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 Consumer Opinion, LLC*

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA**

**CIVIL- UNLIMITED JURISDICTION**

CONSUMER OPINION LLC,  
 a Nevada limited liability company,  
 Plaintiff,

v.

ZCS, Inc., a California corporation;  
 NEVADA CORPORATE HEADQUARTERS,  
 INC., a Nevada corporation;  
 HAIR SOLUTIONS, INC., a California  
 corporation;  
 ATLANTIC COAST MEDIA, LLC, a New  
 Jersey limited liability company;  
 A&D INTERNATIONAL, LLC, a California  
 limited liability company;  
 AGORA FINANCIAL, LLC, a Maryland  
 limited liability company;  
 COLLINS MATTOS, an individual;  
 JOHN RADONICH, an individual;  
 TARRA MARTIN, an individual;  
 MARK W. LAPHAM, ESQ., an individual;  
 OWEN T. MASCOTT, ESQ., an individual;  
 SOLVERA GROUP, INC., a California  
 corporation;  
 and DOE CORPORATIONS,

Defendants.

Case No. \_\_\_\_\_

**COMPLAINT FOR:**

- 1) UNLAWFUL, UNFAIR, AND  
 FRAUDULENT BUSINESS PRACTICE  
 UNDER CALIFORNIA BUSINESS  
 AND PROFESSIONS CODE  
 § 17200;**
- 2) ABUSE OF PROCESS; and**
- 3) CIVIL CONSPIRACY**

**DEMAND FOR JURY TRIAL**

## INTRODUCTION

1. This case involves a creative solution to a common frustration for many businesses, who do not like negative reviews that are published about them on the Internet. However, removing consumer reviews from the Internet is a difficult process given that they are protected by the First Amendment.

2. Nevada Corporate Headquarters has gone to great lengths to attempt to suppress consumer reviews in the past. It has filed at least one SLAPP<sup>1</sup> suit in Nevada seeking injunctive relief to censor those negative reviews. In that case, Nevada Corporate Headquarters suffered a resounding loss when they were hit with an anti-SLAPP order. (See Referee's Findings of Fact, *Nevada Corporate Headquarters, Inc. v. Opinion Corp.*, Justice Court, Las Vegas Township, Case No. 13-A-003332 (Jan. 22, 2014), attached hereto as **Exhibit 1.**) They also lost at summary judgment in a SLAPP-back suit. That action resulted in a significant judgment for attorney fees and costs. (See Order, *Opinion Corp. v. Nevada Corporate Headquarters, Inc.*, Eighth Judicial District Court for Clark County, Nevada, Case No. A-14-698267-C (December 11, 2014), attached hereto as **Exhibit 2.**)

3. Undaunted by these set-backs, Nevada Corporate Headquarters has now conspired with other companies and individuals to create a scam whereby they suppress negative reviews from the Internet, while evading any First Amendment or due process considerations. This scam also allows them to avoid the risk of another anti-SLAPP attorney fee award.

4. Several other businesses and professionals who have been the subject of negative reviews online have also employed the same fraudulent machinery as Nevada Corporate Headquarters, as a means of removing this

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<sup>1</sup> "SLAPP" is an acronym for Strategic Litigation Against Public Participation and refers to lawsuits designed specifically to quell speech.

content while evading detection and liability. A California corporation is at the center of this scheme and coordinated its moving parts.

5. The scam is not all that complicated. Google will remove search engine results from its well-known search engine if it is provided with a court order determining that the information is indeed defamatory.

6. However, when Nevada Corporate Headquarters sued consumer review websites in the past, it was severely disappointed. (See **Exhibits 1 & 2.**) Therefore, they needed to concoct a new censorship scam. So, they used a stooge plaintiff, ZCS Inc., to sue a stooge defendant, Collins Mattos.

