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8 (*Additional counsel on signature page*)

9 Attorneys for Plaintiffs
MEGAN TRAMA, MATTHEW HARTZ,
10 RAFAEL ROBLES, and EVAN NELSON

11 **UNITED STATES DISTRICT COURT**

12 **CENTRAL DISTRICT OF CALIFORNIA**

13 **WESTERN DIVISION**

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16 MEGAN TRAMA, MATTHEW
HARTZ, RAFAEL ROBLES, and EVAN
17 NELSON on behalf of themselves and all
others similarly situated,

18 Plaintiffs,

19 v.

20 RELX PLC, RELX GROUP PLC, RELX
(HOLDINGS) LIMITED, RELX
21 OVERSEAS HOLDINGS LIMITED,
RELX INC., LEXISNEXIS RISK
22 HOLDINGS INC., LEXISNEXIS RISK
SOLUTIONS INC., and LEXISNEXIS
23 RISK SOLUTIONS FL INC.,

24 Defendants.
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Case No. 2:24-cv-3174

CLASS ACTION

COMPLAINT

JURY TRIAL DEMANDED

1 **CLASS ACTION COMPLAINT**

2 Plaintiffs Megan Trama, Matthew Hartz, Rafael Robles, and Evan Nelson
3 (collectively, “Plaintiffs”), individually and on behalf of the proposed Class defined
4 below, bring this action against Defendants RELX PLC, RELX GROUP PLC, RELX
5 (Holdings) Limited, RELX Overseas Holdings Limited, RELX Inc., LexisNexis Risk
6 Holdings Inc., LexisNexis Risk Solutions Inc., and LexisNexis Risk Solutions FL
7 Inc. (collectively, “Defendants”), and allege as follows:
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10 **I. NATURE OF THE ACTION**

11 1. Defendants have built a billion-dollar business that, among other things,
12 collects, indexes, and sells the personally identifiable information of millions of
13 Americans, disclosing that personally identifiable information to customers through
14 subscription-based services such as Nexis Diligence, Nexis Diligence+, Public
15 Records, and Accurint (collectively, “Lexis Personal Records Products”).
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18 2. Defendants do more, though, to turn a profit. Defendants capitalize on
19 their trove of personally identifiable information of millions of Americans to
20 advertise their Lexis Personal Records Products. As an advertising tool, Defendants
21 offer a 7-day free trial of their Lexis Personal Records Products and provide anyone
22 who signs up for the 7-day free trial unfettered access to search and review any and
23 all of the personally identifiable information in the Defendants’ vast database of
24 personal data. Defendants do not have authorization to use the various collections of
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1 personally identifiable information that Defendants maintain on millions of
2 Americans as advertisements for their Lexis Personal Records Products.

3
4 3. This blatant and unauthorized use of personally identifiable information
5 of Plaintiffs and those who are similarly situated includes, but is not limited to, full
6 names, addresses, phone numbers, occupations, employers, social media accounts,
7 and personal property. And the use of this information to advertise Lexis Personal
8 Records Products runs afoul of the well-established right of privacy of at least the
9 residents of California and Illinois. This case is about upholding the rights of the
10 millions of Americans whose personally identifiable information Defendants have
11 transformed into advertisements and whose privacy they have disregarded, all to turn
12 a profit.
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16 **II. JURISDICTION AND VENUE**

17 4. This Court has jurisdiction under the Class Action Fairness Act, 28
18 U.S.C. § 1332, because this is a proposed class action in which: (1) there are at least
19 100 class members; (2) the combined claims of class members exceed \$5,000,000,
20 exclusive of interest, attorneys' fees, and costs; and (3) Defendants and one or more
21 class members are citizens of different states.
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23

24 5. The Court has personal jurisdiction over Defendants because they
25 operate multiple offices in California, including an office at 555 W 5th St., Los
26 Angeles, CA 90013, and they have sufficient minimum contacts in California to
27 render the exercise of jurisdiction by this Court proper and necessary.
28

1 6. Venue is proper in this District under 28 U.S.C. § 1391(b) because a
2 substantial part of the events or omissions giving rise to the claims occurred in this
3 District, and under 28 U.S.C. § 1391(a)(1) because Defendants conduct substantial
4 business in this District.
5

6 **III. THE PARTIES**
7

8 7. Plaintiff Megan Trama is a resident of San Pedro, California.

9 8. Plaintiff Matthew Hartz is a resident of Chicago, Illinois.

10 9. Plaintiff Rafael Robles is a resident of West Chicago, Illinois.

11 10. Plaintiff Evan Nelson is a resident of Batavia, Illinois.

12 11. Defendant RELX PLC is a company incorporated in England and Wales
13 with its principal place of business at 1-3 Strand, London, WC2N 5JR United
14 Kingdom. RELX PLC is the ultimate parent and controlling company of RELX
15 GROUP PLC, RELX (Holdings) Limited, RELX Overseas Holdings Limited, RELX
16 Inc., LexisNexis Risk Holdings Inc., LexisNexis Risk Solutions Inc., and LexisNexis
17 Risk Solutions FL Inc.
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21 12. RELX GROUP PLC is a company incorporated in England and Wales
22 with its principal place of business at 1-3 Strand, London, WC2N 5JR United
23 Kingdom. RELX GROUP PLC is a wholly owned subsidiary of RELX PLC.
24

25 13. Defendant RELX (Holdings) Limited is a company incorporated in
26 England and Wales with its principal place of business at 1-3 Strand, London, WC2N
27
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1 5JR United Kingdom. RELX (Holdings) Limited is a wholly owned subsidiary of
2 RELX GROUP PLC.

