

This case is assigned to Dept. 324 at the Central Civil West Courthouse  
for COMPLEX DETERMINATION ONLY *Emilie H. Elmer*

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**ORIGINAL FILED**  
Los Angeles Superior Court

DEC 22 2011

John A. Clarke, Executive Officer/Clerk  
By *[Signature]* Deputy  
DOROTHY SWAIN

*Alamy 11/26/11*  
**Complex**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**LOS ANGELES COUNTY**

BC475697

8 DAVID BOORSTEIN, individually and )  
9 on behalf of all others similarly situated, )

10 Plaintiff, )

11 v. )

12 MEN'S JOURNAL LLC, a Delaware )  
13 limited liability company, )

14 Defendant. )

- ) Case No.
- ) **COMPLAINT FOR:**
- ) (1) Violations of Cal. Civ. Code § 1798.83
- ) (2) Violations of Cal. Bus. & Prof. Code §§ 17200, *et seq.*
- ) **DEMAND FOR JURY TRIAL**
- ) **CLASS ACTION**

**BY FAX**

CIT/CASE: BC475697 LEA/NEFH:  
 RECEIPT #: CCH118782023  
 DATE PAID: 12/22/11 12:54:53 PM  
 PAYMENT: \$550.00 0310  
 RECEIVED:  
 CHECK: 550.00  
 CASH:  
 CHANGE:  
 CARD:

CIT/CASE: BC475697 LEA/NEFH:  
 RECEIPT #: CCH118782022  
 DATE PAID: 12/22/11 12:54:14 PM  
 PAYMENT: \$395.00 0310  
 RECEIVED:  
 CHECK: 395.00  
 CASH:  
 CHANGE:  
 CARD:

CLASS ACTION COMPLAINT

1 Plaintiff, David Boorstein ("Plaintiff"), by and through his attorneys, upon personal  
2 knowledge as to himself and his own acts, and upon information and belief as to all other  
3 matters, complains and alleges as follows:

4 **NATURE OF THE ACTION**

5 1. In 2003, the California Legislature passed the Shine the Light Law, Cal. Civ.  
6 Code § 1798.83 (the "Shine the Light Law" or the "Act"), to protect consumers from companies  
7 that collect and surreptitiously share their sensitive personal information with third parties. In  
8 support of the bill, its author, Senator Liz Figueroa, aptly commented:

9 [s]ecret direct marketing "profiles" of consumers are being exchanged every hour  
10 invisibly and routinely by the companies with which they do business. Not only  
11 are consumers powerless to stop such invasions of privacy, they do not even know  
12 whether and to what extent it is taking place.<sup>1</sup>

12 2. The Act empowers consumers to "shine the light" on companies' data sharing  
13 methods by requiring businesses to establish a procedure by which customers can receive an  
14 explanation of how their personal information is disclosed to third parties (the "Shine the Light  
15 Disclosures" or "Disclosures").

16 3. Businesses governed by the Act are required to: (1) designate a dedicated mailing  
17 address (physical or electronic) or phone/facsimile number where customers can request the  
18 company's Shine the Light Disclosures, and (2) ensure that interested customers can readily  
19 make such requests or otherwise obtain the Disclosures.

20 4. Shine the Light Disclosures are necessary because without knowledge of  
21 companies' data sharing practices, consumers cannot make informed decisions about which  
22 businesses they should entrust with their personal information:

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25 <sup>1</sup> CALIFORNIA SENATE JUDICIARY COMMITTEE, SB 27 BILL ANALYSIS, Sept. 16, 2003,  
26 available at [http://info.sen.ca.gov/pub/03-04/bill/sen/sb\\_0001-0050/sb\\_27\\_cfa\\_20030916\\_115403\\_sen\\_comm.html](http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0001-0050/sb_27_cfa_20030916_115403_sen_comm.html) (last visited December 19, 2011).

