were requested by hosts or
3 guests, including those made to California residents, recorded without the
4 knowledge or consent of the public, including Plaintiff and other California
5 residents.

6 45. California Penal Code § 632.7(a) is very clear in its prohibition against such
7 unauthorized tape recording without the consent of the other party to the
8 conversation: "Every person who, without the consent of all parties to a
9 communication, intercepts or receives and intentionally records, or assists in the
10 interception or reception and intentional recordation of, a communication
11 transmitted between two cellular radio telephones, a cellular radio telephone
12 and a landline telephone, two cordless telephones, a cordless telephone and a
13 landline telephone, or a cordless telephone and a cellular radio telephone
14 [violates this section]."

15 46. As such, California Penal Code § 637.2 permits Plaintiff to bring this action for
16 any violation of California Penal Code § 632.7(a) and provides for statutory
17 damages of \$5,000.00 for each violation.

18 47. This suit seeks only damages and injunctive relief for recovery of economic
19 injury and it expressly is not intended to request any recovery for personal
20 injury and claims related thereto.

21 48. Plaintiff is informed and believes, and thereon alleges, that Defendant
22 intentionally recorded a communication transmitted between a cellular radio
23 telephone and a landline telephone without Plaintiff's consent as prohibited by
24 California Penal Code § 632.7(a).

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1 49. Defendant violated Plaintiff's constitutionally protected privacy rights by
2 failing to advise or otherwise provide notice at the beginning of the recorded
3 conversation with Plaintiff that the calls would be recorded and Defendant did
4 not try to obtain the Plaintiff's consent before such recording.

5 50. The recording or other unauthorized connection was done over the telephone,
6 without Plaintiff's prior knowledge or consent. Plaintiff was damaged thereby,
7 as detailed herein, in at least an amount permitted by the statutory damages
8 mandated by California Penal Code § 637.2(a).

9 51. Defendant, and its employees and agents, surreptitiously recorded calls made by
10 Defendant to Plaintiff. At no time before the calls was Plaintiff warned, told,
11 advised or otherwise given any indication by Defendant, its employees or
12 agents, that the calls would be recorded.

13 52. As a result thereof, Plaintiff has been damaged as set forth in the Prayer for
14 Relief herein.

15 53. Plaintiff seeks statutory damages and injunctive relief under California Penal
16 Code § 637.2.

17 **CLASS ACTION ALLEGATIONS**

18 54. Plaintiff brings this action on behalf of herself and on behalf of all others
19 similarly situated ("The Class").

20 55. Plaintiff represents, and is a member of, "The Class" defined as follows:

21 All persons in California who requested phone calls be
22 placed to their telephones in lieu of waiting on hold for
23 Defendant's representatives, whose inbound cellular
24 telephone conversations were recorded without their
consent by Defendant within one year prior to the filing
of the original Complaint in this action.

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1 56. Defendant, and its employees and agents are excluded from The Class.

2 Plaintiff does not know the number of members in The Class, but believe this
3 number to be in the tens of thousands, if not more. Thus, this matter should be
4 certified as a Class action to assist in the expeditious litigation of this matter.

5 57. This suit seeks only damages and injunctive relief for recovery of economic
6 injury on behalf of The Class and it expressly is not intended to request any
7 recovery for personal injury and claims related thereto. Plaintiff reserves the
8 right to expand The Class definition to seek recovery on behalf of additional
9 persons as warranted as facts are learned in further investigation and discovery.

10 58. The joinder of The Class members is impractical and the disposition of their
11 claims in the Class action will provide substantial benefits both to the parties
12 and to the Court. The Class can be identified through Defendant's records.

13 59. There is a well-defined community of interest in the questions of law and fact
14 involved affecting the parties to be represented. The questions of law and fact
15 to The Class predominate over questions which may affect individual Class
16 members, including the following:

- 17 a. Whether Defendant has a policy of recording outgoing calls made to
18 cellular telephones when said calls are requested by the host and/or guest
19 using Defendant's online system;
- 20 b. Whether Defendant discloses to callers and/or obtains their consent that
21 their incoming cellular telephone conversations were being recorded;
- 22 c. Whether Defendant's policy of recording outgoing calls constituted a
23 violation of California Penal Code §§ 632.7 and/or 637;
- 24 d. Whether Defendant's policy of recording outgoing calls constitutes an
25 invasion of privacy;
- 26 e. Whether Plaintiff and The Class were damaged thereby, and the extent of
27 damages for such violations; and

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f. Whether Defendants should be enjoined from engaging in such conduct in the future.