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4 14. Defendant RELX Overseas Holdings Limited is a company
5 incorporated in England and Wales with its principal place of business at 1-3 Strand,
6 London, WC2N 5JR United Kingdom. RELX Overseas Holding Limited is a wholly
7 owned subsidiary of RELX (Holdings) Limited.
8

9 15. Defendant RELX Inc. is a Delaware corporation with its principal place
10 of business at 230 Park Avenue, New York, New York 10169. RELX Inc. is a wholly
11 owned subsidiary of RELX Overseas Holding Limited.
12

13 16. Defendant LexisNexis Risk Holdings Inc. is a Delaware corporation
14 with its principal place of business at 1105 North Market St., Suite 501, Wilmington,
15 DE, 19801, USA. LexisNexis Risk Holdings Inc. is a wholly owned subsidiary of
16 RELX PLC.
17

18 17. Defendant LexisNexis Risk Solutions Inc. is a Georgia corporation with
19 its principal place of business at 1105 North Market St., Suite 501, Wilmington, DE,
20 19801, USA. Lexis Nexis Risk Solutions Inc. is a wholly owned subsidiary of RELX
21 PLC.
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24 18. Defendant LexisNexis Risk Solutions FL Inc. is a Minnesota
25 corporation with its principal place of business at 1105 North Market St., Suite 501,
26 Wilmington, DE, 19801, USA. LexisNexis Risk Solutions FL Inc. is a wholly owned
27 subsidiary of RELX PLC.
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1 **IV. FACTUAL ALLEGATIONS**

2 19. RELX PLC is a multi-billion dollar global provider of information-
3 based analytics for legal professionals and business customers. LexisNexis is a
4 division of RELX PLC that is wholly owned and controlled by RELX PLC through
5 a chain of its international shell companies and subsidiaries, including RELX
6 GROUP PLC, RELX (Holdings) Limited, RELX Overseas Holdings Limited, and
7 RELX Inc.
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10 20. LexisNexis collects and aggregates the private and personal data of
11 hundreds of millions of individuals into searchable and detailed results and reports.
12 It amasses this personal data in one of the world's largest electronic databases, with
13 more than 84 billion records from over 100,000 diverse sources. LexisNexis' sources
14 include 77 million business contact records, 330 million unique cell phone numbers,
15 11.3 billion unique name and address combinations, 6.6 billion motor vehicle
16 registrations, and 6.5 billion personal property records.
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20 21. LexisNexis cashes in on this massive database of personal and sensitive
21 data by selling exhaustive records on millions of individuals through subscriptions to
22 its Lexis Personal Records Products. Upon information and belief, hundreds of
23 thousands of entities, including law firms, businesses, and government agencies,
24 subscribe to one or more Lexis Personal Records Products.
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27 22. To entice new customers to purchase a subscription to one or more of
28 these Lexis Personal Records Products, LexisNexis offers prospective customers a 7-

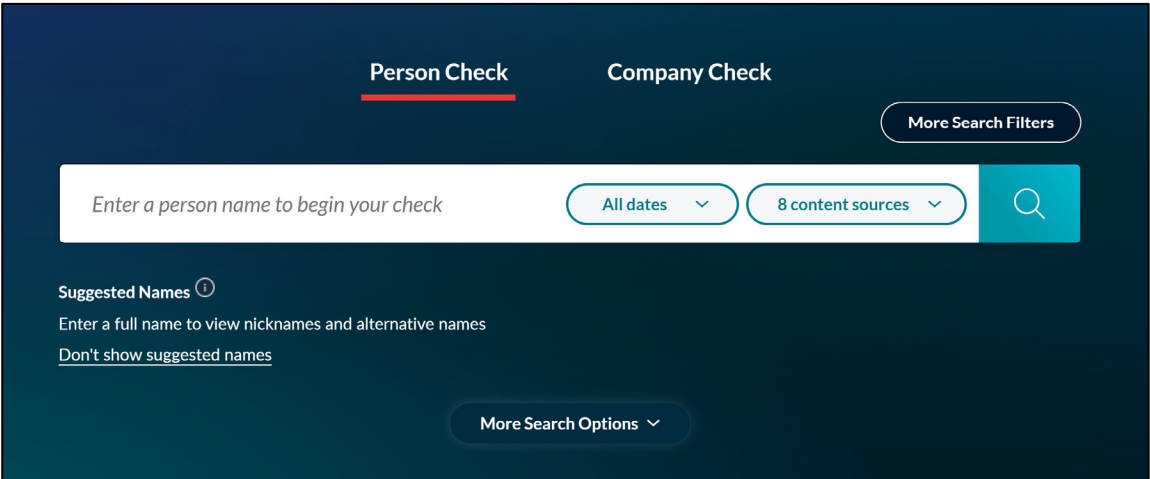
1 day free trial for each of these Lexis Personal Records Products. When signing up
2 for a free trial, users are required to provide their full name, organization, business
3 email, and business phone number. During the 7-day free trial, a prospective
4 customer is provided with access to all records that are accessible through a paid
5 subscription to that Lexis Personal Records Product. As a result, the extensive
6 collections of personally identifiable information, such as names, addresses, phone
7 numbers, and personal property, that are accessible, searched for, and/or reviewed in
8 the free trial of a Lexis Personal Records Product are transformed into advertisements
9 for that Lexis Personal Records Product.
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24 23. The free trials for each of these Lexis Personal Records Products operate
25 in substantially the same manner. The LexisNexis websites contain advertisements
26 that invite prospective customers to sign up for a 7-day free trial for one or more of
27 the Lexis Personal Records Products. Once a prospective customer signs up for the
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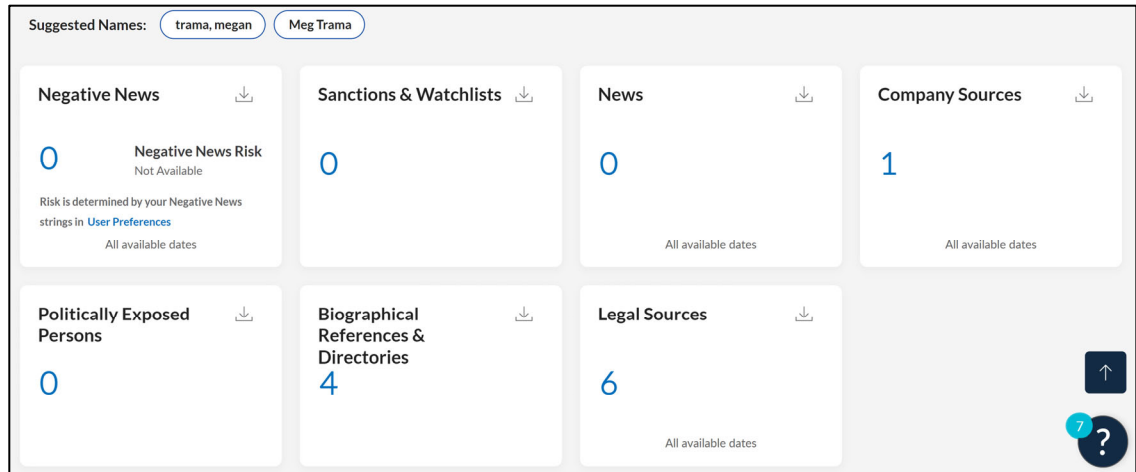
1 free trial to any Lexis Personal Records Product, that prospective customer can
2 access, search, and/or review all the sensitive and personally identifiable information
3 that is available to a subscriber of that Lexis Personal Records Product.
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5 24. Prospective customers can then search for an individual's personally
6 identifiable information by inputting that individual's name or other identifying
7 information into the search bar of the Lexis Personal Records Product.
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The screenshot shows a dark-themed search interface for a "Person Check". At the top, there are two tabs: "Person Check" (which is underlined in red) and "Company Check". To the right of these tabs is a button labeled "More Search Filters". Below the tabs is a search bar with the placeholder text "Enter a person name to begin your check". To the right of the search bar are two dropdown menus: "All dates" and "8 content sources". To the right of these dropdowns is a magnifying glass icon. Below the search bar, there is a section titled "Suggested Names" with a small information icon. Below this title is the text "Enter a full name to view nicknames and alternative names" and a link that says "Don't show suggested names". At the bottom of the interface is a button labeled "More Search Options" with a downward arrow.