1 Because privacy is, by definition, so intensely personal, for a consumer to make a  
2 rational and informed and personal choice to opt-in, opt-out, or simply take their  
3 business elsewhere, the consumer must know the “who, what, where and when”  
4 of how a business handles personal information.<sup>2</sup>

5 5. While traditional businesses may display or otherwise make Shine the Light  
6 Disclosures available at their physical storefront locations, the Act requires companies with no  
7 “brick and mortar” locations to either provide the Shine the Light Disclosures on their websites  
8 or to train their managers and employees to notify customers of the addresses and phone  
9 numbers where the Shine the Light Disclosures can be obtained.

10 6. Defendant Men’s Journal LLC (“Men’s Journal”)—a publishing company with no  
11 “brick and mortar” storefronts—owns and operates the Internet website [www.mensjournal.com](http://www.mensjournal.com),  
12 and publishes MEN’S JOURNAL, the magazine.

13 7. Men’s Journal collects and stores a wealth of information about its subscribers,  
14 and shares such data with third parties for direct marketing purposes.

15 8. Despite the fact that Men’s Journal profits by sharing its users’ personal  
16 information, it intentionally keeps its users in the dark on its information sharing practices by  
17 failing to make the Shine the Light Disclosures on its website.

18 9. As a result, Men’s Journal violates the Shine the Light Law by willfully denying  
19 its users an opportunity to exercise their legally proscribed rights under the Act. Therefore,  
20 Plaintiff and the Class are entitled to civil penalties of three thousand dollars (\$3,000.00) per  
21 violation pursuant to California Civil Code section 1798.84(c).

#### 22 **PARTIES**

23 10. Plaintiff, David Boorstein, is a natural person domiciled in the State of California.

24 11. Defendant, Men’s Journal LLC, is a Delaware limited liability company with its  
25 principal place of business at 1290 Avenue of the Americas, New York, New York 10104.  
26 Men’s Journal does business throughout California and the United States.

27 <sup>2</sup> *Supra*, note 1, pp. 4-5.

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## JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction over the causes of action asserted herein pursuant to the California Constitution, Article VI, §10, because this case is a cause not given by statute to other trial courts.

13. This Court has personal jurisdiction over Men's Journal because the improper conduct alleged in the Complaint occurred in, was directed to, and/or emanated from California.

14. Venue is proper in this Court because a substantial part of Men's Journal's conduct at issue originated or occurred in this County, and because Plaintiff resides in this County.

## FACTUAL BACKGROUND

### I. The Personal Information Market: Consumer Data Has Monetary Value

15. In 2001, Federal Trade Commission ("FTC") Commissioner Orson Swindle recognized that "the digital revolution ... has given an enormous capacity to the acts of collecting and transmitting and flowing of information, unlike anything we've ever seen in our life ... [and] individuals are concerned about being defined by the existing data on themselves."<sup>3</sup>

16. More than a decade later, Commissioner Swindle's comments ring truer than ever, as consumer data feeds an information marketplace that supports a \$26 billion dollar per year online advertising industry in the United States.<sup>4</sup>

17. The FTC has also recognized that consumer data possesses inherent monetary value within the new information marketplace:

Most consumers cannot begin to comprehend the types and amount of information collected by businesses, or why their information may be

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<sup>3</sup> The Information Marketplace, Merging and Exchanging Consumer Data, <http://www.ftc.gov/bcp/workshops/infomktplace/transcript.htm> (last visited December 19, 2011).

<sup>4</sup> See, Web's Hot New Commodity: Privacy, <http://online.wsj.com/article/SB10001424052748703529004576160764037920274.html> (last visited December 19, 2011).

1 commercially valuable. *Data is currency. The larger the data set, the greater*  
2 *potential for analysis—and profit.*<sup>5</sup>

3 18. In today's digital marketplace, consumers engage in *quid pro quo* transactions  
4 with online businesses whereby individuals exchange personal information for services.

5 19. It is now a nearly ubiquitous practice for online companies that collect consumer  
6 information—such as, names, addresses, occupations, political and religious affiliations, sexual  
7 orientation, education, and cultural interests—to share such data, for a profit, with numerous  
8 third party marketers without any input from, or disclosure to, the source consumer.

