

1 Andrew Ivchenko (#021145)
2 **ANDREW IVCHENKO PLLC**
3 4960 South Gilbert Road, #1-226
4 Chandler, AZ 85249
5 Phone: (480) 250-4514
6 Aivchenkopllc@gmail.com
7 *Attorney for Plaintiff*

8
9 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**

10 **IN AND FOR THE COUNTY OF MARICOPA**

11 **JOHN DOE,**

12 Plaintiff,

13 vs.

14 **TRAVIS PAUL GRANT and MARIEL**
15 **LIZETTE GRANT, husband and wife; KYLE**
16 **DAVID GRANT and JANE DOE GRANT,**
17 **husband and wife; JOHN and JANE DOES I-**
18 **X; BLACK CORPORATIONS I-X; and**
19 **WHITE COMPANIES I-X,**

20 Defendants.

Case No. CV2021-090059

COMPLAINT
(Tier Two)

Jury Trial Demanded

21 Plaintiff John Doe (hereinafter "Plaintiff"), through his undersigned counsel, for
22 his Complaint against Defendants, alleges the following:

INTRODUCTION

23 1. Defendants are First Amendment opportunists that exploit arrest
24 information and misappropriate images in booking photos to create misleading
25 advertisements designed to generate substantial advertising revenue from the victims
26 whose images have been misappropriated.

1 2. Defendants do not inform the public; instead, Defendants exploit booking
2 photos and arrest information for purely commercial purposes. As the Sixth Circuit
3 recently observed, these “[b]ooking photos—snapped in the vulnerable and
4 embarrassing moments immediately after an individual is accused, taken into custody,
5 and deprived of most liberties—fit squarely within this realm of embarrassing and
6 humiliating information. More than just vivid symbols of criminal accusation, booking
7 photos convey guilt to the viewer.” *Detroit Free Press Inc. v. United States Dep’t of*
8 *Justice*, 829 F.3d 478, 482 (6th Cir. 2016) (citations and quotations omitted).
9 Defendants’ business model is to exploit this embarrassing and humiliating information
10 that falsely conveys guilt for their own commercial gain. Once these images are online,
11 they live on in perpetuity. They serve as the digital scarlet letter of our times,
12 permanently affecting the reputation of those who have paid their debt to society.

13 3. The online dissemination of arrest information and images in booking
14 photos creates substantial barriers for those attempting to reintegrate into society from
15 finding employment, housing, and starting a new life. “[N]early one out of every three
16 American adults”—77.7 million people—has been arrested and, thus, could be impacted.
17 See Gary Fields & John R. Emshwiller, *America Busted: As Arrest Records Mount,*
18 *Consequences Last a Lifetime*, WALL ST. J., Aug. 19, 2014, at A1. Abuse of these
19 records by profiteers such as Defendants cuts against efforts for criminal justice reform
20 and rehabilitation of those who have made mistakes in their pasts. Moreover, in many
21 cases arrestee’s are never charged, are adjudicated not guilty, or their charges are
22 dismissed for various reasons, including through diversion programs. Mugshot
23 companies have wide-sweeping negative effects on not only those directly impacted but
24 on the community as a whole.

25 4. In response to the proliferation of mugshot website operators, such as
26 Defendants, numerous states have passed statutes relating to the exploitation of
mugshots, most recently Arizona. On August 27, 2019, HB2191 became effective law as

1 Arizona Revised Statute §§ 44-7901, 7902; Mugshot website operators; prohibited acts;
2 exceptions (the "Arizona Mugshot Statute"). The new law defines mugshot website
3 companies as "mugshot website operators" and prohibits their operation for commercial
4 purposes, which the law defines to include "any purpose in which the [mugshot website
5 operator] can reasonably anticipate the receipt of monetary gain from the direct or
6 indirect use of the public record." A.R.S. § 39-121.03(D); A.R.S. § 44-7901(2). The
7 Arizona Mugshot Statute also prescribes hefty *minimal* damages that mugshot website
8 companies will have to pay to those affected if they do not comply with the law.