7. Defendant Solvera Group, Inc. and Doe Defendants, so called "reputation management" companies, conceived and organized the scam as an alternative way to remove negative posts in lieu of undergoing an adversarial proceeding. Several other businesses and professionals have contacted these companies, which have used similar schemes to remove negative consumer reviews about them.

8. The other conspirators engaged attorneys Mark W. Lapham and Owen T. Mascott to file sham lawsuits either by the subjects of the negative reviews or by corporations that had no interest in the allegedly defamatory statements, against a defendant who most certainly was not the party that published the allegedly defamatory statements, and the parties immediately stipulated to a judgment of injunctive relief, so the conspirators could provide the order to Google and other search engines, thus achieving the goal of deindexing all pages containing negative reviews.

9. At first blush, Defendants' scam appears rather brilliant but incredibly unethical. Now that Plaintiff has uncovered and exposed Defendants' unlawful deeds, Consumer Opinion LLC respectfully requests that this Court discipline them for those misdeeds.

**PARTIES**

10. Plaintiff Consumer Opinion LLC is a Nevada limited liability company with its principal place of business in Nevada.

11. There are four categories of Defendants in this scheme: (1) the entities that file and/or benefit from the suit (the "Filing Defendants"); (2) the attorneys who knowingly and unethically file and prosecute these fraudulent lawsuits (the "Attorney Defendants"); (3) the "defendants" in these fake lawsuits who falsely claim to be the authors of allegedly defamatory statements (the "Stooge Defendants"); and (4) the "reputation management companies" that devised and carried out these schemes (the "RMC Defendants").

**The Filing Defendants**

12. Defendant ZCS, Inc. ("ZCS") is a California business organized under the laws of the State of California. In its complaint against Collins Mattos, ZCS claimed to be a California company. Records obtained from the California Secretary of State website indicate that ZCS's business registration has been suspended for failure to meet filing requirements of the California Franchise Tax Board. ZCS stood in place of Nevada Corporate Headquarters in the fake lawsuit against Collins Mattos, most likely to avoid detection of the scheme.

13. Defendant Nevada Corporate Headquarters, Inc. ("NVCHQ") is a Nevada corporation incorporated under the laws of Nevada. It is the actual subject of the consumer reviews in the Collins Mattos case, and it conspired with Defendants ZCS, Collins Mattos, and Mark Lapham to file a fake lawsuit to suppress consumer reviews.

14. Defendant Hair Solutions is a California business organized under the laws of California, and is the plaintiff in the fraudulent lawsuit against Defendant John Radonich. Hair Solutions stood in place of Defendant Atlantic Coast

Media, LLC in the fake lawsuit against Defendant John Radonich, most likely to avoid detection of the scheme.

15. Defendant Atlantic Coast Media, LLC ("Atlantic Coast Media") is a New Jersey business and is the owner of the registered trademark KERANIQUE and, on information and belief, is the operator of the web site <keranique.com>, the actual subject of the review at issue in the fake lawsuit against Defendant John Radonich.

16. Defendant A&D International, LLC ("A&D") is a defunct California business and is the plaintiff in the fake lawsuit against Defendant Tarra Martin. A&D stood in the place of Defendant Agora Financial, LLC, the actual subject of the review at issue in that case, most likely to avoid detection of the scheme.

17. Defendant Agora Financial, LLC ("Agora") is a Maryland business and is the actual subject of the review in question in the fake lawsuit against Defendant Tarra Martin.

### **The Stoooge Defendants**

18. Plaintiff is informed and believes and based thereon alleges that Defendant Collins Mattos ("Mattos") is an individual who resides in Contra Costa County, California.

19. Plaintiff is informed and believes and based thereon alleges that Defendant John Radonich ("Radonich") is an individual who resides in Contra Costa County, California.

20. Plaintiff is informed and believes and based thereon alleges that Defendant Tarra Martin ("Martin") is an individual who resides in Alameda County, California.