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17 25. After prospective customers define their search, they are provided with
18 extensive records and results of personally identifiable information. Some of this
19 personally identifiable information is potentially damaging, such as "Negative
20 News," "Sanctions & Watchlists," "Legal Sources," and whether the subject falls into
21 the category of "Politically Exposed Persons."
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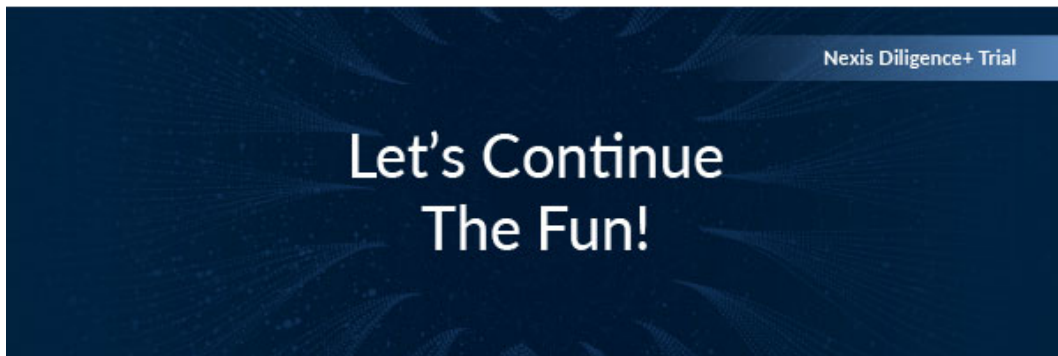
26. The search results in each of the Lexis Personal Records Products often contain personal information about numerous individuals, such as the individuals' dates of birth, addresses, phone numbers, emails, employment histories, social media accounts, educational backgrounds, relatives, criminal records, and personal property, all of which is personal information that uniquely identifies these individuals.

27. The 7-day free trial allows access to the Lexis Personal Records Products' entire collection of personally identifiable records for the specific purpose of enticing the prospective customer to purchase a paid subscription to that Lexis Personal Records Product.

28. During the free trial, upon information and belief, Defendants send prospective customers special offers, discounts, and promotions for their subscriptions. Defendants also send video tutorials via email to prospective customers on how to "to maximize [the user's] trial" by performing searches for individuals and generating reports with personally identifiable information.

1 Defendants further encourage prospective customers to perform searches for
2 personally identifiable information by stating, “Happy Searching!”
3

4 29. Upon information and belief, Defendants further encourage prospective
5 customers to “Continue the Fun!” as their free trials expire by setting up calls to
6 discuss the Lexis Personal Records Product.
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14 30. Upon information and belief, Defendants do not host user-generated
15 content on Lexis Personal Records Products.
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17 31. The presence of each and every personally identifiable record or result
18 that is accessible—whether or not it is specifically searched for, and/or viewed—
19 during the 7-day free trial adds to the value of the trial as an advertisement and to the
20 perceived value of Lexis Personal Records Products by demonstrating the breadth of
21 sensitive personal information available to users should they purchase a subscription.
22

23 32. Thus, the collections of records containing personally identifiable
24 information that are accessible, searched for, and/or reviewed during the 7-day free
25 trial, as well as the discrete search results and reports containing personally
26 identifiable information, are the advertisements for Lexis Personal Records Products.
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1 33. Plaintiff Megan Trama has no relationship with Defendants. She has
2 never subscribed to or otherwise accessed any Lexis Personal Records Products. Ms.
3 Trama did not give consent to Defendants to use her name, likeness, personal
4 information, persona, or identity in any way. Had Defendants requested her consent,
5 Ms. Trama would not have provided it.
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8 34. Defendants use Ms. Trama's name and identity in advertisements
9 promoting paid subscriptions for Lexis Personal Records Products. Specifically,
10 Defendants include Ms. Trama's personally identifiable information in their
11 collections of sensitive personal records that are accessible by anyone who signs up
12 for a 7-day free trial of a Lexis Personal Records Product, which serves as
13 advertisement for a subscription to Lexis Personal Records Products. Upon
14 information and belief, Ms. Trama's personally identifiable information is accessible
15 to and has been searched for and/or reviewed by prospective customers using the 7-
16 day free trial of Lexis Personal Records Products.
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Trama, Meg
Zoom People Information 2023-04-05

Career Information

***** CAREER INFORMATION *****

EMPLOYMENT HISTORY:

03/31/2022
Territory Manager,
[Bausch Health](#)

01/31/2020 to 03/31/2022
Dentalist,
[Voco \(Past\)](#)

06/30/2019 to 01/31/2020
Territory Manager,
[ConvaTec \(Past\)](#)

06/30/2019 to 01/31/2020
Territory Manager,
[The Infosoft Group \(Past\)](#)

12/31/2017 to 05/31/2019
District Sales Manager,
[Wellspect HealthCare \(Past\)](#)

10/31/2012 to 01/31/2018
Territory Sales Manager,
[SDI \(Past\)](#)

04/30/2011 to 10/31/2012
Territory Representative,
[Benco Dental \(Past\)](#)

ADDITIONAL INFORMATION:

35. Moreover, upon information and belief, Defendants display Ms. Trama’s personally identifiable information in search results for Ms. Trama and/or other individuals, which further serves as advertisement for a subscription to Lexis Personal Records Products. These search results uniquely identify Ms. Trama by disclosing and displaying her first and last name, phone number, and occupation. For privacy, Plaintiffs have obscured Ms. Trama’s emails, LinkedIn address, and personal cellphone, which appear unredacted on the original webpage.