9 5. Defendants' conduct that is the subject of this civil action involves
10 ongoing online activity directed against Plaintiff. Defendants own and operate mugshot
11 websites including www.rapsheetz.com, www.bailbondshq.com, and
12 www.publicpolicerecord.com (the "Websites"), on which they use the arrest information
13 and booking photos of millions of arrestees throughout the United States for their own
14 purely commercial purposes. Defendants use software to "scrape" arrest information,
15 including booking photos, from the Maricopa County Sheriff's Office's website, and the
16 websites of other law enforcement agencies in Arizona who post booking photos online,
17 for all, or substantially all, arrestees, albeit for a limited duration of time, typically three
18 days. Defendants then use the arrest information from the victims whose identities and
19 likenesses have been misappropriated to create original content in the form of
20 advertisements that serve two purposes: 1) to attract third party advertisers to the
21 website; and 2) generate pay-per-click advertising revenue.

22 6. This is an individual action seeking damages, declaratory, and injunctive
23 relief for the violation of the Arizona Mugshot Statute, misappropriation of name and
24 likeness, and false light under applicable decisional law in Arizona. Plaintiff seeks
25 redress for injuries caused by, and an injunction enjoining, the unlawful conduct of
26 Defendants, Kyle David Grant, his brother Travis Paul Grant, and Travis Paul Grant's
wife, Mariel Lizette Grant, all doing business in conjunction with the Websites.

1 7. “A disclosed booking photo casts a long, damaging shadow over the
2 depicted individual.” *Detroit Free Press Inc. v. United States Dep’t of Justice*, 829 F.3d
3 478, 482 (6th Cir. 2016). For this reason, law enforcement agencies and the State of
4 Arizona do not intend for booking photos and arrest information to be used in this way
5 or to be available online to the public indefinitely. The Maricopa County Sherriff’s
6 Office, for example, only posts arrest photos for three days, after which they are taken
7 down. The Arizona Mugshot Statute makes crystal clear that the public policy of
8 Arizona is that arrest information and photos published for a limited time by Arizona
9 law enforcement agencies are not to be “scraped” and then disseminated indefinitely for
10 Defendants’ purely commercial purposes. Yet, that is precisely how Defendants’ illegal
11 scheme operates.

12 8. To further their illegal scheme and maximize its commercial effect,
13 Defendants use analytics and search optimization tools to ensure that each booking
14 photo is among the first search results found when an arrestee’s name is entered into a
15 search engine such as Google, Bing or Yahoo. Such conduct contributes substantially to
16 the illegality of Defendants’ use of the arrest information and booking photos.

17 9. Contrary to Defendants’ false representations, the Websites are not a
18 public safety service or media outlets. If they were, Defendants would not select what
19 information and which booking photos remain on the Websites based on extorted
20 payments, which occurred prior to the enactment of the Florida mugshot statute on or
21 about July 18, 2018 (FL Stat § 901.43, Dissemination of Arrest Booking Photographs)
22 (the “Florida mugshot statute”). Defendants hide behind the false pretense that they are a
23 media organization, post these mugshots and create advertisements out of them solely in
24 order to profit by generating advertising revenue through Google Ads and, at least up
25 until July 18, 2018, extorted payments. Companies pay for Google Ads so that people
26 will notice their business whenever they are searching Google. These companies only
have to pay a website owner whenever someone clicks on the ad. This is known as cost-

1 per-click (CPC) or pay-per-click (PPC) advertising. Defendants generate substantial
2 revenue through the misleading manner in which they use these booking photos as
3 advertisements to induce users of their Websites to click on the banner ads.

4 10. Also contrary to Defendants' false representations, Defendants refuse to
5 remove someone's mugshot from the Websites even if the arrestee has been found
6 innocent of any crime, or has otherwise had their charges dropped, not filed, expunged,
7 or dismissed as part of a diversion program. Prospective employers (or anyone else)
8 conducting a web search find, in many cases, misinformation indicating that people are
9 still charged, incarcerated, or on parole years even after release or an adjudication of not
10 guilty. Defendants intentionally and maliciously set up the Websites to give the false
11 impression people are incarcerated or have been adjudged guilty of a crime. The end
12 result for many arrestees is continuous emotional distress, job loss, broken families, and
13 homelessness. The end result for Defendants is substantial profits.

14 11. Defendants are notorious operators of mugshot Websites, on which
15 millions of arrestees appear. Several online sites have been established by aggrieved
16 parties to expose the nefarious and illegal activities of Defendants, including
17 <https://rapsheetsorgkyledavidgrant.wordpress.com>.

18 12. This action seeks to put an end to Defendants' harassment of Plaintiff.
19 Defendants will continue to cause Plaintiff harm until Defendants are enjoined from
20 intentionally and maliciously violating Plaintiff's rights.