### **The Attorney Defendants**

21. Defendant Mark W. Lapham ("Lapham") is an attorney licensed to practice in California with the state bar number 146352. Lapham maintains a

law practice in Danville, California. On information and belief, he conspired with Defendants Solvera, ZCS, NVCHQ, and Mattos to file and prosecute the Mattos Case for the purpose of fraudulently obtaining a court order; and conspired with Defendants Solvera, A&D, Agora, and Martin to file and prosecute the Martin Case for the purpose of fraudulently obtaining a court order.

22. Defendant Owen T. Mascott ("Mascott") is an attorney licensed to practice in California with the state bar number 134243. Mascott maintains a law practice in Palm Desert, California. On information and belief, he conspired with Defendants Solvera, Hair Solutions, Atlantic Coast Media, and Radonich to file and prosecute the Radonich Case for the purpose of fraudulently obtaining a court order.

### **The RMC Defendants**

23. Plaintiff is informed and believes and based thereon alleges that Defendant Solvera Group, Inc. ("Solvera") is a California corporation incorporated under the laws of California, and orchestrated some or all of these schemes of fake litigation to remove consumer reviews.

24. Plaintiff is informed and believes and based thereon alleges that Doe RMC Defendants are "reputation management companies" that orchestrated these schemes of fake litigation to remove consumer reviews. Plaintiff is unaware of the true identity of Doe RMC Defendants and therefore currently identifies these defendant using the fictitious name Doe Corporations until such time as Plaintiff may discover the true names of the Defendants. Upon learning the identity of Doe Corporations, Plaintiff shall seek leave to amend the Complaint in order to name the Defendants using their true names.

### **JURISDICTION**

25. This Court has original jurisdiction over this action based on diversity pursuant to 28 U.S.C. § 1332, as Plaintiff is a resident of Las Vegas Nevada, and

Defendants, on information and belief, are citizens and residents of the States of California, Florida, Delaware, Maryland, and/or New Jersey, and the amount in controversy exceeds \$75,000.

#### **VENUE**

26. Defendants ZCS, Inc., Hair Solutions, A&D International, LLC, Collins Mattos, John Radonich, Tarra Martin, Mark W. Lapham, Esq., and Owen T. Mascott, Esq. are residents of the state of California and Collins Mattos, John Radonich, Tarra Martin, and Mark W. Lapham are residents of this jurisdiction.

27. Plaintiff is informed and believes and based thereon alleges that Defendant Doe Corporations are residents of the State of California. Defendants Atlantic Coast Media LLC, and Agora Financial, LLC committed the acts complained of in this Complaint directed to the State of California, specifically Contra Costa County.

#### **INTRADISTRICT ASSIGNMENT**

28. This action arose in Contra Costa County in that the Defendants filed the abusive complaints in Contra Costa County Superior Court. Accordingly, pursuant to Local Rules of Court 3-2(c) and (d), the Clerk shall assign the action to the San Francisco or Oakland division.

#### **FACTS SUPPORTING CLAIMS**

29. Consumer Opinion LLC operates a website residing at the uniform resource locator ("URL") <pissedconsumer.com>.

30. <pissedconsumer.com> is a consumer review website where individuals can share information about their experiences with businesses providing goods and services, thereby allowing consumers to make better choices between competing products and giving consumers an empowering and unbiased view of companies and products.

31. The First Amendment and various state anti-SLAPP statutes protect the right to publish opinions and true statements of fact. Therefore, aside from improving their business standards, there is little a company can do to prevent individuals from publishing negative opinions or true facts about them.

32. Moreover, under 47 U.S.C. § 230, providers of interactive computer services like <pissedconsumer.com> cannot be held liable for defamatory statements individuals post by and through their interactive services.

33. Understanding the difficulties of removing reviews consisting of negative opinions or statements of true fact, Defendants conspired to misuse California's legal system to hide the unflattering statements from the consuming public by having popular search engines such as Google to deindex the webpages containing the comments.