60. Plaintiff is asserting claims that are typical of The Class because every other member of The Class, like Plaintiff, was exposed to virtually identical conduct and are entitled to the greater of statutory damages of \$5,000 per violation or three times actual damages per violation pursuant to Penal Code § 637.2(a).

61. Plaintiff will fairly and adequately represent and protect the interests of The Class in that Plaintiff has no interest antagonistic to any member of The Class. Plaintiff has retained counsel experienced in handling class action claims to further ensure such protection.

62. Plaintiff and the members of The Class have all suffered irreparable harm as a result of the Defendant's unlawful and wrongful conduct. Absent a class action, The Class will continue to face the potential for irreparable harm. In addition, these violations of law will be allowed to proceed without remedy and Defendant will likely continue such illegal conduct. Because of the size of the individual Class member's claims, few, if any, Class members could afford to seek legal redress for the wrongs complained of herein.

63. A class action is a superior method for the fair and efficient adjudication of this controversy. Class-wide damages are essential to induce Defendant to comply with California law. The interest of The Class members in individually controlling the prosecution of separate claims against Defendant is small because the maximum statutory damages in an individual action for violation of privacy are minimal. Management of these claims is likely to present significantly fewer difficulties than those presented in many class claims.

64. Defendant has acted on grounds generally applicable to The Class, thereby making appropriate final injunctive relief and corresponding declaratory relief with respect to The Class as a whole.

1 **FIRST CAUSE OF ACTION**

2 **INVASION OF PRIVACY: VIOLATION OF PENAL CODE § 632.7**

3 65. Plaintiff incorporates by reference all of the above paragraphs of this Complaint
4 as though fully stated herein.

5 66. Californians have a constitutional right to privacy. Moreover, the California
6 Supreme Court has definitively linked the constitutionally protected right to
7 privacy within the purpose, intent and specific protections of the Privacy Act,
8 including specifically, Penal Code § 632.

9 67. "In addition, California's explicit constitutional privacy provision (Cal. Const.,
10 1 § 1) was enacted in part specifically to protect California from overly
11 intrusive business practices that were seen to pose a significant and increasing
12 threat to personal privacy." (Citations omitted).

13 68. Plaintiff believes that California must be viewed as having a strong and
14 continuing interest in the full and vigorous application of the provisions of
15 section 632 prohibiting the recording of telephone conversations without the
16 knowledge or consent of all parties to the conversation.

17 69. California Penal Code § 632.7 prohibits in pertinent part "[e]very person who,
18 without the consent of all parties to a communication . . . intentionally records,
19 or assists in the . . . intentional recordation of, a communication transmitted
20 between . . . a cellular radio telephone and a landline telephone."

21 70. As such, on its face, California Penal Code § 632.7 precludes the recording of
22 all communications involving a cellular telephone.

23 71. Though similar, California Penal Code § 632 and 632.7 are not duplicative and
24 protect separate rights. California Penal Code § 632.7 grants a wider range of
25 protection to conversations where one participant uses a cellular phone or
26 cordless phone. For example, the "confidential communication" requirement of
27 California Penal Code § 632 is absent from California Penal Code § 632.7.

1 72. Plaintiff is informed and believes, and thereupon alleges, that Defendant
2 employed and/or caused to be employed certain recording equipment on the
3 telephone lines of all employees, officers, directors, and managers of
4 Defendant.

5 73. Plaintiff is informed and believes, and thereupon alleges, that all these devices
6 were maintained and utilized to record each and every outgoing telephone
7 conversation over said telephone lines.

8 74. Said recording equipment was used to record the cellular telephone
9 conversations of Plaintiff and the members of The Class, all in violation of
10 California Penal Code § 632.7.

11 75. At no time during which these specified telephone conversations were taking
12 place between Defendant or any employee, agent, manager, officer, or director
13 of Defendant, and any other person, did Defendant inform Plaintiff or any other
14 member of The Class that the recording of their telephone conversations were
15 taking place and at no time did Plaintiff or any other member of The Class
16 consent to this activity.