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Trama, Meg
Salary Data 2024-03-24

Career Information

COMPANY: Bausch Health Companies Inc.
 JOB TITLE: Territory Manager
 JOB LEVEL: Manager
 JOB FUNCTION: Sales and Support
 COMPANY ADDRESS:
 Address: 1 Enterprise, Aliso Viejo, CA 92656
 SIC: 2834 - Pharmaceutical preparations
 NAICS: 325414 - Biological Product (except Diagnostic) Manufacturing
 REVENUE: \$100M to <\$1B
 EMPLOYEES: 5000+
 TELEPHONE: (949) 461-6000
 URL: www.bauschhealth.com
 WORK E-MAIL: [REDACTED]
 LINKED IN: [REDACTED]
 CELLPHONE: [REDACTED]
 Occupation: Territory Manager
 Email: [REDACTED]
 Phone:
 Phone: (949) 461-6000
 Url: www.bauschhealth.com

36. Further, Ms. Trama’s personally identifiable information is accessible through Public Records, which is included in the free trial. Participants in Defendants’ free trial can generate a SmartLinx® Person Report for Ms. Trama. For privacy, Plaintiffs have redacted Ms. Trama’s date of birth and age, which appear unredacted on the original webpage.

Full Name

View Report

TRAMA, MEGAN VICTORIA
 TRAMA, MEGAN
 (Gender: Female)
 (DOB: [REDACTED])
 (Age: [REDACTED])

Social Media Locator

37. Ms. Trama’s SmartLinx® Person Report uniquely identifies Ms. Trama by providing private, personally identifiable information, such as her full name,

1 residential address, personal phone number, social security number, personal emails,
 2 property, former names, and date of birth. For privacy, Plaintiffs have redacted Ms.
 3 Trama’s residential address, name variations, and social security number, which are
 4 unredacted on the original webpage.
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7 **SmartLinx® Person Report**
Report Created: 3-29-2024 9:23 PM EST | FOR INFORMATIONAL PURPOSES ONLY | Copyright © 2024 LexisNexis, All rights reserved.

8 **Person Summary**

Name	Address
Trama, Megan Victoria	[REDACTED] (Residential)
LexID(sm)	SSN
0005-1439-9164	[REDACTED]

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13 **At a Glance**

Real Property	1
Personal Property	0
Professional Licenses	0
Business Connections	0

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16 **Name Variations, SSN Summary and DOBs**

NAME VARIATIONS	SSN SUMMARY VIEW SOURCES
[REDACTED]	[REDACTED]

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20 38. Ms. Trama does not know how Defendants obtained her name and
 21 personal information. On information and belief, Defendants did not obtain
 22 permission from or through any of the sources from which it extracted Ms. Trama’s
 23 personal information.
 24

25 39. Ms. Trama has intellectual property and privacy interests in her name,
 26 likeness, and identity recognized by California statutory and common law. She has
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1 the right to exclude anyone from making commercial use of her identity without her
2 permission.

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4 40. Further, while Ms. Trama may have shared her personally identifiable
5 information with other entities or with the government in other contexts, she did not
6 consent to the commercial use of her personal information and identity to promote
7 any subscriptions to Lexis Personal Records Products.
8

9 41. Ms. Trama's personally identifiable information has commercial value.
10 This commercial value is demonstrated by the exploitation of her personally
11 identifiable information for advertisements by Defendants.
12

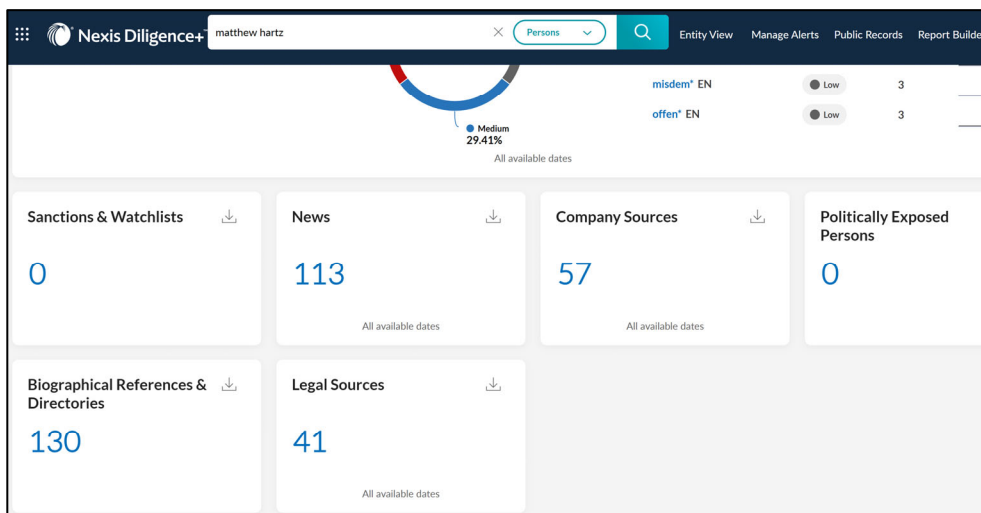
13 42. Defendants have injured Ms. Trama by taking her intellectual property
14 without compensation; by invading her privacy rights protected by statute and
15 common law; and by unlawfully profiting from its exploitation of her personal
16 information.
17

18 43. Defendants' illegal actions have caused Ms. Trama mental injury and
19 disturbed her peace of mind. Ms. Trama believes her identity is rightly hers to control.
20 Defendants' illegal use has left her worried and uncertain about her inability to
21 control how her name and identity are used. Ms. Trama feels that Defendants' use of
22 her personal information is an invasion of her privacy.
23
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25 44. Plaintiff Matthew Hartz has no relationship with Defendants. He has
26 never subscribed to or accessed any Lexis Personal Records Products. Mr. Hartz did
27 not give consent to Defendants to use his name, likeness, personal information,
28

1 persona, or identity in any way. Had Defendants requested his consent, Mr. Hartz
 2 would not have provided it.