34. RMC Defendants are "reputation management companies" that offer services to help individuals rehabilitate their on-line image. The Filing Defendants engaged RMC Defendants to achieve their goal of minimizing the impact of negative reviews on pissedconsumer.com.

35. RMC Defendants first identified individuals or entities willing to stand in the place of the professionals or businesses that were the actual subject of negative reviews on <pissedconsumer.com>. At this time Plaintiffs do not know if the nominal plaintiffs in the fake lawsuits had pre-existing relationships with the benefited parties of these lawsuits, or if they were simply engaged for the limited purpose of serving as the sham plaintiffs in the fake lawsuits. The conspirators likely understood that if the benefited parties brought the action in their own name, the scam was more likely to be discovered.

36. Next, RMC Defendants and Filing Defendants sought out someone willing to take responsibility for posting one or more of the allegedly defamatory comments. They found these individuals in the Stooze Defendants.



37. It is unclear whether Stooge Defendants were actually responsible for posting any of the allegedly defamatory statements at issue in any given fake lawsuit. However, it is clear that they were not responsible for posting all of the reviews on <pissedconsumer.com> and comments posted in response to the reviews. Nonetheless, in each case the conspirators successfully used the scheme to obtain an injunction ordering all of those reviews deindexed, which was precisely their goal.

38. It is also not clear what RMC Defendants and Filing Defendants offered the Stooge Defendants to secure their cooperation in their scheme to remove First Amendment protected reviews from pissedconsumer.com.

39. Of course, the conspirators required a cooperating attorney willing to file a bogus lawsuit on their behalf. Accordingly, they invited attorneys Mark W. Lapham, Esq. and Owen T. Mascott, Esq. to join the conspiracy. They accepted.

40. Like most review websites, the profitability of pissedconsumer.com is directly tied to the amount of traffic the website receives. Also, like most websites, individuals usually locate the website through the use of search engines such as Google, Yahoo!, and Bing.

41. Many consumers considering the purchase of goods or services will search for information about a company prior to purchasing good or services by entering the name of the provider into a search engine. By causing the pages to be deindexed, Defendants deprived consumers of information posted about the businesses and professionals benefited by these fake lawsuits, and thereby undermined the value of the <pissedconsumer.com> website to the consuming public.

42. Defendants' actions caused further long-term damage to pissedconsumer.com by limiting the usefulness of the website to obtain

information about individuals and companies providing goods and services to the consuming public.

### **The Mattos Case**

43. ZCS filed a bogus complaint against Mattos in California Superior Court for Contra Costa County, claiming that Mattos had posted defamatory statements about ZCS, Inc./Nevada Corporate Headquarters on a consumer gripe website operated by Plaintiff Consumer Opinion LLC. (See Complaint in *ZCS, Inc. v. Mattos*, Case No. C16-00425 (hereinafter referred to as the "Mattos Case"), attached hereto as **Exhibit 3.**)

44. In reality, the statements at issue concerned only Nevada Corporate Headquarters.

45. Based on Nevada Corporate Headquarters' unsuccessful attempts to remove reviews from Plaintiff's website in the past, Defendants understood that Plaintiff would resist requests to have the statements removed, especially statements that had not been adjudicated to be defamatory. Therefore, instead of seeking removal of the statements, Nevada Corporate Headquarters conspired with ZCS and Mattos to file a sham lawsuit for the sole purpose of entering a stipulated judgment and permanent injunction. According to the scheme, the conspirators then delivered a copy of the stipulated judgment to Google and other search engines demanding that they deindex all negative reviews about Nevada Corporate Headquarters.

46. Plaintiff is informed and believes and based thereon alleges that Defendant Solvera or Doe Corporation, operating as a reputation management company, conceived of the plan and organized the cooperation of ZCS, NVCHQ, Mattos, and Lapham to bring the plan to fruition.

