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IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

Lauren Schaubach, individually and on behalf of all others similarly situated, Plaintiff, vs. HOTELS.COM, L.P., EXPEDIA GROUP, INC., AMAZON WEB SERVICES, INC., and DOES 1-10 Inclusive, Defendant.	Case No. **CLASS ACTION COMPLAINT** (1) Violation of the California Consumer Privacy Act § 1798.150; (2) Violation of California's Unfair Competition Law, Cal. Bus. & Prof. C. § 17200, et. seq. (3) Negligence; (4) Declaratory and Injunctive Relief **Jury Trial Demanded**

1   Plaintiff Lauren Schaubach ("Plaintiff"), individually and on behalf of all

2   others similarly situated, alleges as follows:

3   <div align="center">**NATURE OF THE ACTION**</div>

4   1.   This action arises out of a violation of the California Consumer

5   Privacy Act of 2018 ("CCPA"), Cal. Civ. C. § 1798 et. seq., arising out of a data

6   breach and the exposure of millions of Californians' personal identifying

7   information collected by Defendant Hotels.com, L.P. ("HLP") and Defendant

8   Expedia Group, Inc. ("Expedia") and stored with Defendant Amazon Web

9   Services, Inc. ("AWS"), in violation of Cal. Civ. C. § 1798.150 and Cal. Bus. &

10   Prof. C. § 17200 et. seq..

11   <div align="center">**JURISDICTION AND VENUE**</div>

12   2.   This class action is brought pursuant to Federal Rule of Civil

13   Procedure 23.

14   3.   This matter is properly venued in the United States District Court for

15   the Central District of California, in that Defendants do business in the Central

16   District of California. A substantial portion of the events giving rise to Defendants'

17   liability took place in this district.

18   4.   There is original federal subject matter jurisdiction over this matter

19   pursuant to the Class Action Fairness Act of 2005, Pub. L. 109-2, 119 Stat. 4 (Feb.

20   18, 2005), by virtue of 28 U.S.C. §1332(d)(2), which explicitly provides for the

21   original jurisdiction of federal courts in any class action in which at least 100

22   members are in the proposed plaintiff class, any member of the plaintiff class is a

23   citizen of a State different from the State of citizenship of any defendant, and the

24   matter in controversy exceeds the sum of $5,000,000.00, exclusive of interests and

25   costs.

26   5.   In the case at bar, there are at least 100 members in the proposed

27   Class, the total claims of the proposed Class members are in excess of

28

$5,000,000.00 in the aggregate, exclusive of interests and costs, and Plaintiff seeks to represent a California class of consumers against non-California companies, establishing minimum diversity.

THE PARTIES

6.   Plaintiff LAUREN SCHAUBACH is a citizen and resident of the State of California, County of Orange and is a consumer as laid forth in Cal. Civ. C. § 1798.150.

7.   Defendant HOTELS.COM, L.P. is a Texas limited partnership company that does business in California, including in Orange County, that is incorporated in Texas and has its headquarters in Washington.

8.   Defendant EXPEDIA GROUP, INC. is a Delaware corporation that does business in California, including in Orange County, that is incorporated in Delaware and has its headquarters in Washington.

9.   Defendant AMAZON WEB SERVICES INC. is a Delaware corporation that does business in California, including in Orange County, that is incorporated in Delaware and has its headquarters in Washington.

10.   Plaintiffs are informed and believe, and thereon alleges, that each and all of the acts and omissions alleged herein were performed by, or is attributable to, Defendant and/or its employees, agents, and/or third parties acting on its behalf, each acting as the agent for the other, with legal authority to act on the other's behalf. The acts of any and all of Defendant's employees, agents, and/or third parties acting on its behalf, were in accordance with, and represent, the official policy of Defendant.

11.   Plaintiff is informed and believes, and thereon alleges, that said Defendants are in some manner intentionally, negligently, or otherwise responsible for the acts, omissions, occurrences, and transactions of each and all their employees, agents, and/or third parties acting on their behalf, in proximately

causing the damages herein alleged.

12.   At all relevant times, Defendants ratified each and every act or omission complained of herein. At all relevant times, Defendants aided and abetted the acts and omissions as alleged herein.

PLAINTIFF'S FACTS

13.   On or about November 9, 2020, a Cloud Hospitality server hosted by Defendant AWS and containing information for customers for Defendant HLP and Defendant Expedia was hacked and tens of millions of data records were exposed ("the Breach").

14.   HLP operates Hotels.com, which is an online book service by which individuals, such as Plaintiff, can check the availability of hotels and other lodging options and make reservations through the Hotels.com platform, including either paying in advance or paying at the time of the reservation.

15.   In order to use HLP's Hotels.com, a customer must enter in significant personally identifiable information ("PII") such as a first name, last name, email address, password, home address, telephone number, and payment card information. Users of Hotels.com trust that their PII will be maintained in a secure manner and kept from unauthorized disclosure to third parties as required by the law.

16.   Expedia owns HLP and also operates numerous other travel-oriented websites, including Expedia.com, which also collect and store PII and which were also the subject of the hack that exposed the tens of millions of data records on or about November 9, 2020.

17.   Expedia, HLP, and AWS have not issued a disclosure as required by Cal. Civ. C. § 1798.82 as of the date of filing and instead the news of such Breach was broken by multiple news sources rather than the companies themselves, who have been silent.

18.   PII including the full names, email addresses, national ID numbers, phone numbers, credit card numbers, credit cardholder's names, CVVs, expiration dates, and information regarding the nature and cost of the booked hotel stays were revealed and exposed by Defendants Expedia, HLP, and AWS as a result of the hack.

19.   This PII was not stored in a hashed or otherwise secured format and failed to comply with the Payment Card Industry Data Security Standards as exemplified by the significant variety and amount of credit card PII that was exposed.

20.   The Breach exposed Expedia, HLP, and AWS customer PII which is protected by the CCPA. "Personal information" is defined by Cal. Civ. C. § 1798.81.5 as:

> "an individuals first name or first in initial and the individual's last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted or redacted: . . .
>
> (ii) Driver's license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identify of a specific individual.
>
> (iii) Account number or debt card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account."

21.   Here, unredacted names were revealed along with both unique identification numbers, such as driver's license or passport numbers, as well as credit card and payment information that would permit access to individuals' financial and other accounts across the web.

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