

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES JANTOS, individually, and on behalf  
of similarly situated individuals,

Plaintiff,

v.

DIRECTV, a Delaware Corporation;  
DIRECTV, LLC, a California Limited Liability  
Corporation; and QWEST CORPORATION  
d/b/a CENTURYLINK QC, a Colorado  
Corporation,

Defendants.

NO. 2:18-cv-00413

COMPLAINT  
(CLASS ACTION)

**I. PARTIES**

1. **Jantos.** Plaintiff James Jantos is a resident of King Country, Washington. Jantos is, and at all times relevant to this complaint was, a customer of Defendant Qwest Corporation d/b/a CenturyLink QC. Jantos is, and at all times relevant to this complaint was, a subscriber to satellite television services provided by Defendants DirecTV and/or DirecTV, LLC. The internet, telephone and satellite television services Jantos received from Defendants CenturyLink and DirecTV/DirecTV, LLC, were bundled, and billed in a single bill for services provided by both CenturyLink and DirecTV.

1           2.     **DirecTV.** Defendant DirecTV is incorporated in Delaware, with its  
 2 principal executive officer located in California. Defendant DirecTV is engaged in the  
 3 business of promoting, selling, billing and/or distributing digital entertainment  
 4 programming via satellite to residential and commercial subscribers. At all times  
 5 relevant to this action, DirecTV transacts or has transacted business in King County,  
 6 Washington, and elsewhere in Washington State. DirecTV is a “satellite carrier”  
 7 pursuant to 17 U.S.C. § 119(d)(6) and 47 U.S.C. § 338(i)(2)(C).

8           3.     **DirecTV, LLC.** Defendant DirecTV, LLC, is a California Limited Liability  
 9 Corporation with its principal place of business in California. Defendant DirecTV, LLC,  
 10 is engaged in the business of promoting, selling, billing and/or distributing digital  
 11 entertainment programming via satellite to residential and commercial subscribers. At  
 12 all times relevant to this action, DirecTV, LLC, transacts or has transacted business in  
 13 King County, Washington, and elsewhere in Washington State. DirecTV, LLC, is a  
 14 “satellite carrier” pursuant to 17 U.S.C. § 119(d)(6) and 47 U.S.C. § 338(i)(2)(C).

15           4.     **Qwest Corporation d/b/a CenturyLink QC.** Qwest Corporation d/b/a  
 16 CenturyLink QC (“CenturyLink”) is a Colorado corporation with its principal place of  
 17 business in Louisiana. CenturyLink is a “satellite carrier” pursuant to 47 U.S.C.  
 18 § 338(i)(2)(C) because it provides “wire or radio communications” services and, through  
 19 its contracts, agreements and arrangements with DirecTV and/or DirecTV, LLC, was  
 20 under common control with DirecTV and/or DirecTV, LLC. CenturyLink also acted as  
 21 the agent of DirecTV and/or DirecTV, LLC, in connection with the marketing, selling,  
 22 billing, and distribution of bills (including making the bills available for public access)  
 23 of DirecTV’s services. CenturyLink is also an agent for DirecTV and/or DirecTV, LLC,  
 24 for purposes of all tasks associated with billing certain bundled services provided by  
 25 DirecTV and/or DirecTV, LLC, to its subscribers.  
 26

1           5.     *Relationship Between DirecTV and CenturyLink.* CenturyLink and  
 2 DirecTV and/or DirecTV, LLC, through various contracts, agreement and arrangements,  
 3 jointly market, sell and bill for certain bundled services, including satellite television. At  
 4 all relevant times herein, CenturyLink acted as an agent of DirecTV and/or DirecTV,  
 5 LLC, in creating, distributing and permitting unsecured access to the bills and personal  
 6 information of subscribers of DirecTV and/or DirecTV, LLC. CenturyLink, when it  
 7 created and permitted unsecured access to personal information of subscribers of  
 8 DirecTV and/or DirecTV, LLC, was acting within the scope of its authority, and its acts  
 9 and omissions are imputed to DirecTV and/or DirecTV, LLC. In addition, CenturyLink,  
 10 by marketing, selling and billing the bundled services of CenturyLink and  
 11 DirecTV/DirecTV, LLC, became a “satellite carrier” under 47 U.S.C. § 338(i)(2)(C)  
 12 subject to liability under 47 U.S.C. § 338(i)(7) because it provides “wire or radio  
 13 communications” services and was under common control with DirecTV and/or  
 14 DirecTV, LLC, for purposes of billing the bundled services.