47. Defendant ZCS is an inactive California Corporation. Plaintiffs are aware of no business operations of the company, other than standing in the

place of Nevada Corporate Headquarters in the underlying litigation. NVCHQ provides consulting services to businesses, including providing information and offering assistance with incorporating businesses.

48. Since September 2010, four individuals have posted complaints about Nevada Corporate Headquarters on pissedconsumer.com. Additionally, 31 comments have been posted in response to those four complaints. The vast majority of the comments have been negative.

49. Plaintiff is informed and believes and based thereon alleges that at the bequest of Defendant Solvera or Doe Corporation and with the full cooperation of Defendant Mattos, Lapham filed a complaint on behalf of ZCS against Mattos for defamation. (See **Exhibit 3.**)

50. In the underlying action the conspirators sought *only* injunctive relief. Specifically, the complaint requested an injunction that Mattos be "prohibited from creating statements about Plaintiff or its officers, managers, employees, business partners, agents, servants, attorneys, representatives, products, goods or services, which defame, disparage, or contain libelous statements about Plaintiff," and that Mattos be "ordered to take all action, including but not limited to, requesting removal from the internet search engines including Google, Yahoo!, and Bing, of all defamatory, disparaging, libelous, and false statements about Plaintiff that Defendant has posted on the Internet."

51. Curiously, the prayer for relief did not request an order directing Mattos to take all action to remove or request removal of the statements from <pissedconsumer.com>. The conspirators did not want to bring the scheme to the attention of anyone who would shine light on their unlawful actions.

52. Lapham filed the Complaint on March 2, 2016. On information and belief, at all relevant times Lapham knew that Mattos was not the author of the

statements at issue in the Mattos Case, and thus was not a proper defendant in that case.

53. The next day, March 3, 2016, Lapham filed a Stipulation for Final Judgment and Permanent Injunction with the Superior Court. A true and complete copy of that Stipulation is attached hereto as **Exhibit 4**. On information and belief, Lapham coordinated with Mattos as Mattos's attorney in acquiring this stipulation, such that he simultaneously represented both parties in the Mattos Case.

54. Having obtained a stipulated injunction from the Court, the conspirators then approached various search engines including, on information and belief, Google, Yahoo!, and Bing and requested that those search engines deindex the pages of <pissedconsumer.com>. Instead of limiting the deindexing to the pages that contained statements Mattos claimed to have posted, the request to deindex included all web pages with entries about NVCHQ.

55. By engaging in this scheme, Defendant Conspirators obtained a court order under false pretenses and used the court order to persuade popular search engines to deindex every statement about NVCHQ, including the First Amendment protected statements of opinion and true fact posted by other individuals who were not a party to the underlying action.

### **The Radonich Case**

56. Hair Solutions filed a bogus complaint against Radonich in California Superior Court for Contra Costa County, claiming that Radonich had posted defamatory statements about Hair Solutions/Atlantic Coast Media LLC on a consumer gripe website operated by Plaintiff Consumer Opinion LLC. (See case file in *Hair Solutions, Inc. v. Radonich*, Case No. C16-00011 (hereinafter referred to as the "Radonich Case"), attached hereto as **Exhibit 5**.)

57. In reality, the statements at issue regarded only Keranique, a web site and trademark owned and operated by Atlantic Coast Media.

58. Hair Solutions and Atlantic Coast Media understood that Plaintiff would resist requests to have the statements removed, especially statements that had not been adjudicated to be defamatory. Therefore, instead of seeking removal of the statements, Atlantic Coast Media conspired with Hair Solutions and Radonich to file a sham lawsuit for the sole purpose of entering a stipulated judgment and permanent injunction. According to the scheme, the conspirators then delivered a copy of the stipulated judgment to Google and other search engines demanding that they deindex all negative reviews about Atlantic Coast Media.

59. Plaintiff is informed and believes and based thereon alleges that Defendant Solvera or Doe Corporation, operating as a reputation management company, conceived of the plan and organized the cooperation of Hair Solutions, Radonich, and Owen T. Mascott to bring the plan to fruition.

