

FILED-19

NOV 12 AM 11:28

CLERK OF CIRCUIT COURT
LA DIVISION

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

LARRY DOMINICK,
in his Official Capacity as President
of the TOWN OF CICERO,

Petitioner/Plaintiff,

v.

MYSPACE, INC.,
a Delaware corporation,

Respondent/Defendant.

No.

PETITION FOR DISCOVERY

Petitioner, LARRY DOMINICK, in his official capacity as President of the TOWN OF CICERO, pursuant to Illinois Supreme Court Rule 224, requests this Honorable Court to enter an Order authorizing Petitioner to obtain discovery from Respondent, MYSPACE, INC., for the purpose of identifying responsible parties, and in support states:

1. Petitioner is the potential plaintiff in an action for defamation, invasion of privacy and related torts arising from the publication of various statements on a social networking website known as Myspace.com.
2. Specifically, an unknown person or persons have created, posted and published one or more imposter "profiles" on Myspace.com. These imposter profiles falsely state that they are the profiles of Petitioner, falsely state that they were created, posted and published by Petitioner, and include defamatory matter concerning Petitioner.

3. The true identity of the person or persons who created, posted and published the false and defamatory imposter profiles cannot be ascertained by resort of the publicly available information concerning the profiles on the Myspace.com website. The profiles at issue are known only by the publicly available "friend ids" used on the Myspace.com website of 288563831 and 345346504. In order to pursue possible claims against the person or persons responsible for the imposter profiles, Petitioner requires the discovery sought herein from Respondent, Myspace.com.

4. Specifically, Petitioner seeks entry of an Order of authorization from this Honorable Court to issue interrogatories and document requests to discover from Myspace, Inc. all information relating to the identity of the person or persons using the "friend ids" of 288563831 and 345346504 and corresponding to the imposter profiles, including but not limited to: all user identifications, associated IP addresses and any and all other personally identifiable information associated with the person or persons using the identified "friend ids."

5. A copy of this Petition and a summons in the form set forth in Supreme Court Rule 224 will be served upon Respondent, Myspace Inc.

WHEREFORE, Petitioner, Larry Dominick, in his official capacity as President of the Town of Cicero, respectfully requests that this Honorable Court enter an Order permitting the discovery requested herein for the purpose of ascertaining the identity of responsible person(s).

Respectfully submitted,

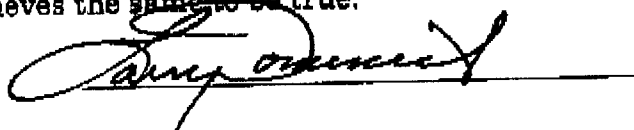
Larry Dominick, in his official capacity
as President of the Town of Cicero



One of his attorneys

VERIFICATION

Under the penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109), the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



Paul M. Levy
Brian D. Saucier
Deutsch, Levy & Engel, Chartered
225 W. Washington St.
Suite 1700
Chicago, IL 60606
(312) 346-1460
Atty No. 90285