9 20. In fact, consumers' personal information has become such a valuable commodity  
10 that companies now offer individuals the opportunity to sell their personal information  
11 themselves.<sup>6</sup> In this way, consumers are becoming more empowered to direct where their  
12 personal information is shared, and to directly profit from their own data.

13 21. Because Men's Journal deprives its users the ability to control the dissemination  
14 of their personal information—by denying them the ability to ascertain where such data is  
15 flowing—Men's Journal has diluted the value of its users' property as it exists in the personal  
16 information market.

## 17 **II. California's Shine the Light Law**

18 22. The Shine the Light Law was enacted because while "transparency is the  
19 touchstone of consumer confidence in information handling ... by and large, consumers are not  
20 aware of the extent to which their personal information is sold."<sup>7</sup> Thus, the Act is designed to

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21 <sup>5</sup> Statement of FTC Commissioner Pamela Jones Harbour,  
22 <http://www.ftc.gov/speeches/harbour/091207privacyroundtable.pdf> (last visited December 19,  
23 2011) (emphasis added).

24 <sup>6</sup> "You Want My Personal Data? Reward Me for It,"  
<http://www.nytimes.com/2010/07/18/business/18unboxed.html> (last visited December 19, 2011).

25 <sup>7</sup> See, CALIFORNIA SENATE JUDICIARY COMMITTEE, SB 27 BILL ANALYSIS, Sept. 16, 2003,  
26 available at [http://info.sen.ca.gov/pub/03-04/bill/sen/sb\\_0001-](http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0001-0050/sb_27_cfa_20030916_115403_sen_comm.html)  
27 [0050/sb\\_27\\_cfa\\_20030916\\_115403\\_sen\\_comm.html](http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0001-0050/sb_27_cfa_20030916_115403_sen_comm.html) (last visited December 19, 2011).

1 "shine the light" on how businesses share and profit from their customers' personal information.

2 23. As such, under the Act, customers may request, and companies doing business in  
3 California must provide, a list of all categories of personal information disclosed by the business  
4 within the preceding year, as well as the names and addresses of the companies receiving that  
5 information. Cal. Civ. Code § 1798.83(a).

6 24. To facilitate such requests, the Act requires businesses to "designate a mailing  
7 address, electronic mail address, or, if the business chooses to receive requests by telephone or  
8 facsimile, a toll-free telephone or facsimile number, to which customers may deliver requests" to  
9 discover how their personal information is being shared with third parties. Cal. Civ. Code §  
10 1798.83(b)(1).

11 25. The term "personal information" is broadly defined under the Act, and includes,  
12 but is not limited to, an individual's:

13 (A) name and address; (B) electronic mail address; (C) age or date of birth; (D)  
14 names of children; (E) electronic mail or other addresses of children; (F) number  
15 of children; (G) age or gender of children; (H) height; (I) weight; (J) race; (K)  
16 religion; (L) occupation; (M) telephone number; (N) education; (O) political party  
17 affiliation; (P) medical condition; (Q) drugs, therapies, or medical products or  
18 equipment used; (R) the kind of product the customer purchased, leased, or  
19 rented; (S) real property purchased, leased, or rented; (T) the kind of service  
20 provided; (U) social security number; (V) bank account number; (W) credit card  
21 number; (X) debit card number; (Y) bank or investment account, debit card, or  
22 credit card balance; (Z) payment history; and (AA) information pertaining to the  
23 customer's creditworthiness, assets, income, or liabilities.

24 Cal. Civ. Code § 1798.83(e)(7).

25 26. An Internet business with no "brick and mortar" locations may comply with the  
26 Act by adhering to the following provision:

27 Add to the home page of its Web site a link either to a page titled "Your Privacy  
28 Rights" or add the words "Your Privacy Rights" to the home page's link to the  
business's privacy policy ... The first page of the link shall describe a customer's  
rights pursuant to this section and shall provide the designated mailing address, e-  
mail address, as required, or toll-free telephone number or facsimile number, as  
appropriate.

Cal. Civ. Code § 1798.83(b)(1)(B).