60. Since September 2010, at least 949 individuals have posted complaints about Keranique on <pissedconsumer.com>. Additionally, numerous comments have been posted by third parties in response to those complaints. The majority of the comments have been negative.

61. Plaintiff is informed and believes and based thereon alleges that at the bequest of Defendant Solvera or Doe Corporation and with the full cooperation of Defendant Radonich, Mr. Mascott filed a complaint on behalf of Hair Solutions against Radonich for defamation. (See **Exhibit 5**.)

62. In the underlying action the conspirators sought *only* injunctive relief. Specifically, the complaint requested an injunction that Radonich be "ordered to take all action, including but not limited to, requesting removal from the Internet search engines including Google, Yahoo!, and Bing of all

defamatory, disparaging, libelous, and false statements about Plaintiff that Defendant has posted on the Internet." (**Exhibit 5.**)

63. Mr. Mascott filed the Complaint on January 7, 2016. On information and belief, at all relevant times Mascott knew that Radonich was not the author of the statements at issue in the Radonich Case, and thus was not a proper defendant in that case.

64. Shortly thereafter, on January 13, 2016, Mascott filed a Stipulation for Final Judgment and Permanent Injunction with the Superior Court, containing a jurat from Radonich dated January 9, 2016. (See **Exhibit 5.**) On information and belief, Mascott coordinated with Radonich as Radonich's attorney in acquiring this stipulation, such that he simultaneously represented both parties in the Radonich Case.

65. Having obtained a stipulated injunction from the Court, the conspirators then approached various search engines including, on information and belief, Google, Yahoo!, and Bing and requested that those search engines deindex the pages of <pissedconsumer.com>. Instead of limiting the deindexing to the pages that contained statements Radonich claimed to have posted, the request to deindex included all web pages with entries about Keranique.

66. By engaging in this scheme, Defendant Conspirators obtained a court order under false pretenses and used the court order to persuade popular search engines to deindex every statement about Keranique, including the First Amendment protected statements of opinion and true fact posted by other individuals who were not a party to the underlying action.

### **The Martin Case**

67. A&D International filed a bogus complaint against Martin in California Superior Court for Contra Costa County, claiming that Martin had posted defamatory statements about A&D/Agora Financial, LLC on a consumer

gripe website operated by Plaintiff Consumer Opinion LLC. (See case file in A&D International v. Martin, Case No. C16-00353 (hereinafter referred to as the "Martin Case"), attached hereto as **Exhibit 6.**)

68. In reality, the statements at issue regarded only Agora Financial, a financial services company in Maryland.

69. A&D and Agora understood that Plaintiff would resist requests to have the statements removed, especially statements that had not been adjudicated to be defamatory. Therefore, instead of seeking removal of the statements, Agora conspired with A&D and Martin to file a sham lawsuit for the sole purpose of entering a stipulated judgment and permanent injunction. According to the scheme, the conspirators then delivered a copy of the stipulated judgment to Google and other search engines demanding that they deindex all negative reviews about Agora.

70. Plaintiff is informed and believes and based thereon alleges that Defendant Solvera or Doe Corporation, operating as a reputation management company, conceived of the plan and organized the cooperation of A&D, Martin, and Mark W. Lapham to bring the plan to fruition.

71. Since October 2010, at least 97 individuals have posted complaints about Agora on pissedconsumer.com. Additionally, numerous comments have been posted in response to those complaints. The vast majority of these reviews are negative.

72. Plaintiff is informed and believes and based thereon alleges that at the bequest of Defendant Doe Corporation and with the full cooperation of Defendant Martin, Lapham filed a complaint on behalf of A&D against Martin for defamation. (See **Exhibit 6.**)

73. In the underlying action the conspirators sought *only* injunctive relief. Specifically, the complaint requested an injunction that Martin be

“ordered to take all action, including but not limited to, requesting removal from the Internet search engines including Google, Yahoo!, and Bing, of all defamatory, disparaging, libelous, and false statements about Plaintiff that Defendant has posted on the Internet.” (**Exhibit 6.**)

74. Lapham filed the Complaint on February 22, 2016. On information and belief, at all relevant times Lapham knew that Martin was not the author of the statements at issue in the Martin Case, and thus was not a proper defendant in that case.