17 76. Defendant, knowing that this conduct was unlawful and a violation of Plaintiff
18 and the members of The Class' right to privacy and a violation of California
19 Penal Code § 630, *et seq.*, did intrude on Plaintiff and the members of The
20 Class' privacy by knowingly and/or negligently and/or intentionally engaging in
21 the aforementioned intercepting, eavesdropping, listening, and recording
22 activities relative to the telephone conversations between Plaintiff and The
23 Class members, on the one hand, and Defendant on the other hand, as alleged
24 herein above.

25 77. Based on the foregoing, Plaintiff and the members of The Class are entitled to,
26 and below herein do pray for, their statutory remedies and damages, including
27 but not limited to, those set forth in California Penal Code § 637.2.

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1 78. Because this case is brought for the purposes of enforcing important rights
2 affecting the public interest, Plaintiff and The Class seek recovery of their
3 attorney's fees pursuant to the private attorney general doctrine codified in
4 Code of Civil Procedure § 1021.5, or any other statutory basis.

5 **PRAYER FOR RELIEF**

6 Wherefore, Plaintiff respectfully requests the Court grant Plaintiff and The
7 Class members the following relief against Defendant:

- 8 • That this action be certified as a class action on behalf of The Class and
9 Plaintiff be appointed as the representative of The Class;
- 10 • That Plaintiff's counsel be appointed as Class Counsel;
- 11 • For \$5,000 per violation of California Penal Code § 632.7 for Plaintiff and
12 each member of The Class;
- 13 • Injunctive relief in the form of an order requiring Defendant to disgorge all
14 ill-gotten gains and awarding Plaintiff and The Class full restitution of all
15 monies wrongfully acquired by Defendant by means of such unfair and
16 unlawful conduct;
- 17 • That the Court preliminarily and permanently enjoin Defendant from
18 recording, each and every outgoing cellular telephone conversation with
19 California residents, including Plaintiff and The Class, without their prior
20 consent, as required by California Penal Code § 630, *et seq.*, and to maintain
21 the confidentiality of the information of Plaintiff and The Class;
- 22 • For attorneys' fees and costs of suit;
- 23 • For prejudgment interest at the legal rate; and
- 24 • For such further relief as this Court deems necessary, just, and proper.

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TRIAL BY JURY

79. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Dated: May 24, 2018

Respectfully submitted,

KAZEROUNI LAW GROUP, APC

By: 

MATTHEW M. LOKER
ATTORNEY FOR PLAINTIFF

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Matthew M. Loker, Esq. (279939) Kazerouni Law Group, APC 245 Fischer Avenue, Unit D1, Costa Mesa, CA 92626 TELEPHONE NO.: 800-400-6808 FAX NO.: 800-520-5523 ATTORNEY FOR (Name): Plaintiff, Ashley Miller Greene		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles MAY 24 2018 Sherri R. Carter, Executive Officer/Clerk of Court By <u>Bethy Smith</u> Deputy Bethy Smith
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 312 N Springs St MAILING ADDRESS: Same CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Springs St Courthouse		
CASE NAME: Ashley Miller Greene, et al. v. Airbnb, Inc.; and, Does 1-20 inclusive		CASE NUMBER: BC 707653
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		JUDGE: DEPT:

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

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

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

BY FAX

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify): California's Invasion of Privacy Act, Cal. Penal Code § 632.7
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: May 24, 2018
Matthew M. Loker

Matthew M. Loker
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

(TYPE OR PRINT NAME)

NOTICE

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

Page 1 of 2

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INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