1 27. Alternatively, and in cases where an Internet business has "employees who  
2 regularly have contact with customers," a business may:

3 Notify all agents and managers who directly supervise employees who regularly  
4 have contact with customers of the designated address or numbers or the means to  
5 obtain those addresses or numbers and instruct those employees that customers  
6 who inquire about the business's privacy practices or the business's compliance  
7 with this section shall be informed of the designated addresses or numbers or the  
8 means to obtain the addresses or numbers.

9 Cal. Civ. Code § 1798.83(b)(1)(A).

10 28. In short, the Act affords California citizens the right to discover whether  
11 businesses are sharing their personal information, and if so, which companies or organizations  
12 they are sharing such data with.

13 **III. A Brief Overview of Men's Journal**

14 29. Men's Journal publishes magazines for circulation and also operates the Internet  
15 websites [www.mensjournal.com](http://www.mensjournal.com).

16 30. In order to subscribe to one of its magazines, consumers are required to provide  
17 Men's Journal with certain personal information, including, *inter alia*, their name and address, e-  
18 mail address, telephone number, gender, date of birth, and credit card or debit card number.

19 31. Men's Journal maintains this data on its servers.

20 **IV. Men's Journal Willfully Violates California's Shine the Light Law**

21 32. Men's Journal shares its subscribers' personal information, including their names,  
22 addresses, e-mail addresses, gender, and dates of birth with third party direct marketing  
23 companies for direct marketing purposes.

24 33. Despite the fact that Men's Journal shares information about its users with third  
25 parties for direct marketing purposes, it fails to provide its customers with the Shine the Light  
26 Disclosures, or the means through which its customers may obtain the Disclosures, as required  
27 by the Act.  
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1 34. As such, Men's Journal has chosen to deny California customers their legal right  
2 to learn what personal information is being disclosed, who is receiving it, and other legal  
3 protections afforded under the Act.

4 35. Accordingly, Men's Journal intentionally violates California's Shine the Light  
5 Law and is liable for civil penalties of three thousand dollars (\$3,000.00) per violation pursuant  
6 to Cal. Civ. Code § 1798.84(c).

7 **FACTS RELATING TO PLAINTIFF DAVID BOORSTEIN**

8 36. Plaintiff David Boorstein is a natural person domiciled in the State of California.

9 37. In or around 2009, Plaintiff signed up for a one (1) year subscription of MEN'S  
10 JOURNAL—a magazine owned, operated, and published by Men's Journal.

11 38. At the time that Plaintiff signed up for his subscription, he provided personal  
12 information to Men's Journal, including, *inter alia*, his full name, mailing address, e-mail  
13 address, ZIP code, telephone number, gender, birth date, and credit card information.

14 39. Plaintiff has visited [www.mensjournal.com](http://www.mensjournal.com). At all relevant times, Plaintiff used  
15 Men's Journal primarily for personal, family, and household purposes.

16 **CLASS ALLEGATIONS**

17 40. **Definition of the Class:** Plaintiff David Boorstein brings this action pursuant to  
18 California Code of Civil Procedure § 382 on behalf of himself and a Class of similarly situated  
19 individuals, defined as follows:

20 All California residents who have provided personal information to Men's  
21 Journal.

22 Excluded from the Class are (1) Defendant, Defendant's agents, subsidiaries, parents,  
23 successors, predecessors, and any entity in which the Defendant or their parents have a  
24 controlling interest and their current and former employees, officers, and directors, (2) the Judge  
25 or Magistrate Judge to whom this case is assigned and the Judge's or Magistrate Judge's  
26 immediate family, (3) persons who execute and file a request for exclusion, (4) the legal  
27 representatives, successors, or assigns of any such excluded person, and (5) all persons who have  
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1 previously had claims similar to those alleged herein finally adjudicated or who have released  
2 their claims against Defendant.

3       41.     **Numerosity:** The exact number of the members of the Class is unknown and is  
4 not available to Plaintiff, but the Class is believed to consist of millions of individuals. Thus,  
5 individual joinder in this case is impracticable. Class members can be easily identified through  
6 Defendant's records.

