Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Gregory Keosian

Exempt from filing fee pursuant JACKIE LACEY 1 Los Angeles County District Attorney to Government Code § 6103 2 STANLEY P. WILLIAMS SBN 106658 Head Deputy 3 HOON CHUN SBN 132516 4 Assistant Head Deputy JESSIE LEE ANN MCGRATH SBN 131702 Deputy District Attorney 211 W. Temple Street, 10th Floor 6 Los Angeles, CA 90012 Telephone: (213) 257-2450 E-mail: hchun@da.lacounty.gov 9 SUMMER STEPHAN District Attorney of San Diego County 10 THOMAS A. PAPAGEORGE SBN 77690 Head Deputy District Attorney 11 330 W. Broadway, Suite 750 12 San Diego, California 92101 Telephone: (619) 531-3971 13 E-mail: thomas.papageorge@sdcda.org 14 [Additional Attorneys for Plaintiff Listed on Addendum] 15 Attorneys for Plaintiff the PEOPLE of the State of California 16 SUPERIOR COURT OF THE STATE OF CALIFORNIA 17 FOR THE COUNTY OF LOS ANGELES 18 THE PEOPLE OF THE STATE OF CALIFORNIA, Case No. 19 Plaintiff, 20 COMPLAINT FOR INJUNCTION, CIVIL PENALTIES, AND OTHER 21 VS. **EQUITABLE RELIEF** 22 TIME WARNER CABLE, LLC, a Delaware Limited 23 Liability Company 24 Defendant. 25 26 27 28

- 1. Plaintiff, the People of the State of California, by JACKIE LACEY, District Attorney of Los Angeles County, by Hoon Chun, Assistant Head Deputy District Attorney; SUMMER STEPHAN, District Attorney of San Diego County, by Thomas A. Papageorge, Head Deputy District Attorney; and MICHAEL A. HESTRIN, District Attorney of Riverside County, by Evan Goldsmith, Deputy District Attorney, brings this action pursuant to sections 17200, 17203, 17206, 17500, 17535 and 17536 of the California Business and Professions Code.
- 2. Defendant TIME WARNER CABLE, LLC, organized and existing under the laws of Delaware as a Limited Liability Corporation, is headquartered at 400 Atlantic S., Stamford, Connecticut, and engaged through its direct and indirect subsidiaries in the business of providing Internet services to consumers throughout much of the state of California including in the Counties of Los Angeles, San Diego and Riverside. Pursuant to a merger on May 18, 2016, Defendant TIME WARNER CABLE, LLC became the successor in interest to substantially all of the assets and liabilities of Time Warner Cable, Inc., including liability for all of the alleged acts and omissions alleged in this Complaint.

FIRST CAUSE OF ACTION (False or Misleading Statements — Business and Professions Code Section 17500)

- 3. Plaintiff realleges and incorporates herein by this reference paragraphs 1 and 2 as though set forth in full here. The acts and omissions alleged in this cause of action were committed within three (3) years of the date of commencement of this action or were covered by a tolling agreement between the parties and such acts and omissions are alleged to have commenced no later than 2013.
- 4. Defendant and its predecessor in interest, Time Warner Cable Inc., made and caused to be disseminated to California consumers, expressly and by implication, representations that were deceptive, false and/or misleading to a reasonable consumer, by advertising the nature and speed of internet services they provided to consumers which overstated the speeds that it could and did deliver to

many of its California customers, including many in the Counties of Los Angeles, San Diego and Riverside.

5. The unlawful conduct, acts, and omissions of Defendant in violation of section 17500 of the Business and Professions Code, as set forth herein, demonstrate the necessity and legal basis for granting injunctive relief, disgorgement and restitution to victims and imposing civil penalties pursuant to sections 17535 and 17536 of the Business and Professions Code.

SECOND CAUSE OF ACTION

(Unfair Competition — Business and Professions Code Section 17200)

- 6. Plaintiff realleges and incorporates herein by this reference paragraphs 1 through 5, inclusive, as though set forth in full here. The acts and omissions alleged in this cause of action were committed within four (4) years of the date of commencement of this action or were covered by a tolling agreement between the parties.
- 7. Defendant engaged in unlawful businesses acts constituting unfair competition within the meaning of section 17200 of the Business and Professions Code, as more fully alleged in paragraph 4, above.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

1. That, pursuant to Business and Professions Code sections 17203 and 17535, Defendant, and their respective officers, employees, agents, representatives, successors and assigns, and all persons acting in concert or participation with any of them with actual or constructive knowledge of the terms of this judgment, be permanently restrained and enjoined from engaging in the unlawful business practices violating Business and Professions Code sections 17200 and 17500 described in paragraph 4 of this Complaint.

COMPLAINT FOR INJUNCTION, CIVIL PENALTIES AND OTHER EQUITABLE RELIEF

ADDENDUM Additional Attorneys for Plaintiff: MICHAEL A. HESTRIN District Attorney of Riverside County **EVAN GOLDSMITH SBN 297356** Deputy District Attorney 3960 Orange Street Riverside, California 92501 Telephone: (951) 955-5400 E-mail: EvanGoldsmith@RivCoDA.org

COMPLAINT FOR INJUNCTION, CIVIL PENALTIES AND OTHER EQUITABLE RELIEF