## 15                                   II. JURISDICTION AND VENUE

16           6.     *Jurisdiction.* Jurisdiction of this Court arises pursuant to 47 U.S.C.  
 17 § 338(i)(7) which provides that “[a]ny person aggrieved by any act of a satellite carrier in  
 18 violation of this section may bring a civil action in a United States district court.”

19           7.     *Venue.* Venue is proper under 28 U.S.C. § 1391 because, *inter alia*,  
 20 Defendants reside or may be found in this district.

## 21                                   III. NATURE OF THE CASE

22           8.     *Jantos Discovers that Defendants Made His, and Other Subscribers,*  
 23 *Personal Information Freely Available Online for Anyone to Access.* Plaintiff Jantos,  
 24 through a simple internet search using a common search engine, discovered that his  
 25 March 2017 bill from CenturyLink and DirecTV/DirecTV, LLC, was publicly available  
 26 for anyone to view on the internet. The bill contained personally identifiable

1 information, including his name, address, phone number, phone numbers that he had  
 2 called and received calls from, and his DirecTV/DirecTV, LLC, billings. Concerned, and  
 3 unsure if the information was only available to him due to his previous online access to  
 4 his account, he investigated the scope of the disclosure. He discovered he was able to  
 5 easily access personally identifying information of other subscribers of Defendants,  
 6 including charges on other subscribers DirecTV/DirecTV, LLC, bills. Like the  
 7 information he discovered online about himself, he was able to view the names,  
 8 addresses, phone number, subscriptions, and bills from other subscribers. In order to  
 9 confirm that the information was available to others, he asked another individual to  
 10 attempt to access information from his computer as well. Like Jantos, this individual  
 11 was able to access personally identifiable information of DirecTV/DirecTV, LLC,  
 12 subscribers.

13 9. *Section 338 of the Communications Act Prohibits Disclosure of Personal*  
 14 *Information.* Congress, in Section 338 of the Communications Act, 47 U.S.C. § 338,  
 15 granted specific and robust privacy protections to consumers of satellite services.  
 16 Concerned over the potential disclosure of personally identifying information,  
 17 Section 338 of the Communications Act prohibited satellite carriers from disclosing any  
 18 personally identifying information about a subscriber without prior express consent.  
 19 47 U.S.C. § 338(i)(4)(A).

20 10. *Section 338 of the Communications Act Requires Satellite Carriers to Also*  
 21 *"Take Such Actions as are Necessary to Prevent Unauthorized Access" to Personal*  
 22 *Information.* In addition, Congress required satellite carriers to affirmatively take such  
 23 steps as are "necessary to prevent unauthorized access" to personal information of  
 24 subscribers. 47 U.S.C. § 338(i)(4)(A).

25 11. *Remedies.* Congress provided that any violation of Section 338 would give  
 26 rise to a private cause of action in federal court. 47 U.S.C. § 338(i)(7). Any person

“aggrieved by any act of a satellite carrier in violation” of Section 338 is entitled to “actual damages, but not less than liquidated damages computed at the rate of \$100 a day for each violation or \$1,000, whichever is higher” in addition to “punitive damages” and attorneys’ fees and costs of suit. 47 U.S.C. § 338(i)(7).

#### IV. CLASS ALLEGATIONS

12. *Definition of Class.* The class consists of all individuals who:

- (1) were subscribers of DirecTV and/or DirecTV, LLC;
- (2) were billed for services in a joint or combined bill that charged for services from both CenturyLink and DirecTV and/or DirecTV, LLC; and
- (3) whose personally identifiable information was publicly available at any time since March 19, 2014.