75. Three days later, on February 26, 2016, Lapham filed a Stipulation for Final Judgment and Permanent Injunction with the Superior Court. (See **Exhibit 6.**) On information and belief, Lapham coordinated with Martin as Martin's attorney in acquiring this stipulation, such that he simultaneously represented both parties in the Martin Case.

76. Having obtained a stipulated injunction from the Court, the conspirators then approached various search engines including, on information and belief, Google, Yahoo!, and Bing and requested that those search engines deindex the pages of pissedconsumer.com. Instead of limiting the deindexing to the pages that contained statements Martin claimed to have posted, the request to deindex included all web pages with entries about Agora.

77. By engaging in this scheme, Defendant Conspirators obtained a court order under false pretenses and used the court order to persuade popular search engines to deindex every statement about Agora, including the First Amendment protected statements of opinion and true fact posted by other individuals who were not a party to the underlying action.



**FIRST CLAIM FOR RELIEF**  
**Unlawful, Unfair, and Fraudulent Business Practice under**  
**California Business and Professions Code § 17200**  
**(Against All Defendants)**

78. Plaintiff incorporates by reference each of the preceding paragraphs of this Complaint as though fully set forth herein, in support of this claim.

79. The acts and conduct of Defendants, and each of them as alleged above in this Complaint constitute unlawful, unfair, and/or fraudulent business acts or practices as defined by California Business and Professions Code § 17200 *et seq.*

80. Defendants' acts of unlawful, unfair, and fraudulent competition have caused harm to competition, to consumers, to the competitors of the business defendants, and to Plaintiff.

81. Defendants' acts of unlawful, unfair, and fraudulent competition have proximately caused Plaintiff to suffer injury in fact and loss of money and/or property (including as a result of expenses that Plaintiff has and will incur in its efforts to prevent and deter Defendants from engaging in unlawful conduct) in an amount to be proven at trial.

82. Defendants' acts of unlawful, unfair, and fraudulent competition have also caused irreparable and incalculable injury to Plaintiff, its business, and its good will, and unless enjoined, could cause further irreparable and incalculable injury, whereby Plaintiff has no adequate remedy at law.

**SECOND CLAIM FOR RELIEF**  
**Abuse of Process**  
**(Against All Defendants)**

83. Plaintiff incorporates by reference each of the preceding paragraphs of this Complaint as though fully set forth herein, in support of this claim.

84. Acting in concert, Defendants, and each of them, filed the Mattos Case, the Radonich Case, and the Martin Case in the Superior Court of the State of California for the County of Contra Costa.

85. Defendants did not file the above described actions for the purpose of determining the liability of the Stooge Defendants or assessing an amount of damages. Rather, the Defendants filed the complaints for the purpose of obtaining a court order to serve on third party search engines such as Google in order to persuade those search engines to deindex portions of Plaintiff's website. Defendants filed the actions to avoid the adversarial process ordinarily involved in litigation.

86. As a result of Defendants' unlawful acts, Plaintiff Consumer Opinion LLC was damaged. Specifically, for a time when individuals searched for information about the beneficiaries of the fake lawsuits, search engines no longer produced any results indicating that consumers had posted information about the beneficiaries on the pissedconsumer.com website. Those consumers did not proceed to pissedconsumer.com and did not learn of the negative reviews.

87. Defendants' conduct as described herein was a substantial factor in causing harm to Plaintiff.

**THIRD CLAIM FOR RELIEF**  
**CIVIL CONSPIRACY**  
**(Against All Defendants)**

88. Plaintiff incorporates by reference each of the preceding paragraphs of this Complaint as though fully set forth herein, in support of this claim.