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 4 45. Defendants use Mr. Hartz's name and identity in advertisements
 5 promoting paid subscriptions for Lexis Personal Records Products. Specifically,
 6 Defendants include Mr. Hartz's personally identifiable information in their
 7 collections of sensitive personal records that are accessible by anyone who signs up
 8 for a 7-day free trial of a Lexis Personal Records Product, which serves as
 9 advertisement for a subscription to Lexis Personal Records Products. Upon
 10 information and belief, Mr. Hartz's personally identifiable information is accessible
 11 to and has been searched for and reviewed by prospective customers using the 7-day
 12 free trial of Lexis Personal Records Products.
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25 46. Moreover, upon information and belief, Defendants display Mr. Hartz's
 26 personally identifiable information in search results for Mr. Hartz and other
 27 individuals, which further serves as advertisement for a subscription to Lexis
 28 Personal Records Products. These search results uniquely identify Mr. Hartz by

1 disclosing and displaying his first and last name, phone number, and occupation. For
 2 privacy, Plaintiffs have obscured Mr. Hartz's emails, LinkedIn address, and personal
 3 cellphone, which appear unredacted on the original webpage.
 4

Hartz, Matthew
Salutary Data 2024-02-16

Career Information

COMPANY: CIBC US
 JOB TITLE: Managing Director Strategic Initiatives
 JOB LEVEL: Director
 JOB FUNCTION: Marketing and Product
 COMPANY ADDRESS:
 Address: 120 South LaSalle, Chicago, IL
 REVENUE: \$1B+
 EMPLOYEES: 5000+
 WORK E-MAIL: [REDACTED]
 LINKED IN: [REDACTED]
 CELLPHONE: [REDACTED]
 Occupation: Managing Director Strategic Initiatives
 Email: [REDACTED]

16 47. Further, Mr. Hartz's personally identifiable information is accessible
 17 through LexisNexis Public Records, which is included in the free trial. Through
 18 LexisNexis Public Records, participants in Defendants' free trial can generate a
 19 SmartLinx® Person Report for Mr. Hartz, which includes personal information that
 20 uniquely identifies him, such as his full name, residential address, personal phone
 21 number, partial social security number, personal emails, and date of birth.
 22

24 48. Mr. Hartz does not know how Defendants obtained his name and
 25 personal information. On information and belief, Defendants did not obtain
 26 permission from or through any of the sources from which it extracted Mr. Hartz's
 27 personal information.
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1 49. Further, while Mr. Hartz may have shared his personally identifiable
2 information with other entities or with the government in other contexts, he did not
3 consent to the commercial use of his personal information and identity to promote
4 subscriptions to Lexis Personal Records Products.
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6 50. Mr. Hartz has intellectual property and privacy interests in his name,
7 likeness, and identity recognized by Illinois statutory and common law. He has the
8 right to exclude anyone from making commercial use of his identity without his
9 permission.
10

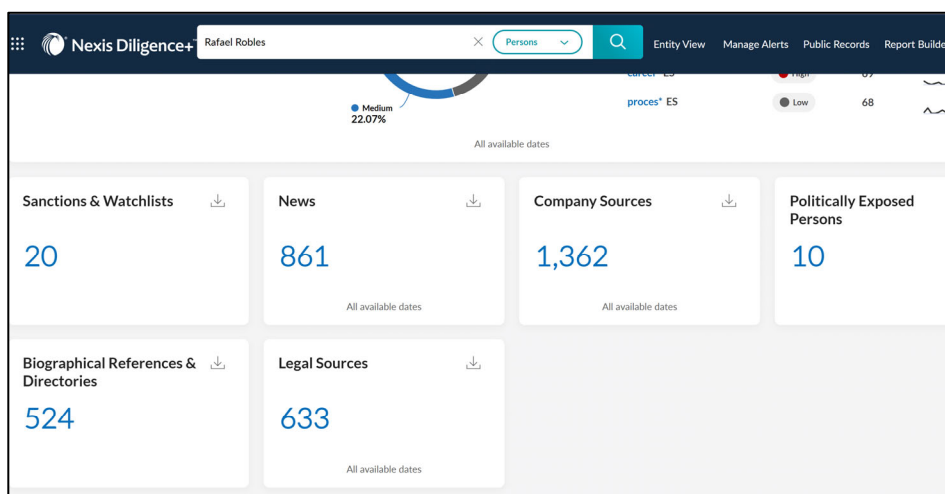
11 51. Mr. Hartz's personally identifiable information has commercial value.
12 This commercial value is demonstrated by the exploitation of his personally
13 identifiable information for advertisements by Defendants.
14

15 52. Defendants have injured Mr. Hartz by taking his intellectual property
16 without compensation; by invading his privacy rights protected by statute and
17 common law; and by unlawfully profiting from its exploitation of his personal
18 information.
19

20 53. Defendants' illegal actions have caused Mr. Hartz mental injury and
21 disturbed his peace of mind. Mr. Hartz believes his identity is rightly his to control.
22 Defendants' illegal use has left him worried and uncertain about his inability to
23 control how his name and identity is used. Mr. Hartz feels that Defendants' use of
24 his personal information is an invasion of his privacy.
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1 54. Plaintiff Rafael Robles has no relationship with Defendants. He has
 2 never subscribed to any Lexis Personal Records Products. Mr. Robles did not give
 3 consent to Defendants to use his name, likeness, personal information, persona, or
 4 identity in any way. Had Defendants requested his consent, Mr. Robles would not
 5 have provided it.
 6

7
 8 55. Defendants use Mr. Robles' name and identity in advertisements
 9 promoting paid subscriptions for Lexis Personal Records Products. Specifically,
 10 Defendants include Mr. Robles' personally identifiable information in their
 11 collections of sensitive personal records that are accessible by anyone who signs up
 12 for a 7-day free trial of a Lexis Personal Records Product, which serves as
 13 advertisement for a subscription to Lexis Personal Records Products. Upon
 14 information and belief, Mr. Robles' personally identifiable information is accessible
 15 to and has been searched for and reviewed by prospective customers using the 7-day
 16 free trial of Lexis Personal Records Products.
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56. Moreover, upon information and belief, Defendants display Mr. Robles’ personally identifiable information in search results for Mr. Robles and other individuals, which further serves as advertisement for a subscription to Lexis Personal Records Products. These search results uniquely identify Mr. Robles by disclosing and displaying his first and last name and occupation.