13. *Size of Class.* The class of DirecTV/DirecTV, LLC, subscribers whose personal information was made publicly available is so numerous that joinder of all members is impracticable.

14. *Class Representative Jantos.* Named Plaintiff Jantos is, and was during all relevant periods discussed herein, a DirecTV/DirecTV, LLC, subscriber. His personal information, as defined in Section 338 of the Communications Act, was disclosed when it was made publicly available by Defendants to any individual with access to the internet. His claims are typical of the claims of the other members of the class, and he will fairly and adequately represent the interests of the class.

15. *Common Questions of Law and Fact.* This action requires a determination of whether Defendants violated Section 338 of the Communication Act by (1) disclosing personally identifiable information of DirecTV/DirecTV, LLC, subscribers and/or (2) by failing to “take such actions as are necessary to prevent unauthorized access to such information.” Adjudication of these issue will in turn determine whether Defendants are liable for liquidated damages under 47 U.S.C. § 338(i)(7).

1           16.     *Separate Suits Would Create Risk of Varying Conduct Requirements.* The  
 2 prosecution of separate actions by class members against Defendants would create a risk  
 3 of inconsistent or varying adjudications with respect to individual class members that  
 4 would establish incompatible standards of conduct. Certification is therefore proper  
 5 under FRCP 23(b)(1).

6           17.     *Defendants Have Acted on Grounds Generally Applicable to the Class.*  
 7 Defendants, by disclosing personally identifiable information and failing to take actions  
 8 to prevent unauthorized disclosure of this information, acted on grounds generally  
 9 applicable to the class, rendering declaratory relief appropriate respecting the whole  
 10 class. Certification is therefore proper under FRCP 23(b)(2).

11           18.     *Questions of Law and Fact Common to the Class Predominate Over*  
 12 *Individual Issues.* The claims of the individual class members are more efficiently  
 13 adjudicated on a class-wide basis. Any interest that individual members of the class may  
 14 have in individually controlling the prosecution of separate actions is outweighed by the  
 15 efficiency of the class-action mechanism. This action can be most efficiently prosecuted  
 16 as a class action in the Western District of Washington, where all Defendants do business,  
 17 and where Jantos resides. Issues as to Defendants' conduct predominate over questions,  
 18 if any, unique to members of the class. Certification is therefore additionally proper  
 19 under FRCP 23(b)(3).

20           19.     *Class Counsel.* Plaintiff has retained experienced and competent class  
 21 counsel.

## 22                                   **V. FACTUAL BACKGROUND**

23           20.     Jantos is a customer of Defendants and is a subscriber to DirecTV/DirecTV,  
 24 LLC's satellite television services. His CenturyLink and DirecTV/DirecTV, LLC,  
 25 services are bundled, and he receives a single bill that details the charges from both  
 26 CenturyLink and DirecTV/DirecTV, LLC.

21. In 2017, Jantos, who was checking on a telephone number, used a common internet search engine to locate the number. In the course of searching for the number, he discovered that some of his CenturyLink and DirecTV/DirecTV, LLC, bills were discoverable. For example, he found his bills from Defendants at the following URL: <https://repsweb.centurylink.com/repsweb/jsp/myareps.jsp?PI=MyQwest&AI=CASE&PT=3&FS=1&EURL=..OylZvyNVJdXH0ZbSV7g.7ekXzgfqSpvfBtUHjQHRW4w2azy0N9863EjZUz90cn>.

22. Jantos was able to view, among other things, his name, address, telephone number, and DirecTV/DirecTV, LLC, bill, among other information. This is, pursuant to 47 U.S.C. § 338, “personally identifiable information.”

23. Jantos was able to view not only his own personally identifiable information, but was able to view personally identifiable information of other DirecTV/DirecTV, LLC, subscribers.

24. Jantos’ personally identifiable information was viewed by a professional colleague when he accessed Jantos’ bill from his computer.