7       42.     **Commonality and Predominance:** There are many questions of law and fact  
8 common to the claims of Plaintiff and the other members of the Class, and those questions  
9 predominate over any questions that may affect individual members of the Class. Common  
10 questions for the Class include but are not limited to the following:

- 11           (a)     Whether the Class members are "customers" of Defendant, as that term is  
12                    defined by Cal. Civ. Code § 1798.83(e)(1);
- 13           (b)     Whether each Class member had an "established business relationship"  
14                    with Defendant, as that term is defined by Cal. Civ. Code § 1798.83(e)(5);
- 15           (c)     Whether Defendant made the Shine the Light Disclosures required by Cal.  
16                    Civ. Code § 1798.83(b)(1)(B);
- 17           (d)     Whether Defendant's website violates Civ. Code § 1798.83(b)(1)(B);
- 18           (e)     Whether Defendant has employees who regularly have contact with  
19                    customers, as defined by Cal. Civ. Code § 1798.83(e)(4);
- 20           (f)     Whether Defendant otherwise complied with the requirements of Cal. Civ.  
21                    Code § 1798.83(b)(1);
- 22           (g)     Whether Defendant's failure to meet the notice requirements of §  
23                    1798.83(b)(1)(B) constitutes a violation of § 1798.83;
- 24           (h)     Whether Defendant's conduct constituted a willful, intentional, or reckless  
25                    violation of § 1798.83; and
- 26           (i)     Whether Plaintiff and the Class are entitled to injunctive relief.

1           43.    **Typicality:** The factual and legal bases of Men's Journal's liability to Plaintiff  
2 and to the other members of the Class are the same and resulted in injury to Plaintiff and all of  
3 the other members of the Class. Plaintiff and the other members of the Class have all suffered  
4 harm as a result of Men's Journal's wrongful conduct.

5           44.    **Adequate Representation:** Plaintiff will fairly and adequately represent and  
6 protect the interests of the Class members, and have retained counsel competent and experienced  
7 in complex class actions. Plaintiff has no interest antagonistic to those of the Class and  
8 Defendant has no defenses unique to Plaintiff.

9           45.    **Appropriateness:** This class action is appropriate for certification because class  
10 proceedings are superior to all other available methods for the fair and efficient adjudication of  
11 this controversy and joinder of all members of the Class is impracticable. The damages suffered  
12 by the individual members of the Class will likely be small relative to the burden and expense of  
13 individual prosecution of the complex litigation necessitated by Defendant's wrongful conduct.  
14 Thus, it would be virtually impossible for the individual members of the Class to obtain effective  
15 relief for Defendant's misconduct. Even if each member of the Class could sustain such  
16 individual litigation, it would not be preferable to a class action because individual litigation  
17 would increase the delay and expenses to all parties due to the complex legal and factual  
18 controversies presented in this Complaint. By contrast, a class action presents far fewer  
19 management difficulties and provides the benefits of single adjudication, economy of scale, and  
20 comprehensive supervision by a single court. Economies of time, effort, and expense will be  
21 fostered and uniformity of decisions will be ensured.

22           46.    **Policies Generally Applicable to the Class:** This class action is also appropriate  
23 for certification because Defendant has acted or refused to act on grounds generally applicable to  
24 the Class, thereby making appropriate final injunctive relief or corresponding declaratory relief  
25 with respect to the Class as a whole. The policies of the Defendant challenged herein apply to  
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1 and affect all members of the Class uniformly, and Plaintiff's challenge of these policies hinges  
2 on Defendant's conduct, not on facts or law applicable only to Plaintiff.

3  
4 **FIRST CAUSE OF ACTION**  
5 **Violations of California's Shine the Light Law**  
6 **(Cal. Civ. Code § 1798.83)**  
7 **(On behalf of Plaintiff and the Class)**

8 47. Plaintiff incorporates the foregoing allegations as if fully set forth herein.

9 48. Plaintiff and the Class are "customers" of Men's Journal, as that term is defined  
10 by Cal. Civ. Code § 1798.83(e)(1).

11 49. Plaintiff and the Class are engaged in an ongoing "established business  
12 relationship" with Men's Journal as that term is defined by Cal. Civ. Code § 1798.83(e)(5).