21 JURISDICTION AND PARTIES

22 13. Plaintiff resides in Maricopa County, Arizona.

23 14. Defendants are mugshot website operators who reside in, and operate
24 businesses in, Florida. Defendants own and operate mugshot Websites, including
25 www.rapsheetz.com, www.bailbondshq.com, and www.publicpolice-record.com, as
26 defined by A.R.S. § 44-7901(4).

1 15. Defendants are being sued in their individual capacities. This Court has
2 jurisdiction over Defendants under Arizona's long-arm rule and applicable decisional
3 law, which allows for assertion of personal jurisdiction over a non-resident consistent
4 with federal constitutional due process. Ariz. R. Civ. P. 4.2(a).

5 16. Under the provisions of the A.R.S. 44-7902(A), Defendants, as mugshot
6 website operators that publish a subject individual's criminal justice record for a
7 commercial purpose on a publicly accessible website, are deemed to be transacting
8 business in this state.

9 17. Plaintiff is informed and believes, and based on that information and belief
10 allege, that at all times mentioned in this complaint, Defendants were the agents and
11 employees of their codefendants and in doing the things alleged in this complaint were
12 acting within the course and scope of such agency and employment.

13 18. At all material times, Defendants (i) committed a tortious act within this
14 state, and (ii) are engaged in substantial and not isolated activity within this state.
15 Sufficient minimum contacts exist between Defendants and the state of Arizona to
16 satisfy the due process requirements of the United States Constitution. These include
17 directly targeting their Websites to the state, knowingly interacting with residents of the
18 forum state via their Websites, or through sufficient other related contacts.

19 19. Defendants solicit customers in the state of Arizona. Upon information and
20 belief, Defendants have many paying customers who reside in the state of Arizona who
21 each use Defendants' respective services in the state of Arizona. Upon information and
22 belief, Defendants conduct continuous and systematic business in the state of Arizona.

23 20. Defendants JOHN and JANE DOES I-X; BLACK CORPORATIONS I-
24 X; and WHITE COMPANIES I-X, are persons, partnerships, corporations or
25 unincorporated associates subject to suit in a common name whose names are unknown
26 to Plaintiff and who are wholly or partially responsible for the acts complained of,
including those who have participated in managing, organizing, marketing, facilitating,

1 and profiting from the operations of the Websites, and therefore, designated by fictitious
2 names pursuant to Rule 10(d), Arizona Rule of Civil Procedure. Plaintiff will ask leave
3 of the Court to substitute the true names of the said parties prior to the entry of judgment
4 herein.

5 21. Maricopa County is a proper venue, pursuant to A.R.S. §12-401(1). The
6 acts and conduct of Defendants occurred in Maricopa County. Defendants' Websites are
7 available to people in Maricopa County.

8 22. Based on the characteristics of this action, this case should be assigned
9 Tier 2 pursuant to Rule 26.2(b)(2).

10 23. The damages in this case are not liquidated, but they are no less than
11 \$50,000 and no more than \$74,999.

12 GENERAL ALLEGATIONS

13 24. Plaintiff is an individual and is now, and at all times mentioned in this
14 complaint was, a resident of Maricopa County, Arizona.

15 25. In or around March of 2018, the Maricopa County Sheriff's Office (the
16 "Sheriff's Office") arrested Plaintiff.

17 26. Following the arrest, the Sheriff's Office photographed Plaintiff. The
18 Sheriff's Office made the photograph (the "Mugshot") publicly available on a
19 government website.

20 27. Defendant's Websites are privately-owned, publicly-available websites
21 that post mugshots and other criminal justice information about various people without
22 their consent, who have been arrested. The Websites generate income and Defendants
23 utilize the Websites for commercial purposes and pecuniary gain.

24 28. Since in or around March 2018, Defendants, without Plaintiff's
25 permission, consent or authorization, published Plaintiff's criminal justice records (the
26 "Records") and Mugshot on the Websites for purely commercial purposes. As a result,

1 Plaintiff's image has been commercially misappropriated by Defendants, causing
2 damage, and Plaintiff has incurred damages under the Arizona Mugshot Statute, as
3 further described herein. Plaintiff did not provide the Defendants with prior consent for
4 the posting of any information about him, including, but not limited to, his arrest
5 information and arrest photo.

6 29. Despite Plaintiff's demand that Defendants remove this information,
7 Defendants refuse to do so.