<p>Auto Tort Auto (22)—Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (<i>if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>)</p> <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort Asbestos (04) Asbestos Property Damage Asbestos Personal Injury/Wrongful Death Product Liability (<i>not asbestos or toxic/environmental</i>) (24) Medical Malpractice (45) Medical Malpractice—Physicians & Surgeons Other Professional Health Care Malpractice Other PIPD/WD (23) Premises Liability (e.g., slip and fall) Intentional Bodily Injury/PD/WD (e.g., assault, vandalism) Intentional Infliction of Emotional Distress Negligent Infliction of Emotional Distress Other PIPD/WD</p> <p>Non-PI/PD/WD (Other) Tort Business Tort/Unfair Business Practice (07) Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08) Defamation (e.g., slander, libel) (13) Fraud (16) Intellectual Property (19) Professional Negligence (25) Legal Malpractice Other Professional Malpractice (<i>not medical or legal</i>) Other Non-PI/PD/WD Tort (35)</p> <p>Employment Wrongful Termination (36) Other Employment (15)</p>	<p>Contract Breach of Contract/Warranty (06) Breach of Rental/Lease Contract (<i>not unlawful detainer or wrongful eviction</i>) Contract/Warranty Breach—Seller Plaintiff (<i>not fraud or negligence</i>) Negligent Breach of Contract/Warranty Other Breach of Contract/Warranty Collections (e.g., money owed, open book accounts) (09) Collection Case—Seller Plaintiff Other Promissory Note/Collections Case Insurance Coverage (<i>not provisionally complex</i>) (18) Auto Subrogation Other Coverage Other Contract (37) Contractual Fraud Other Contract Dispute</p> <p>Real Property Eminent Domain/Inverse Condemnation (14) Wrongful Eviction (33) Other Real Property (e.g., quiet title) (26) Writ of Possession of Real Property Mortgage Foreclosure Quiet Title Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>)</p> <p>Unlawful Detainer Commercial (31) Residential (32) Drugs (38) (<i>if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>)</p> <p>Judicial Review Asset Forfeiture (05) Petition Re: Arbitration Award (11) Writ of Mandate (02) Writ—Administrative Mandamus Writ—Mandamus on Limited Court Case Matter Writ—Other Limited Court Case Review Other Judicial Review (39) Review of Health Officer Order Notice of Appeal—Labor Commissioner Appeals</p>	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403) Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40) Securities Litigation (28) Environmental/Toxic Tort (30) Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41)</p> <p>Enforcement of Judgment Enforcement of Judgment (20) Abstract of Judgment (Out of County) Confession of Judgment (<i>non-domestic relations</i>) Sister State Judgment Administrative Agency Award (<i>not unpaid taxes</i>) Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment Case</p> <p>Miscellaneous Civil Complaint RICO (27) Other Complaint (<i>not specified above</i>) (42) Declaratory Relief Only Injunctive Relief Only (<i>non-harassment</i>) Mechanics Lien Other Commercial Complaint Case (<i>non-tort/non-complex</i>) Other Civil Complaint (<i>non-tort/non-complex</i>)</p> <p>Miscellaneous Civil Petition Partnership and Corporate Governance (21) Other Petition (<i>not specified above</i>) (43) Civil Harassment Workplace Violence Elder/Dependent Adult Abuse Election Contest Petition for Name Change Petition for Relief From Late Claim Other Civil Petition</p>
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SHORT TITLE: Greene, et al. v. Airbnb, Inc., et al.

CASE NUMBER: BC 707653

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

BY FAX

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases - unlawful detainer, limited non-collection, limited collection, or personal injury).

Table with 3 columns: A (Civil Case Cover Sheet Category No.), B (Type of Action), and C (Applicable Reasons). Rows include Auto Tort, Other Personal Injury/Property Damage/Wrongful Death Tort, and various sub-categories like Asbestos, Product Liability, Medical Malpractice, and Other Personal Injury/Property Damage/Wrongful Death.

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SHORT TITLE Greene, et al. v. Airbnb, Inc., et al.	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A8005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1, 2, 3
		<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3
Other (35)	<input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3	
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case	1, 2, 3
		<input type="checkbox"/> A6109 Labor Commissioner Appeals	10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> A8008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	5, 11
	<input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11	
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8	
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1, 2, 3, 5	
	<input type="checkbox"/> A6031 Tortious Interference	1, 2, 3, 5	
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9	
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2, 6
<input type="checkbox"/> A6032 Quiet Title		2, 6	
<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)		2, 6	
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

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SHORT TITLE:

Greene, et al. v. Airbnb, Inc., et al.

CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6150 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 1, 2, 8
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8	
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
		<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		<input type="checkbox"/> A6190 Election Contest	2
		<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 8
		<input type="checkbox"/> A6100 Other Civil Petition	2, 9

SHORT TITLE Greene, et al. v. Airbnb, Inc., et al.	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS:
CITY:	STATE:	ZIP CODE:	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: May 24, 2018


 (SIGNATURE OF ATTORNEY/FILING PARTY)

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

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

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