25. Jantos and other members of the class did not provide prior written or electronic consent to permit Defendants to make their personally identifiable information and viewing habits available for public viewing on the internet.

26. Jantos, though counsel, alerted CenturyLink to the disclosure. CenturyLink acknowledged that personally identifiable information had been made publicly available. A copy of a communication from CenturyLink is attached hereto as *Exhibit A*.

**VI. CLAIM FOR RELIEF: VIOLATION OF 47 U.S.C. § 338(i)(7) BY  
DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION  
CONCERNING SUBSCRIBERS, AND FAILURE TO TAKE ACTIONS TO  
PREVENT SUCH DISCLOSURE**

27. Plaintiff re-alleges all paragraphs above.



1           28. Pursuant to 47 U.S.C. § 338(i)(4)(A), subject to certain exceptions not  
2 applicable here, “a satellite carrier shall not disclose personally identifiable information  
3 concerning any subscriber without the prior written or electronic consent of the  
4 subscriber concerned and shall take such actions as are necessary to prevent  
5 unauthorized access to such information by a person other than the subscriber or satellite  
6 carrier.” This statute imposes two separate and independent obligations upon a satellite  
7 carrier: (1) a prohibition on disclosure of personally identifiable information, and (2) a  
8 requirement to “take such actions as are necessary to prevent unauthorized access” to  
9 such information. Defendants violated both statutory requirements.

10           29. Pursuant to 47 U.S.C. § 338(i)(7):

11           Any person aggrieved by any act of a satellite carrier in  
12 violation of this section may bring a civil action in a United  
States district court. The court may award —

13           (A) actual damages but not less than liquidated damages  
14 computed at the rate of \$100 a day for each day of violation or  
\$1,000, whichever is higher;

15           (B) punitive damages; and

16           (c) reasonable attorneys’ fees and other litigation costs  
reasonably incurred.

17           The remedy provided by this subsection shall be in addition  
18 to any other lawful remedy available to a satellite subscriber.

19           30. Defendants DirecTV and DirecTV, LLC, are “satellite carriers” that, either  
20 directly or through their agents, including CenturyLink, disclosed personally  
21 identifiable information of Jantos and other class members by permitting unrestricted  
22 and unfettered access to the names, addresses, bills, and other information about  
23 subscribers through a simple internet search. Making personally identifiable  
24 information of class members available on the internet, without any security, encryption,  
25 or passwords or other restrictions on public access, violates 47 U.S.C. § 338(i)(4)(A) and  
26 may be enforced though 47 U.S.C. § 338(i)(7).



1           31.     DirecTV and DirecTV, LLC, further failed to “take such actions as are  
2 necessary to prevent unauthorized access to such information by a person other than the  
3 subscriber or satellite carrier.” DirecTV and DirectTV, LLC, either directly or through  
4 their agents, failed to secure the personally identifiable information of class members,  
5 and did not “take such actions as [were] necessary to prevent the unauthorized access”  
6 of this information thereby violating 47 U.S.C. § 388(i)(4)(A) which may be enforced  
7 though 47 U.S.C. § 388(i)(7).

8           32.     As a wire carrier and by virtue of its joint control relationship with DirecTV  
9 and/or DirecTV, LLC, Defendant CenturyLink is a “satellite carrier” under 47 U.S.C.  
10 § 338(i)(2)(C) that disclosed the personally identifiable information of Jantos and other  
11 class members by permitting free, unrestricted and unfettered access to the names,  
12 addresses, bills, and viewing history of subscribers through a simple internet search.  
13 Making personally identifiable information of class members freely available on the  
14 internet, without any security, encryption, or passwords or other restrictions on public  
15 access, violates 47 U.S.C. § 388(i)(4)(A) and may be enforced though 47 U.S.C. § 388(i)(7).

16           33.     Jantos and the class he seeks to represent are entitled to “actual damages,  
17 but not less than liquidated damages computed at the rate of \$100 a day for each  
18 violation or \$1,000, whichever is higher” in addition to “punitive damages” and  
19 attorneys’ fees and costs of suit. 47 U.S.C. § 338(i)(7).