8 30. The public nature of the Websites and public availability of Plaintiff's
9 Mugshot and Records has and continues to cause both emotional and financial harm to
10 Plaintiff, including, but not limited to, unwanted publicity and ramifications for
11 Plaintiff's employment.

12 31. Defendants generate substantial revenue from the misleading use of the
13 original content Defendants create from the booking photos.

14 32. Defendants gather and collect arrest photos and create original content out
15 of that material in the form of advertisements ("arrest photo advertisements").

16 33. The arrest photo advertisements are strategically placed on the Websites
17 for maximum commercial exploitation. Specifically, Defendants place the arrest photo
18 advertisements directly above, and/or directly alongside banner ads that advertise
19 services for, inter alia, public records information, thus making it appear (falsely) that by
20 clicking on the banner ad the user would be directed to "Arrest Details" located in the
21 Websites' database.

22 34. The misleading manner in which Defendants use the arrest photo
23 advertisements to entice the public into clicking on third party banner ads generates
24 substantial pay-per-click advertising for Defendants.

25 35. Because the third party banner ads are typically for services such as public
26 arrest records databases and because the third-party banner ad is located directly
beneath, alongside, and embedded within the arrest photo advertisements, the user

1 mistakenly clicks on the banner ad falsely believing that by doing so they will be
2 directed to the "arrest details" in the Websites' database, but are instead directed to the
3 third party database. Defendants purposefully and intentionally create the arrest photo
4 advertisements in this manner to increase user clicks on third party ads, thus earning
5 substantial pay-per-click advertising revenue.

6 36. Thus, the arrest photos advertisements serve at least two commercial
7 purposes: 1) to attract third party advertisers to the Website; and 2) entice any user of the
8 Website to mistakenly click the third party banner ad so as to generate pay-per-click
9 advertising revenue for Defendants.

10 37. The arrest information and booking photos that Defendants use to create
11 the arrest photo advertisements was never intended by law enforcement to be used in
12 this manner or posted by Defendants. The booking photos Defendants use to create the
13 arrest photo advertisements are not tendered by law enforcement agencies to Defendants.
14 It is the public policy of the State of Arizona, as made crystal clear by the Arizona
15 Mugshot Act, that the arrest information and arrest photos briefly disseminated by
16 Arizona's law enforcement and other agencies not be used in the manner that
17 Defendants use them.

18 38. Plaintiff had an arrest photo taken.

19 39. Defendants, without permission, consent or knowledge of Plaintiff,
20 reproduced, publicly displayed, distributed, and created original advertising content out
21 of the arrest photo. Defendants also, without permission, consent or knowledge of
22 Plaintiff, reproduced, publicly displayed, and distributed Plaintiff's arrest information.

23 40. Defendants' respective Websites, along with Plaintiff's image, were
24 indexed by Yahoo.com and Google.com, and the images appear under Google Images
25 when an internet search for Plaintiff's name is conducted.

26 41. Defendants' use of Plaintiff's image and arrest information is for a purely
commercial purpose.

1 42. Defendants operate one or more Websites that are used to display
2 Plaintiff's image as part of a commercial enterprise.

3 43. The display by Defendants of Plaintiff's image on their Websites, are
4 intended, among other things, to subject Plaintiff to hatred, contempt, or ridicule, and to
5 damage his personal and business reputation, or to impair his credit.

6 44. Each Defendant, acting on their own or in conjunction with one or more of
7 the other Defendants, derives revenue from the Websites through Google Ads and other
8 means.

9 45. Unless Defendants are enjoined from further commercial use and
10 publication of Plaintiff's image and names and other arrest information, Plaintiff will
11 suffer further irreparable injury.

12 **COUNT ONE**

13 **(Violation of A.R.S. §§ 44-7901/7902)**

14 46. The people of the State of Arizona, by and through their popularly elected
15 legislature, enacted a statute entitled "Mugshot website operators; prohibited acts;
16 exceptions," codified at Arizona Revised Statute §§ 44-7901, 7902 (the "Arizona
Mugshot Statute"). That statute was in force and effective at all times herein relevant.

17 47. A.R.S. 44-7902 states as follows:

18 Mugshot website operators; prohibited acts; exceptions

19 A. A mugshot website operator that publishes a subject individual's
20 criminal justice record for a commercial purpose on a publicly accessible
21 website is deemed to be transacting business in this state.