13 50. Men's Journal cannot utilize the notice option available under Cal. Civ. Code §  
14 1798.83(b)(1)(A) because, as a business operating almost exclusively online, it does not have  
15 "employees who regularly have contact with customers," as that term is defined by Cal. Civ.  
16 Code § 1798.83(e)(4).

17 51. In any event, and upon information and belief, Men's Journal does not instruct or  
18 otherwise train its employees to respond to customer inquiries about obtaining Men's Journal's  
19 Shine the Light Disclosures as required by Cal. Civ. Code § 1798.83(b)(1)(A).

20 52. Further, on information and belief, Men's Journal does not conduct business  
21 through "brick and mortar" stores in California, meaning it cannot avail itself of the notice option  
22 set forth in Cal. Civ. Code § 1798.83(b)(1)(C).

23 53. Consequently, Men's Journal must utilize the notice option under Cal. Civ. Code  
24 § 1798.83(b)(1)(B). As such, Men's Journal must affirmatively disclose specific information to  
25 its customers through its Web site.

26 54. Men's Journal willfully violates the Act by, among other things, (i) failing to add  
27 a hyperlink entitled "Your Privacy Rights" to its home page, (ii) failing to add a hyperlink to a  
28 page titled "Your Privacy Rights," (iii) failing to designate a mailing address, e-mail address,  
telephone number, or facsimile number for customers to deliver requests, and/or (iv) failing to

11/28/2011

1 describe its California customers' rights under the Shine the Light Law. *See* Cal. Civ. Code §  
2 1798.83(b)(1)(B). (True and accurate copies of Men's Journal's home page and privacy policy  
3 are attached as Exhibits A and B, respectively.)

4 55. Plaintiff's and the Class's personal information has monetary value, and Men's  
5 Journal's failure to comply with Cal. Civ. Code § 1798.83(b)(1) deprives Plaintiff and the Class  
6 of their statutorily-guaranteed right to monitor and control the disclosure and use of that data. As  
7 such, Men's Journal has diluted the value of Plaintiff's and the Class's personal property, and  
8 deprived them of the opportunity to sell their personal property for their own financial gain.  
9 Accordingly, Plaintiff and the Class have sustained, and continue to sustain, monetary injuries as  
10 a direct and proximate cause of Men's Journal's violation of Cal. Civ. Code § 1798.83.

11 56. Men's Journal's failure to comply with Cal. Civ. Code § 1798.83(b) also deprives  
12 Plaintiff and the Class of the ability to make informed decisions with respect to their privacy and  
13 transmission of their personal information. Further, Men's Journal's supposed privacy  
14 procedures provide fewer protections to Plaintiff and the Class, thereby depriving them of their  
15 protections and rights under the Act.

16 57. At all times relevant to this lawsuit, Men's Journal has failed to provide Plaintiff  
17 or the Class with disclosures required by Cal. Civ. Code § 1798.83(b)(1).

18 58. Men's Journal is a "business required to comply with [Section 1798.83]." and  
19 none of the exceptions in Sections 1798.83 or 1798.84 apply. *See* Cal. Civ. Code §  
20 1798.83(b)(1).

21 59. Men's Journal shares its customers' personal information with third parties for  
22 direct marketing purposes.

23 60. Accordingly, Plaintiff and the Class are entitled to civil penalties of three  
24 thousand dollars (\$3,000.00) per violation pursuant to California Civil Code section 1798.84(c).

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**SECOND CAUSE OF ACTION**  
**Violation of California's Unfair Competition Law**  
**Cal. Bus. & Prof. Code §§ 17200, et seq.**  
**(On Behalf of Plaintiff and the Class)**

61. Plaintiff incorporates the foregoing allegations as if fully set forth herein.

62. California's Unfair Competition Law ("UCL"), Cal. Bus. & Prof. Code §§ 17200, et seq., protects both consumers and competitors by promoting fair competition in commercial markets for goods and services.