## 20                                   **VII. DEMAND FOR RELIEF**

21           WHEREFORE, plaintiff requests that this Court:

22           1.     Certify this case as a class action; designate the named plaintiff as class  
23 representative; and designate SIRIANNI YOUTZ SPOONEMORE HAMBURGER, Richard E.  
24 Spoonemore and Chris R. Youtz, and MYERS & COMPANY, PLLC, Michael David Myers,  
25 as class counsel;

1           2.       Enter judgment on behalf of Jantos and the class he seeks to represent for  
2 liquidated damages, punitive damages and attorneys' fees and costs as specified in  
3 47 U.S.C. § 338; and

4           3.       Award such other relief as is just and proper.

5       DATED: March 19, 2018.

6                   SIRIANNI YOUTZ  
7                   SPOONEMORE HAMBURGER

8                   By: s/ Chris R. Youtz

9                   By: s/ Richard E. Spoonemore

10                  Chris R. Youtz (WSBA #7786)

11                  Richard E. Spoonemore (WSBA #21833)

12                  701 Fifth Avenue, Suite 2560

13                  Seattle, WA 98104

14                  Tel. (206) 223-0303; Fax (206) 223-0246

15                  Email: [cyoutz@sylaw.com](mailto:cyoutz@sylaw.com)

16                  [rspoonemore@sylaw.com](mailto:rspoonemore@sylaw.com)

17                  – and –

18                  MYERS & COMPANY, PLLC

19                  By: s/ Michael David Myers

20                  Michael David Myers (WSBA #22486)

21                  1530 Eastlake Avenue East

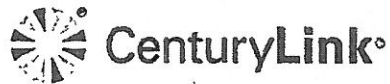
22                  Seattle, WA 98102

23                  Tel. (206) 398-1188; Fax (206) 400-1115

24                  Email: [mmyers@myers-company.com](mailto:mmyers@myers-company.com)

25                  Attorneys for Plaintiff

# *Exhibit “A”*



Linda K. Gardner  
Chief Privacy Officer  
600 New Century Parkway  
New Century, KS 66031  
[Linda.gardner@centurylink.com](mailto:Linda.gardner@centurylink.com)

**IMPORTANT NOTICE REGARDING YOUR BILL**

Recently, we learned that your bill or some of your bills could be viewed online if someone discovered and clicked on a specific, unique URL initially created to allow you to view your bill online through the MyAccount portal. While we have not been able to determine if your bill(s) was in fact viewed by anyone other than you, a bill would contain your name, billing address, and other account information such as account number, services received, and amount owed. Bills do not contain credit card or other banking information, SSN, date of birth, email address, MyAccount or email log-in credentials, or other account passwords or security questions.

Your privacy and security is important to us and we have taken steps to address the issue and to strengthen the privacy of your information. For example, if you do not already have a password on your account, we will ask for additional information to verify your identity when you call to discuss your account. If you do not have a password or security question you use when calling to discuss your account, we would encourage you to add one at this time. Please keep that password or answer to the security question safe and secure so that only you and those you authorize know it.

We understand this incident may be concerning to you, as it is to us. We sincerely apologize for any inconvenience this may cause and we encourage you to call 1-888-285-0092 if you would like to add or change the password or security question associated with your account, discuss your account information, or have questions about this notice. For questions about this notice, you may also email [notification.inquiries@centurylink.com](mailto:notification.inquiries@centurylink.com).

Sincerely,

A handwritten signature in cursive script that reads "Linda K. Gardner".