22 B. A mugshot website operator may not use criminal justice records or the
23 names, addresses, telephone numbers and other information contained in
24 criminal justice records for the purpose of soliciting business for pecuniary
25 gain, including requiring the payment of a fee or other valuable
26

1 consideration in exchange for removing or revising criminal justice records
2 that have been published on a website or other publication.

3 C. A subject individual whose criminal justice record is published in
4 violation of subsection B of this section and who suffers a pecuniary loss
5 or who is otherwise adversely affected as a result of a violation of
6 subsection B of this section has a cause of action against the person
7 responsible for the violation and may recover damages in addition to the
8 damages prescribed in subsection D of this section in any court of
9 competent jurisdiction.

10 D. A person that violates subsection B of this section is liable for damages
11 for each separate violation in an amount of at least:

- 12 1. \$100 per day during the first thirty days of the violation.
- 13 2. \$200 per day during the subsequent thirty days of the violation.
- 14 3. \$500 per day for each day thereafter.

15 E. This article does not apply to any act performed for the purpose of
16 disseminating news to the public, including the gathering, publishing or
17 broadcasting information to the public for a news-related purpose, or to
18 any act performed by a publisher, owner, agent, employee or retailer of a
19 newspaper, radio station, radio network, television station, television
20 broadcast network, cable television network or other online news outlet
21 associated with any news organization in connection with the
22 dissemination of news to the public, including the gathering, publishing or
23 broadcasting information to the public for a news-related purpose.

24 F. This article does not apply to activities by a licensed attorney, private
25 investigator or registered process server that are associated with purposes
26 relating to a current or anticipated criminal or civil proceeding. This

1 section does not affect the conduct of trials or the discovery process in any
2 proceeding as otherwise provided by law or court rule.

3 48. A.R.S. 44-7901 states as follows:

4 44-7901. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Booking photograph" means a photograph of a subject individual that
7 is taken pursuant to an arrest or other involvement in the criminal justice
8 system.

9 2. "Commercial purpose" has the same meaning prescribed in section 39-
10 121.03.

11 3. "Criminal justice record" includes a booking photograph and the name,
12 address and description of and the charges filed against a subject
13 individual.

14 4. "Mugshot website operator" means a person that publishes a criminal
15 justice record on a publicly available internet website for a commercial
16 purpose.

17 5. "Person" means a natural person, partnership, association, joint venture,
18 corporation, limited liability company, nonprofit organization or trust or
19 any similar entity or organized group of persons.

20 6. "Subject individual" means an individual who has been arrested.

21 49. A.R.S. 39-121.03(D) states as follows:

22 For the purposes of this section, "commercial purpose" means the use of a
23 public record for the purpose of sale or resale or for the purpose of
24 producing a document containing all or part of the copy, printout or
25 photograph for sale or the obtaining of names and addresses from public
26 records for the purpose of solicitation or the sale of names and addresses to
another for the purpose of solicitation or for *any purpose in which the*

purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of the public record (emphasis added). Commercial purpose does not mean the use of a public record as evidence or as research for evidence in an action in any judicial or quasi-judicial body.

50. Defendants posted Plaintiffs' mugshot and criminal record information to publicpolice record.com and/or bailbondshq.com as set forth herein.

51. Defendants posted Plaintiff's mugshot and criminal record information to publicpolice record.com and/or bailbondshq.com for a commercial purpose, as defined in A.R.S. 39-121.03(D).

52. Defendants violated the Arizona Mugshot Statute by posting Plaintiff's criminal record information and mugshots to publicpolice record.com and/or bailbondshq.com for commercial purposes, namely, by soliciting and generating advertising revenue through Google Ads, and by other acts and/or omissions as specified in this Complaint.

53. Pursuant to the Arizona Mugshot Statute, "A person that violates subsection B of this section is liable for damages for each separate violation in an amount of *at least*: 1. \$100 per day during the first thirty days of the violation. 2. \$200 per day during the subsequent thirty days of the violation. 3. \$500 per day for each day thereafter." A.R.S. 44-7902(D) (emphasis added).

54. As a result, Plaintiff suffered damages that he will prove at trial, which are no less than \$50,000 and no more than \$74,999.

COUNT TWO

(Misappropriation of Name and Likeness)

55. Defendants appropriated Plaintiff's name and likeness for pecuniary gain to increase revenue for its Websites.

56. Plaintiff is easily identified from the publication of the Mugshot and Records on the Websites.

57. Defendants benefited from the publication because the publication of mugshots and criminal records for pecuniary gain is the Websites' very purpose.