Robles, Rafael
Professional Contacts 2024-02-14

Address: DuPage

Career Information

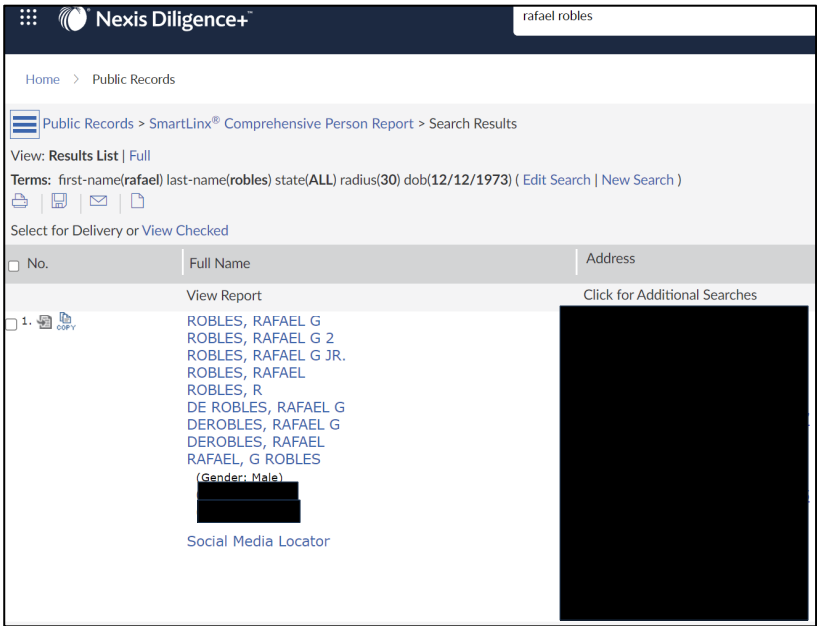
***** CAREER *****

COMPANY: Enz (u.s.a.) Inc.
 JOB-TITLE: Inside Sales Executive
 COMPANY ADDRESS:
 Address: 1585 Beverly Ct Ste 115, Aurora, IL 60502-8731, US, DuPage
 MSA: 1600
 COUNTY: DuPage
 URL: www.enz.com
 INDUSTRY-TYPE: Pipe cleaners;
 Occupation: Inside Sales Executive

Address: 1585 Beverly Ct Ste 115, Aurora, Illinois, 60502-8731
 Country: US
 Company: Enz (u.s.a.) Inc.

57. Further, Mr. Robles’ personally identifiable information is accessible through Public Records, which is included in the free trial. Participants in Defendants’ free trial can generate a SmartLinx® Person Report for Mr. Robles. For privacy, Plaintiffs have redacted Mr. Robles’ birthday, age, and personal addresses, which appear unredacted on the original webpage.

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58. A SmartLinx® Person Report uniquely identifies Mr. Robles by providing private, personally identifiable information, such as his full name, residential address, personal phone number, partial social security number, personal emails, height, legal history, and date of birth. For privacy, Plaintiffs have redacted Mr. Robles’ personal address, partial social security number, and date of birth, which appear unredacted on the original webpage.

Address	County
[Redacted]	[Redacted]
SSN	DOB
[Redacted]	[Redacted]

59. Mr. Robles does not know how Defendants obtained his name and personal information. On information and belief, Defendants did not obtain permission from or through any of the sources from which it extracted Mr. Robles’ personal information.

1 60. Further, while Mr. Robles may have shared his personally identifiable
2 information with other entities or with the government in other contexts, he did not
3 consent to the commercial use of his personal information and identity to promote
4 any subscriptions to Lexis Personal Records Products.
5

6 61. Mr. Robles has intellectual property and privacy interests in his name,
7 likeness, and identity recognized by Illinois statutory and common law. He has the
8 right to exclude anyone from making commercial use of his identity without his
9 permission.
10

11 62. Mr. Robles' personally identifiable information has commercial value.
12 This commercial value is demonstrated by the exploitation of his personally
13 identifiable information for advertisements by Defendants.
14

15 63. Defendants have injured Mr. Robles by taking his intellectual property
16 without compensation; by invading his privacy rights protected by statute and
17 common law; and by unlawfully profiting from its exploitation of his personal
18 information.
19

20 64. Defendants' illegal actions have caused Mr. Robles mental injury and
21 disturbed his peace of mind. Mr. Robles believes his identity is rightly his to control.
22 Defendants' illegal use has left him worried and uncertain about his inability to
23 control how his name and identity are used. Mr. Robles feels that Defendants' use of
24 his personal information is an invasion of his privacy.
25
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1 65. Plaintiff Evan Nelson has no relationship with Defendants. He has
2 never subscribed to any Lexis Personal Records Products. Mr. Nelson did not give
3 consent to Defendants to use his name, likeness, personal information, persona, or
4 identity in any way. Had Defendants requested his consent, Mr. Nelson would not
5 have provided it.
6

7
8 66. Defendants use Mr. Nelson's name and identity in advertisements
9 promoting paid subscriptions for Lexis Personal Records Products. Specifically,
10 Defendants include Mr. Nelson's personally identifiable information in their
11 collections of sensitive personal records that are accessible by anyone who signs up
12 for a 7-day free trial of a Lexis Personal Records Product, which serves as
13 advertisement for a subscription to that Lexis Personal Records Product. Upon
14 information and belief, Mr. Nelson's personally identifiable information is accessible
15 to and has been searched for and reviewed by prospective customers using the 7-day
16 free trial of Lexis Personal Records Products.
17
18

19
20 67. Mr. Nelson's personally identifiable information is accessible through
21 Public Records, which is included in the free trial. Participants in Defendants' free
22 trial can generate a SmartLinx® Person Report for Mr. Nelson. For privacy, Plaintiffs
23 have redacted Mr. Nelson's personal address, which is unredacted on the original
24 webpage.
25
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1 **SmartLinx® Person Report**
 Report Created: 3-29-2024 8:09 PM EST | FOR INFORMATIONAL PURPOSES ONLY | Copyright © 2024 LexisNexis, All rights reserved.