Linda K. Gardner

6-2017



CenturyLink  
600 New Century Parkway  
New Century, KS 66031

KANSAS CITY  
MO 640  
22 JUN '17  
PM 7 L



JAMES & LAURA JANTOS

98040-490125



## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

JAMES JANTOS, individually, and on behalf of similarly situated individuals

(b) County of Residence of First Listed Plaintiff King County, WA  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Sirianni Youtz Spoonemore Hamburger (Tel. 206-223-0303)  
701 5th Ave., Ste. 2560, Seattle, WA 98104, and  
Myers & Company, PLLC (Tel. 206-398-1188)

**DEFENDANTS**

DIRECTV, a Delaware Corporation; DIRECTV, LLC, a California Limited Liability Corporation; and QWEST CORPORATION d/b/a CENTURYLINK QC, a Colorado Corporation

County of Residence of First Listed Defendant \_\_\_\_\_

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input checked="" type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education <b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from Another District (specify)    ☐ 6 Multidistrict Litigation - Transfer    ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

47 U.S.C. § 338

Brief description of cause:

Class action under the Communications Act for unlawful disclosure of personal information.

**VII. REQUESTED IN COMPLAINT:**

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

03/19/2018

SIGNATURE OF ATTORNEY OF RECORD

/s/ Richard E. Spoonemore (WSBA #21833)

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



UNITED STATES DISTRICT COURT

for the

Western District of Washington

JAMES JANTOS,  
individually, and on behalf of similarly situated  
individuals,

*Plaintiff(s)*

v.

DIRECTV, a Delaware Corporation;  
DIRECTV, LLC, a California Limited Liability  
Corporation; and QWEST CORPORATION d/b/a  
CENTURYLINK QC, a Colorado Corporation,

*Defendant(s)*

Civil Action No. 2:18-cv-00413

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* DirectTV  
c/o Registered Agent  
Corporation Service Company  
251 Little Falls Drive  
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chris R. Youtz  
Richard E. Spoonemore  
Sirianni Youtz Spoonemore Hamburger  
701 5th Ave., Suite 2560  
Seattle, WA 98104

Michael David Myers  
Myers & Company, PLLC  
1530 Eastlake Ave. E.  
Seattle, WA 98102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. 2:18-cv-00413

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Print**

**Save As...**

**Reset**

## Western District of Washington

JAMES JANTOS,  
individually, and on behalf of similarly situated  
individuals,

Plaintiff(s)

V.

Civil Action No. 2:18-cv-00413

DIRECTV, a Delaware Corporation;  
DIRECTV, LLC, a California Limited Liability  
Corporation; and QWEST CORPORATION d/b/a  
CENTURYLINK QC, a Colorado Corporation,

Defendant(s)

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* DirecTV, LLC  
c/o Registered Agent  
CT Corporation System  
711 Capitol Way S., Ste. 204  
Olympia, WA 98501

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chris R. Youtz  
Richard E. Spoonmore  
Sirianni Youtz Spoonmore Hamburger  
701 5th Ave., Suite 2560  
Seattle, WA 98104

Michael David Myers  
Myers & Company, PLLC  
1530 Eastlake Ave. E.  
Seattle, WA 98102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

*Signature of Clerk or Deputy Clerk*

Civil Action No. 2:18-cv-00413

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

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**Reset**

UNITED STATES DISTRICT COURT

for the

Western District of Washington

JAMES JANTOS,  
individually, and on behalf of similarly situated  
individuals,

*Plaintiff(s)*

v.

DIRECTV, a Delaware Corporation;  
DIRECTV, LLC, a California Limited Liability  
Corporation; and QWEST CORPORATION d/b/a  
CENTURYLINK QC, a Colorado Corporation,

*Defendant(s)*

Civil Action No. 2:18-cv-00413

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Qwest Corporation d/b/a CenturyLink QC  
c/o Registered Agent  
CT Corporation System  
711 Capitol Way S., Ste. 204  
Olympia, WA 98501

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chris R. Youtz  
Richard E. Spoonemore  
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701 5th Ave., Suite 2560  
Seattle, WA 98104

Michael David Myers  
Myers & Company, PLLC  
1530 Eastlake Ave. E.  
Seattle, WA 98102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. 2:18-cv-00413

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 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

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I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

Print

Save As...

Reset

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Claims DirecTV, CenturyLink Customers' Personal Billing Info Publicly Available Online](#)

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