58. As a result, Plaintiff suffered damages that he will prove at trial, which are no less than \$50,000 and no more than \$74,999.

COUNT THREE

(False Light)

59. Defendants gave publicity to a matter in an easily accessible public forum concerning Plaintiff that places him in a false light. Specifically, by posting the Mugshot and Records, Defendants' websites imply that Plaintiff did something wrong and is guilty of a crime.

60. Plaintiff did not consent, authorize, or agree that Defendants could post this information about him.

61. The false light in which Plaintiff was placed would be highly offensive to a reasonable person.

62. Defendants knowingly or recklessly disregarded the false light in which Plaintiff is placed due to the publication of the Mugshot and Records on the Websites.

63. As a result, Plaintiff suffered damages that he will prove at trial, which are no less than \$50,000 and no more than \$74,999.

COUNT FOUR

(Injunctive Relief)

64. Defendants' unauthorized publication of Plaintiff's Mugshot and Records has wrongfully caused Plaintiff continued and unwanted publicity that places him in a false light.

65. Every day that the Mugshot and Records remain posted on the Websites

1 continue to harm Plaintiff's reputation and good name.

2 66. Plaintiff's remedies at law are inadequate.

3 67. Public policy favors an injunction in this matter requiring Defendants to
4 remove the Mugshot and corresponding criminal justice records from the Websites.

5 68. Injunctive relief is necessary to prevent further harm and will not disrupt
6 the status quo.

7 **PRAYER FOR RELIEF**

8 THEREFORE, Plaintiff requests the following relief:

9 A. Appropriate preliminary and/or permanent injunctive relief.

10 B. Compensatory damages or statutory damages in an amount no less than
11 \$50,000 and no more than \$74,999.

12 C. Any further relief, in equity, which the Court deems appropriate.

13 DATED: January 6, 2021.

14 ANDREW IVCHENKO PLLC

15
16 By: /s/ Andrew Ivchenko
17 Andrew Ivchenko, Esq.
18 *Attorney for Plaintiff*
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1 Andrew Ivchenko (#021145)
2 **ANDREW IVCHENKO PLLC**
3 4960 South Gilbert Road, #1-226
4 Chandler, AZ 85249
5 Phone: (480) 250-4514
6 Aivchenkopllc@gmail.com
7 *Attorney for Plaintiff*

8 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**
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10 **JOHN DOE,**

11 **Plaintiff,**

12 **vs.**

Case No. _____

AFFIDAVIT

13 **TRAVIS PAUL GRANT and MARIEL**
14 **LIZETTE GRANT, husband and wife; KYLE**
15 **DAVID GRANT and JANE DOE GRANT,**
16 **husband and wife; JOHN and JANE DOES I-**
17 **X; BLACK CORPORATIONS I-X; and**
18 **WHITE COMPANIES I-X,**

19 **Defendants.**

20 **AFFIDAVIT OF ANDREW IVCHENKO**

21 **Andrew Ivchenko deposes and says as follows:**

22 1. My name is Andrew Ivchenko, and I am a licensed practicing attorney
23 authorized to practice throughout the State of Arizona, including the U.S. District Court
24 for the District of Arizona.
25
26

1 2. I am the attorney for JOHN DOE, Plaintiff in this case, and caused this
2 action to be commenced in the Maricopa County Superior Court on or about January 6,
3 2021.

4 3. This Affidavit is being sworn by me to advise the Court that the amount in
5 controversy in this case is less than \$75,000, exclusive of interest and costs.
6

7 4. As attorney for Plaintiff, I represent to the Court that Plaintiff will not seek,
8 nor will I seek on Plaintiff's behalf, any recovery with respect to the claims raised in the
9 foregoing Complaint of more than \$74,999, exclusive of interest and costs.
10

11 5. Upon resolution of this case in the Maricopa County Superior Court, if
12 Plaintiff should receive an award for more than \$74,999, exclusive of interest and costs,
13 against Defendants for the damages alleged in the foregoing Complaint, then neither
14 Plaintiff nor I will seek to execute on the excess portion of the judgment.

15 6. I declare under penalty of perjury that the foregoing is true and correct.
16

17
18 Executed on January 6, 2021.

19
20 By: /s/ Andrew Ivchenko
21 Andrew Ivchenko, Esq.
22 *Attorney for Plaintiff*
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