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FOURTH CAUSE OF ACTION
Public Disclosure of Private Facts (Invasion of Privacy)
(State Common Law)

30. The Plaintiff re-alleges paragraphs 1 through 17 and incorporate them by reference as though fully set forth herein.

31. Defendant's conduct in transmitting, broadcasting, publishing, selling, or offering to sell the video and audio recording of Plaintiff to adult websites for wide dissemination on the Internet constitutes public disclosure of private facts that is highly offensive to a reasonable person. The disclosed private facts is not newsworthy.

32. As a direct and proximate result of Defendant's misconduct, Plaintiff suffered injury including shock, extreme emotional distress, and humiliation.

33. Defendant's conduct towards Plaintiff constituted malice, oppression, or fraud justifying an award of punitive damages against Defendant in favor of Plaintiff.

FIFTH CAUSE OF ACTION
Unlawful Possession of Recording Device
(Penal Code Sections 635 (a) and 637.2 (a))

34. The Plaintiff re-allege paragraphs 1 through 17 and incorporate them by reference as though fully set forth herein.

35. Defendant installed, used and possessed a device that is primarily or exclusively designed or intended for eavesdropping upon the confidential communications of another in violation of Penal Code Section 635 (a). Under Penal Code Section 637.2 (a), Plaintiff is entitled to recover damages for her injuries resulting from Defendant's possession of said device.

36. As a direct and proximate result of Defendant's misconduct, Plaintiff suffered injury including shock, extreme emotional distress, and humiliation.

37. Defendant's conduct towards Plaintiff constituted malice, oppression, or fraud justifying an award of punitive damages against Defendant in favor of Plaintiff.

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SIXTH CAUSE OF ACTION
Intentional Infliction of Emotional Distress
(State Common Law)

38. The Plaintiff re-allege paragraphs 1 through 17 and incorporates them by reference as though fully set forth herein.

39. Plaintiff suffered severe emotional distress as a direct and proximate result of Defendant's intentional or reckless outrageous conduct that was knowingly and purposefully directed at Plaintiff.

40. As a direct and proximate result of Defendant's' misconduct, Plaintiff suffered injury including shock, extreme emotional distress, and humiliation.

41. Defendant's conduct towards Plaintiff constituted malice, oppression, or fraud justifying an award of punitive damages against Defendant in favor of Plaintiff

SEVENTH CAUSE OF ACTION
Negligence
(State Common Law)

42. The Plaintiff re-allege paragraphs 1 through 17 and incorporates them by reference as though fully set forth herein.

43. Defendant owed a duty to Plaintiff to protect her against having her video and audio captured and recorded by devices installed in his home. Defendant also owed a duty to Plaintiff, as his invited guest, to maintain his home in a reasonably safe condition and to warn and/or remove any potential dangers that were not known or obvious to Plaintiff.

44. Defendant breached his duty to Plaintiff by unreasonably failing to make sure the recording devices he had installed did not record Plaintiff engaging in private sexual behavior. Defendant also breached his duty to Plaintiff by failing to remove the recording devices

1 and/or warn Plaintiff that hidden or disguised recording devices could potentially record her
2 engaging in private sexual behavior.

3 45. As a direct and proximate result of Defendant's acts or omissions, Plaintiff suffered injury
4 including shock, extreme emotional distress, and humiliation

5 **V. PRAYER**

6 WHEREFORE, Plaintiff prays for judgment as follows:

- 7 (a) All compensatory general and special damages, according to proof;
8 (b) All statutory damages;
9 (c) All exemplary and punitive damages;
10 (d) For reasonable attorney's fees pursuant to California Code of Civil Procedure Sections
11 1021.4 and 1021.5; and as otherwise authorized by any statute or law;
12 (e) For costs of suit;
13 (f) For pre-judgment and post-judgment interest as permitted by law; and
14 (g) Such further relief as the Court deems just or proper.
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17 **DEMAND FOR TRIAL BY JURY**

18 Plaintiff hereby demands a trial by jury.

19 Dated: December 21, 2011

Respectfully submitted,

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22 Johnny L. Griffin, III
23 Law Offices of Johnny L. Griffin, III
24 Attorneys for Plaintiff C. DOE
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