63. The UCL prohibits any unlawful, unfair or fraudulent business act or practice.

64. As discussed above, Men's Journal has violated the unlawful prong of the UCL in that its conduct violated the Shine the Light Law, Cal. Civ. Code § 1798.83.

65. Plaintiff's and the Class's personal information has monetary value, and Men's Journal's failure to comply with Cal. Civ. Code § 1798.83(b) deprives Plaintiff and the Class of their statutorily-guaranteed right to monitor and control the disclosure and use of that data. As such, Men's Journal has diluted the value of Plaintiff's and the Class's personal property, and deprived them of the opportunity to sell their personal property for their own financial gain.

66. Pursuant to Cal. Bus. & Prof. Code § 17203, Plaintiff, on his own behalf and on behalf of the Class, seeks an order requiring Men's Journal to (1) immediately cease the unlawful practices described herein; (2) make full restitution of all funds wrongfully obtained by sharing and/or selling Plaintiff's and the Class's personal information; and (3) pay interest, attorneys' fees, and costs pursuant to Cal. Code Civ. Proc. § 1021.5.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff David Boorstein, individually and on behalf of the Class, prays for the following relief:

A. Certify the Class as defined above, appoint Plaintiff as Class representative, and designate his counsel as Class Counsel;

1 B. Declare that Defendant's actions, as described herein, violate California's Shine  
2 the Light Law, Cal. Civ. Code § 1798.83, and the Unfair Competition Law, Cal. Bus. & Prof.  
3 Code §§ 17200, *et seq.*;

4 C. Award injunctive and other equitable relief as is necessary to protect the interests  
5 of the Class, including, *inter alia*, entering an Order: (i) prohibiting Defendant from engaging in  
6 the wrongful and unlawful acts described herein; and (ii) requiring Defendant to add to its  
7 website the information required by Cal. Civ. Code § 1798.83(b)(1)(B);

8 D. Award damages, including civil penalties of three thousand dollars (\$3,000.00)  
9 per violation of Cal. Civ. Code § 1798.83 to Plaintiff and the Class;

10 E. Award Plaintiff and the Class their reasonable litigation expenses and attorneys'  
11 fees pursuant to Cal. Civ. Code § 1798.84(g) and Cal. Code Civ. Proc. § 1021.5;

12 F. Award Plaintiff and the Class pre- and post-judgment interest, to the extent  
13 allowable; and

14 G. Award such other and further relief as equity and justice may require.

15 **JURY TRIAL**

16 Plaintiff demands a trial by jury for all issues so triable.

17  
18 Dated: December 22, 2011

Respectfully submitted,

19 **DAVID BOORSTEIN, INDIVIDUALLY AND**  
20 **ON BEHALF OF ALL OTHERS SIMILARLY**  
21 **SITUATED,**

22 By:  \_\_\_\_\_  
23 One of Plaintiff's attorneys

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CLASS ACTION COMPLAINT

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8 Telephone: (312) 589-6370  
9 Facsimile: (312) 589-6378

10 \* *Pro hac vice* admission to be sought.

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18/08/11

ORIGINAL

FILED DCM-010  
FOR COURT USE ONLY  
Los Angeles Superior Court

DEC 22 2011

John A. Clarke, Executive Officer/Clerk  
By *[Signature]* Deputy  
DOROTHY SWAIN

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  
Sean Reis, SBN 184044  
Edelson McGuire LLP  
30021 Tomas Street, Suite 300  
Rancho Santa Margarita, CA 92688  
TELEPHONE NO.: 949-459-2124 FAX NO.:  
ATTORNEY FOR (Name): Plaintiff David Boorstein

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

CASE NAME:  
David Boorstein v. Men's Journal LLC

**CIVIL CASE COVER SHEET**  
 Unlimited (Amount demanded exceeds \$25,000)  Limited (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 Counter  Joinder  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402).