2 **Person Summary**

Name	Address
Nelson, Evan Thomas 2	[REDACTED] (Residential)
LexID(sm)	SSN
1933-9842-3484	

3
4
5
6

7 68. A SmartLinx® Person Report uniquely identifies Mr. Nelson by
 8 providing private, personally identifiable information, such as his full name,
 9 residential address, personal phone number, legal record, height, and date of birth.
 10

11 69. Mr. Nelson does not know how Defendants obtained his name and
 12 personal information. On information and belief, Defendants did not obtain
 13 permission from or through any of the sources from which it extracted Mr. Nelson's
 14 personal information.
 15

16 70. Further, while Mr. Nelson may have shared his personally identifiable
 17 information with other entities or with the government in other contexts, he did not
 18 consent to the commercial use of his personal information and identity to promote
 19 any subscriptions to Lexis Personal Records Products.
 20

21 71. Mr. Nelson has intellectual property and privacy interests in his name,
 22 likeness, and identity recognized by Illinois statutory and common law. He has the
 23 right to exclude anyone from making commercial use of his identity without his
 24 permission.
 25
 26
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1 72. Mr. Nelson's personally identifiable information has commercial value.
2 This commercial value is demonstrated by the exploitation of his personally
3 identifiable information for advertisements by Defendants.
4

5 73. Defendants have injured Mr. Nelson by taking his intellectual property
6 without compensation; by invading his privacy rights protected by statute and
7 common law; and by unlawfully profiting from its exploitation of his personal
8 information.
9

10 74. Defendants' illegal actions have caused Mr. Nelson mental injury and
11 disturbed his peace of mind. Mr. Nelson believes his identity is rightly his to control.
12 Defendants' illegal use has left him worried and uncertain about his inability to
13 control how his name and identity is used. Mr. Nelson feels that Defendants' use of
14 his personal information is an invasion of his privacy.
15
16

17 **VI. CLASS ACTION ALLEGATIONS**

18 75. Plaintiffs bring this action, on behalf of themselves and all others
19 similarly situated, as a class action pursuant to Federal Rule of Civil Procedure
20 23(b)(1), 23(b)(2), 23(b)(3), and where applicable, 23(c)(4), on behalf of the
21 following Classes:
22

23
24 **California Class:** All natural persons whose personally identifiable
25 information was searched for, reviewed, and/or accessible in any free
26 trial of LexisNexis Accurint, Public Records, Nexis Diligence, and/or
27 Nexis Diligence+, and who resided in California at any time their
personally identifiable information was accessible.

28 **Illinois Class:** All natural persons whose personally identifiable
information was searched for, reviewed, and/or accessible in any free

1 trial of LexisNexis Accurint, Public Records, Nexis Diligence, and/or
2 Nexis Diligence+, and who resided in Illinois at any time their
3 personally identifiable information was accessible.

4 76. The Classes are collectively referred to herein as the “Class.” Excluded
5 from the Class are Defendants’ officers, directors, and employees; any entity in which
6 a Defendant has a controlling interest; and the affiliates, legal representatives,
7 attorneys, successors, heirs, and assigns of Defendants. Also excluded from the Class
8 are members of the judiciary to whom this case is assigned, their families, and
9 members of their staff.
10

11 77. Plaintiffs reserve the right to modify the Class definitions, including
12 based on discovery and further investigation.
13

14 78. The Class is so large as to make joinder impracticable. The number of
15 Class members exceeds 50 million, and the disposition of their claims in a single
16 action will provide substantial benefits to all parties and the Court. Class members
17 are readily ascertainable from information and records in the possession, custody, or
18 control of Defendants.
19

20 79. Plaintiffs’ claims are typical of the claims of the Class in that the
21 sensitive personal information of the representative Plaintiffs, like that of all Class
22 members, was impermissibly used to advertise Lexis Personal Records Products.
23

24 80. Plaintiffs are members of the Class and will fairly and adequately
25 represent and protect its interests. Plaintiffs’ counsel are competent and experienced
26
27
28

1 in prosecuting class actions, including those relating to data privacy claims. Plaintiffs
2 have no interest contrary to or in conflict with the interests of Class members.

3
4 81. Common questions of law and fact exist as to all members of the Class
5 and predominate over any questions solely affecting individual Class members.

6 Among the questions of law and fact common to the Class are:

- 7
- 8 a. Whether Defendants engaged in the conduct alleged;
 - 9 b. Whether Defendants knowingly used Class members' personally
10 identifiable information;
 - 11 c. Whether Defendants used Class members' personally identifiable
12 information for a commercial purpose;
 - 13 d. Whether Defendants had Class members' consent to use their personally
14 identifiable information as or in their advertisements;
 - 15 e. Whether Plaintiffs and Class Members are entitled to recover actual
16 damages and/or statutory damages; and
 - 17 f. Whether Plaintiffs and Class Members are entitled to equitable relief,
18 including injunctive relief.
19

20
21
22 82. A class action is superior to all other available methods for the fair and
23 efficient adjudication of this controversy. Absent a class action, most Class members
24 would likely find the cost of litigating their claims prohibitively high and would have
25 no effective remedy. Given the relatively small size of the individual Class members'
26 claims, few, if any, Class members would seek redress for Defendants' violations
27
28

1 individually. Class treatment will conserve the resources of the courts and promote
2 consistency and efficiency of adjudication.

3
4 83. Class certification is also appropriate under Rules 23(b)(1), (b)(2),
5 and/or (c)(4) because:

- 6 a. The prosecution of separate actions by individual members of the Class
7 would create a risk of inconsistent or varying adjudications establishing
8 incompatible standards of conduct for Defendants;
- 9
10 b. The prosecution of separate actions by individual Class members would
11 create a risk of adjudications that would, as a practical matter, be
12 dispositive of the interests of other Class members not parties to the
13 adjudications, or would substantially impair or impede their ability to
14 protect their interests;
- 15
16 c. Defendants have acted or refused to act on grounds generally applicable
17 to the Class, making injunctive and corresponding declarative relief
18 appropriate with respect to the Class as a whole; and
- 19
20
21 d. The claims of Class members are comprised of common issues whose
22 resolution in a class trial would materially advance this litigation.
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FIRST CLAIM FOR RELIEF
Violation of California Right of Publicity Act, Cal. Civ. Code § 3344.
(Against All Defendants)
On Behalf of the California Class

84. Plaintiff Megan Trama (“California Plaintiff,” for purposes of this Claim), individually and on behalf of the California Class, repeats and alleges the foregoing allegations of fact.