89. Defendants, and each of them, conspired, confederated, and colluded with the other defendants to engage in the above described scheme

1 which constitutes a fraudulent and unfair business practice and an abuse of  
2 legal process to Defendants' economic benefit and Plaintiff's economic harm.

3 90. Defendants, and each of them took affirmative steps to advance  
4 the conspiracy by taking part in the fraudulent litigation designed to have  
5 complaints deindexed.

6 91. Plaintiff is informed and believes and based thereon alleges that  
7 Defendants Solvera and/or Doe Corporations conceived and organized the  
8 scheme to file bogus legal actions in order to obtain an injunction designed to  
9 deceive search engines and trick them into deindexing pages of  
10 pissedconsumer.com webpages containing legitimate consumer reviews.  
11 Defendants Solvera and/or Doe Corporations engaged in these actions with full  
12 knowledge that those actions and the actions of its fellow conspirators would  
13 cause harm to Plaintiff.

14 92. Plaintiff is informed and believes and based there on alleges that  
15 Defendants ZCS, Inc.; Hair Solutions, Inc.; and A&D International, LLC, stood in the  
16 place of the actual targets of the reviews in question in the fake lawsuits and the  
17 actual beneficiaries of them. They did so for financial gain, knowing that they  
18 were abusing the legal process. Filing Defendants engaged in these actions with  
19 full knowledge that their actions and the actions of their fellow conspirators  
20 would cause harm to Plaintiff.

21 93. Plaintiff is informed and believes and based there on alleges that  
22 Stooge Defendants stood in the place of one or more individuals who actually  
23 posted comments claimed to be defamatory in the underlying litigation. Stooge  
24 Defendants participated in the plan and allowed the underlying action to be  
25 filed even though they had already agreed to settle any claims against them.  
26 They did so to advance their own pecuniary interests and with the full knowledge  
27

that their actions and the actions of their fellow conspirators would cause harm to Plaintiff.

94. Plaintiff is informed and believes and based thereon alleges that Defendant Lapham filed the Mattos Case and the Martin Case, while Defendant Mascott filed the Radonich Case, knowing that these actions were shams, that the real parties had already resolved any actual disputes, and that the lawsuits were being filed solely for the purpose of obtaining court orders to deliver to search engines in order to deceive them into deindexing legitimate consumer reviews residing on pissedconsumer.com. They also acted in the capacity of counsel for both parties in each of these actions. They did so to advance their own pecuniary interests and with the full knowledge that their actions and the actions of their fellow conspirators would cause harm to Plaintiff.

95. Defendants Lapham and Mascott's actions in filing and prosecuting these fake lawsuits went beyond the performance of a professional duty to serve their "clients." Rather, they participated in a conspiracy to defraud this Court, violating their legal duties to the Court and the California Bar, in furtherance of their own financial gain.

96. Accordingly, all Defendants are jointly and severally liable for the actions of their co-conspirators.

#### **DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all issues so triable.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays for the following relief:

a. General damages based on Defendants' conduct as alleged herein in an amount to be determined at trial;

b. Punitive damages based on Defendants' willful, malicious, intentional, and deliberate acts in an amount to be determined at trial;

- c. Prejudgment and post-judgment interest at the rate allowed by law;
- d. Reasonable attorney's fees and expenses of litigation;
- e. Injunctive relief prohibiting Defendants from continuing to engage in unlawful, unfair, and/or fraudulent business acts or practices and abuse of process as described above in this Complaint; and
- f. All other relief to which Plaintiff may be entitled.

Dated: September 7, 2017.

Respectfully Submitted,

/s/ Marc J. Randazza

Marc J. Randazza

D. Gill Sperlein

Alex J. Shepard

RANDAZZA LEGAL GROUP, PLLC

*Attorneys for Plaintiff*

*Consumer Opinion LLC*