CASE NUMBER: BC475697  
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:

<p><b>Auto Tort</b></p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <p><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b></p> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <p><b>Non-PI/PD/WD (Other) Tort</b></p> <input checked="" type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <p><b>Employment</b></p> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<p><b>Contract</b></p> <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) <p><b>Real Property</b></p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <p><b>Unlawful Detainer</b></p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <p><b>Judicial Review</b></p> <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)	<p><b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b></p> <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) <p><b>Enforcement of Judgment</b></p> <input type="checkbox"/> Enforcement of judgment (20) <p><b>Miscellaneous Civil Complaint</b></p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <p><b>Miscellaneous Civil Petition</b></p> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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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 checked="" type="checkbox"/> Large number of separately represented parties   | d. <input checked="" type="checkbox"/> Large number of witnesses   |
| b. <input checked="" 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 checked="" type="checkbox"/> Substantial amount of documentary evidence   | f. <input checked="" 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): 2 - Cal. Civ. Code 1798.83; Cal B&P 17200 et seq
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: 12-22-11  
Sean Reis

*[Signature]*  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

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



## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

**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><b>Auto Tort</b>                      Auto (22)—Personal Injury/Property Damage/Wrongful Death                      Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</p> <p><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b>                      Asbestos (04)                      Asbestos Property Damage                      Asbestos Personal Injury/Wrongful Death                      Product Liability (not asbestos or toxic/environmental) (24)                      Medical Malpractice (45)                      Medical Malpractice—Physicians &amp; Surgeons                      Other Professional Health Care Malpractice                      Other PI/PD/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 PI/PD/WD</p> <p><b>Non-PI/PD/WD (Other) Tort</b>                      Business Tort/Unfair Business Practice (07)                      Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)                      Defamation (e.g., slander, libel) (13)                      Fraud (16)                      Intellectual Property (19)                      Professional Negligence (25)                      Legal Malpractice                      Other Professional Malpractice (not medical or legal)                      Other Non-PI/PD/WD Tort (35)</p> <p><b>Employment</b>                      Wrongful Termination (36)                      Other Employment (15)</p>	<p><b>Contract</b>                      Breach of Contract/Warranty (06)                      Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)                      Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)                      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 (not provisionally complex) (18)                      Auto Subrogation                      Other Coverage                      Other Contract (37)                      Contractual Fraud                      Other Contract Dispute</p> <p><b>Real Property</b>                      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 (not eminent domain, landlord/tenant, or foreclosure)</p> <p><b>Unlawful Detainer</b>                      Commercial (31)                      Residential (32)                      Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</p> <p><b>Judicial Review</b>                      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><b>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)</b>                      Antitrust/Trade Regulation (03)                      Construction Defect (10)                      Claims Involving Mass Tort (40)                      Securities Litigation (28)                      Environmental/Toxic Tort (30)                      Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)</p> <p><b>Enforcement of Judgment</b>                      Enforcement of Judgment (20)                      Abstract of Judgment (Out of County)                      Confession of Judgment (non-domestic relations)                      Sister State Judgment                      Administrative Agency Award (not unpaid taxes)                      Petition/Certification of Entry of Judgment on Unpaid Taxes                      Other Enforcement of Judgment Case</p> <p><b>Miscellaneous Civil Complaint RICO (27)</b>                      Other Complaint (not specified above) (42)                      Declaratory Relief Only                      Injunctive Relief Only (non-harassment)                      Mechanics Lien                      Other Commercial Complaint Case (non-tort/non-complex)                      Other Civil Complaint (non-tort/non-complex)</p> <p><b>Miscellaneous Civil Petition Partnership and Corporate Governance (21)</b>                      Other Petition (not specified above) (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: Boorstein v. Men's Journal LLC	CASE NUMBER BC 475697
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**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

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

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

JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL 7  HOURS/  DAYS

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

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

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

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

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

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

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

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.	
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.	
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.	
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.	

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SHORT TITLE:

Boorstein v. Men's Journal LLC

CASE NUMBER

	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 checked="" type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	① 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (18)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 6.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
Real Property	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

Boorstein v. Men's Journal LLC

CASE NUMBER

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <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.
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 (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
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 <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <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. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

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

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.  <input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input 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.		ADDRESS: 8455 Fountain Ave, Unit 312
CITY: West Hollywood	STATE: CA	ZIP CODE: 90069

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

Dated: 12-22-11

  
 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

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

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