85. The California Right of Publicity Statute prohibits and provides damages for the knowing misappropriation of an individual’s name, voice, signature, photograph, or likeness in advertising or soliciting without the individual’s prior consent. *See* Cal. Civ. Code § 3344(a).

86. Defendants sold and sell subscription-based access to Lexis Personal Records Products containing detailed reports about people, with information sourced from the LexisNexis public records database.

87. As described above, Defendants used and/or use the identities of the California Plaintiff and the California Class as advertisements for Lexis Personal Records Products by offering prospective customers access to a collection of records consisting of the personally identifiable information of the California Plaintiff and the California Class for the commercial purpose of promoting Lexis Personal Records Products and enticing prospective customers to purchase a subscription to one or more Lexis Personal Records Products.

1 88. Further, upon information and belief, users have searched for and/or
2 viewed or have otherwise had access to the personally identifiable information of the
3 California Plaintiff and the California Class as part of Defendants' 7-day free trials.
4

5 89. The California Plaintiff and the California Class never provided
6 Defendants with their consent to use their identities as or in advertisements for
7 Defendants' paid subscriptions to Lexis Personal Records Products.
8

9 90. Defendants deprived the California Plaintiff and the California Class of
10 control over whether and how their identities can be used for commercial purposes.
11

12 91. By using their identities in advertisements to sell their services,
13 Defendants derived economic value from the identities of the California Plaintiff and
14 the California Class.
15

16 92. Defendants did not compensate the California Plaintiff and the
17 California Class for their use of their identities. This conduct resulted in injury to the
18 California Plaintiff and the California Class.
19

20 93. Each impermissible use of the personally identifiable information of the
21 California Plaintiff or a member of the California Class is a separate and distinct
22 violation that gives rise to damages.
23

24 94. On behalf of the California Class, the California Plaintiff seeks the
25 maximum amount of statutory damages available—\$750 per violation—pursuant to
26 the California Right of Publicity Act for each of the California Plaintiff and the
27 California Class identities that were impermissibly searched for, reviewed, and/or
28

1 accessible in one or more Lexis Personal Records Products free trials. Cal. Civ. Code
2 § 3344(a).

3
4 **SECOND CLAIM FOR RELIEF**
5 **Violation of Illinois Right of Publicity Act, 765 ILCS 1075/1.**
6 **(Against All Defendants)**
7 **On Behalf of the Illinois Class**

8 95. Plaintiffs Matthew Hartz, Rafael Robles, and Evan Nelson (“Illinois
9 Plaintiffs,” for purposes of this Claim), individually and on behalf of the Illinois
10 Class, repeat and allege the foregoing allegations of fact.

11 96. The Illinois Right of Publicity Act prohibits using a person’s name,
12 photograph, image, or likeness for the purpose of advertising or promoting products,
13 merchandise, goods, or services without written consent. *See* 765 ILCS 1075/1.

14 97. Defendants sold and sell subscription-based access to Lexis Personal
15 Records Products containing detailed reports about people, with information sourced
16 from the LexisNexis public records database.

17 98. As described above, Defendants used and/or use the identities of the
18 Illinois Plaintiffs and the Illinois Class as advertisements for Lexis Personal Records
19 Products by offering prospective customers access to a collection of records
20 consisting of the personally identifiable information of the Illinois Plaintiffs and the
21 Illinois Class for the commercial purpose of promoting Lexis Personal Records
22 Products and enticing prospective customers to purchase a subscription to one or
23 more Lexis Personal Records Products.
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1 99. Further, upon information and belief, users have searched for and/or
2 viewed or have otherwise had access to the personally identifiable information of the
3 Illinois Plaintiffs and the Illinois Class as part of Defendants’ 7-day free trials.
4

5 100. The Illinois Plaintiffs and the Illinois Class never provided Defendants
6 with their consent to use their identities as or in advertisements for Defendants’ paid
7 subscriptions to Lexis Personal Records Products.
8

9 101. Defendants deprived the Illinois Plaintiffs and the Illinois Class of
10 control over whether and how their identities can be used for commercial purposes.
11

12 102. By using their identities in advertisements to sell their services,
13 Defendants derived economic value from the identities of the Illinois Plaintiffs and
14 the Illinois Class.
15

16 103. Defendants did not compensate the Illinois Plaintiffs and the Illinois
17 Class for their use of their identities. This conduct resulted in injury to the Illinois
18 Plaintiffs and the Illinois Class.
19

20 104. Each impermissible use of the personally identifiable information of the
21 Illinois Plaintiffs or a member of the Illinois Class is a separate and distinct violation
22 that gives rise to damages.
23

24 105. On behalf of the Illinois Class, the Illinois Plaintiffs seek the maximum
25 amount of statutory damages available—\$1,000 per violation—pursuant to the
26 Illinois Right of Publicity Act for each of the Illinois Plaintiffs and the Illinois Class
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1 identities that were impermissibly searched for, reviewed, and/or accessible in one or
2 more Lexis Personal Records Products free-trial. 765 ILCS 1075/40.

3
4 **PRAYER FOR RELIEF**

5 WHEREFORE, plaintiffs pray for judgment, as follows:

6 A. Determine that this action is a proper class action under Rule 23
7 of the Federal Rules of Civil Procedure and appoint Plaintiffs' counsel as Class
8 Counsel;

9 B. Enter judgment for Plaintiffs and the Class;

10 C. Award Plaintiffs and Class members actual damages,
11 compensatory damages, punitive damages, statutory damages, and statutory
12 penalties, in an amount to be proven at trial;

13 D. Order appropriate injunctive relief;

14 E. Award pre- and post-judgment interest according to law;

15 F. Award reasonable attorneys' fees, costs and expenses incurrent in
16 this action, including expert fees; and

17 G. Award such further and other relief as may be just and proper.
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21 **JURY TRIAL DEMANDED**

22 Plaintiffs hereby demand a trial by jury on all issues so triable.
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Dated: April 17, 2024

Respectfully submitted,

By: /s/ Krysta Kauble Pachman
Krysta Kauble Pachman

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