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BY _____
2012 DEC 21 AM 11:55
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

FILED

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION

12 GUY HINGSTON, an individual,
13 Plaintiff,
14 vs.
15 GOOGLE, INC., a Delaware corporation,
16 and DOES 1-10, Inclusive
17 Defendants.

Case No.:
SACV 12 - 02202 JST (ANx)
COMPLAINT FOR DAMAGES FOR
FALSE LIGHT
(REQUEST FOR JURY TRIAL)

18
19 Plaintiff Guy Hingston ("Plaintiff" or "Dr. Hingston") brings this action against
20 defendant Google, Inc. ("Google") for damages for False Light, and demands trial by
21 jury, complaining and alleging as follows:

22 I.
23 **NATURE OF THE CASE**

- 24 1. Plaintiff Guy Hingston is an individual residing in Port Macquarie, New
25 South Wales, Australia. Dr. Hingston is a prominent cancer surgeon in Australia.
26 2. Defendant Google, Inc. is a Delaware corporation conducting business in
27 the State of California and within this judicial district.
28

1 written, to Google for immediate action to resolve the foregoing issue to no avail.
2 Attached hereto as Exhibit "A" is a true and correct copy of a December 14, 2012 letter
3 sent to Google by Dr. Hingston's counsel in Australia.

4 11. Dr. Hingston is a surgeon practicing in Port Macquarie, New South Wales,
5 Australia. Dr. Hingston's surgical practice focuses on breast cancer. Given his
6 professional practice and position in his community, maintaining his good reputation is
7 critical. Dr. Hingston has lost a number of patients and financiers who are refusing to
8 associate with and/or deal with Dr. Hingston as a consequence of the reference on
9 Google to a bankruptcy.

10 12. The phrase "Guy Hingston Bankrupt" publicized by Google has shown Dr.
11 Hingston in a false light.

12 13. Dr. Hingston is informed and believes, and based thereon alleges, that
13 Google knew or should have known that the false light created by its publication of the
14 phrase "Guy Hingston Bankrupt" would be highly offensive to a reasonable person.

15 14. Dr. Hingston is informed and believes, and based thereon alleges, that
16 Google knew or should have known that the publication of the phrase "Guy Hingston
17 Bankrupt" would create a false impression about Dr. Hingston.

18 15. Dr. Hingston is informed and believes, and based thereon alleges, that
19 Google was negligent in determining the truth of the information or whether a false
20 impression would be created by its publication.

21 16. This issue, and Google's continued failure to remedy this issue, despite
22 numerous demands to do so, has caused significant harm and economic loss to Dr.
23 Hingston in excess of the minimum jurisdiction of this Court.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiff Guy Hingston prays that final judgment be entered
26 against Defendants, and each of them, jointly and severally, as follows:

27 1. For consequential damages in an amount to be determined but in excess
28 of the minimum jurisdiction of this Court;

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2. For an award of Plaintiff's costs of suit herein as permitted by law; and
3. For such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury, pursuant to FRCP 38.

RUSSO & DUCKWORTH, LLP

Dated: December 21, 2012

By: 

J. Scott Russo

Attorneys for Plaintiff Guy Hingston



**BEAZLEY
SINGLETON**
LAWYERS

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ABN 33 534 755 655

Our Ref: PJB
Your Ref:

14 December, 2012

Google Australia
Level 5, 48 Pirrama Road,
Pyrmont NSW 2009

Dear Sir/Madam

RE: DR GUY HINGSTON

We act for Dr Guy Hingston.

Our client is very upset that when you type "Guy Hin..." into google, the words "Guy Hingston Bankrupt" appears. When the link is clicked on, none of the articles refer to a "bankruptcy" of our client but rather the fact the company Eclipse Aviation, which went into bankruptcy.

Our client is not a bankrupt. However, our client has lost a number of patients and financiers are refusing to deal with our client as a consequence of the reference on google which is associated with his name.

This is highly defamatory of our client and is causing him significant harm and economic loss as a result. Unless google immediately rectifies the situation, we shall have to move the Federal Court of Australia for orders including an injunction under the Australian Competition and Consumer Law ("ACCL") to restrain the publication as it is misleading and deceptive and seeking damages for defamation and for damages as a result of the misleading and deceptive conduct.

We shall rely upon this letter in support of our client's application.

Yours faithfully
Beazley Singleton
Per: