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12  
13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **COUNTY OF ALAMEDA – HAYWARD HALL OF JUSTICE**

15 ELON MUSK, an individual,  
16 Plaintiff,  
17 v.  
18 AARON JACOB GREENSPAN, an  
individual, and THINK COMPUTER  
19 CORPORATION, a Delaware corporation,  
20 Defendants.

CASE NO. 23CV028370

**COMPLAINT OF PLAINTIFF ELON  
MUSK FOR:**

- (1) EQUITABLE INDEMNIFICATION  
(2) CONTRIBUTION**

1 Plaintiff Elon Musk (“Plaintiff” or “Mr. Musk”) hereby respectfully submits this Complaint  
2 against Defendants Aaron Jacob Greenspan (“Mr. Greenspan”) and Think Computer Corporation  
3 (“TCC”) and alleges as follows:

4 **I. GENERAL ALLEGATIONS**

5 **A. Background About Aaron Greenspan**

6 1. Defendant Mr. Greenspan is the Chief Executive Officer of Defendant TCC, which  
7 operates PlainSite.org, an online repository for legal pleadings from state and federal court lawsuits in  
8 the United States.<sup>1</sup> Mr. Greenspan is a short seller of Tesla stock and member of the \$TSLAQ anti-  
9 Tesla group on social media, where Mr. Greenspan goes by the Twitter handle @AaronGreenspan. Mr.  
10 Greenspan also posts anti-Tesla messages on social media on behalf of PlainSite.org, using the Twitter  
11 handle @PlainSite.

12 2. Mr. Greenspan has made a career out of threatening and harassing individuals and  
13 businesses. His first major target was Facebook. Mr. Greenspan was a Harvard classmate of Mark  
14 Zuckerberg’s (“Mr. Zuckerberg”). After Mr. Zuckerberg’s success in founding Facebook, Mr.  
15 Greenspan asked Mr. Zuckerberg if Facebook would hire him as Vice President of Engineering. After  
16 Mr. Zuckerberg declined, Mr. Greenspan threatened to sue Facebook, claiming that he was Facebook’s  
17 true founder. Mr. Greenspan also petitioned the United States Trademark Office to cancel two of  
18 Facebook’s registered trademarks for the term “Facebook.” Mr. Greenspan also publicly claimed that  
19 Facebook had failed to address various privacy and security issues.<sup>2</sup> Mr. Greenspan and Facebook  
20 ultimately reached a confidential settlement for a reportedly nominal amount.

21 3. Mr. Greenspan continued with similar tactics against Random House Publishing and  
22 Columbia Pictures. Mr. Greenspan wrote a “memoir” regarding his purported founding of Facebook  
23 and asked the Doubleday division of Random House to publish it. Doubleday rejected Mr. Greenspan’s  
24 book, and subsequently published a different account of Facebook’s founding by Ben Mezrich titled,  
25 *The Accidental Billionaires*, which later provided the basis for the movie *The Social Network*. Mr.

26  
27 <sup>1</sup> <https://www.plainsite.org/about/index.html>.

28 <sup>2</sup> This allegation was ironic, as Mr. Greenspan’s own website had been shut down for privacy violations because it improperly collected Harvard university account passwords from students

1 Greenspan responded by suing Random House, Mezrich and his company, and Columbia Pictures,  
2 which had released *The Social Network*. Mr. Greenspan asserted a variety of claims, including that Mr.  
3 Greenspan had been “defamed by omission” because he was not included as a character in *The*  
4 *Accidental Billionaires* and *The Social Network*. Mr. Greenspan’s claims were all dismissed with  
5 prejudice by the U.S. District Court for the District of Massachusetts, and the dismissal was  
6 unanimously affirmed by the U.S. Court of Appeals for the First Circuit. *Greenspan v. Random House,*  
7 *Inc.*, 895 F. Supp. 2d 206 (D. Mass. 2012), *aff’d*, 2012 WL 5188792 (1st Cir. Oct. 16, 2012).

8 4. Undeterred by his failed lawsuit against Random House, Columbia Pictures, and  
9 Mezrich, Mr. Greenspan became a serial litigator, filing more than 60 lawsuits (either directly or through  
10 organizations he controlled) against over 100 victims. Among them, Mr. Greenspan’s company, TCC,  
11 sued California Governor Jerry Brown, then-Attorney General of California Kamala Harris, and various  
12 other state government officials, because Greenspan was forced to shut down a startup of his, FaceCash,  
13 due to consumer protection law violations. TCC’s suit was dismissed. *Think Computer Corp. v.*  
14 *Venchiarutti*, No. 5:11-cv-05496-HRL (N.D. Cal. June 25, 2015), ECF No. 70.

15 5. Additionally, Mr. Greenspan’s company, TCC, sued much of Silicon Valley, including  
16 Stanford University, venture capital firms such as Andreessen Horowitz, Kleiner Perkins Caulfield &  
17 Byers, and Sequoia Capital, and tech companies such as Coinbase, Facebook (again), Square, and Stripe,  
18 among many others, alleging that they operated without money transmitter licenses purportedly required  
19 by California law and asserting federal false advertising claims and various state law claims. That suit  
20 was dismissed as well. *Think Computer Corp. v. Dwolla, Inc.*, 5-13-CV-02054-EJD, 2014 WL  
21 1266213 (N.D. Cal. Mar. 24, 2014).

#### 22 1. Greenspan’s Association With \$TSLAQ

23 6. In approximately 2018, Mr. Greenspan began shorting Tesla stock through both his  
24 personal account and through the Think Computer Corporation. Around this time, he joined the anti-  
25 Tesla \$TSLAQ community, a community whose perverse goal is to bankrupt Tesla in order to enrich  
26 short sellers such as Mr. Greenspan. (“\$TSLAQ” is a reference to the fact that when a company that  
27 trades on the NASDAQ stock exchange goes bankrupt, a “Q” is added to the end of its stock ticker  
28 symbol.)

1           7.       To further Mr. Greenspan’s and \$TSLAQ’s short-selling efforts, Mr. Greenspan again  
2 turned to litigation. On May 20, 2020, Mr. Greenspan, proceeding *pro se*, sued Tesla, Elon Musk, and  
3 Tesla Model 3 owner Omar Qazi for defamation and various other claims. This suit was dismissed in  
4 full. *Greenspan v. Qazi, et. al.*, 20-cv-03426-JD (N.D. Cal. May 19, 2022).

5           8.       Additionally, as part of his coordinated campaign to drive down the value of Tesla stock,  
6 Mr. Greenspan frequently communicated with other short seller members of the \$TSLAQ community,  
7 including Lawrence Fossi and Randeep Hothi. Mr. Fossi, who operated under the Twitter handle  
8 @MontanaSkeptic, and Mr. Hothi, who operated under the Twitter handle @Skabooshka, were both  
9 members of the \$TSLAQ “Shorty Ground Force,” a group whose purpose was to create “fear,  
10 uncertainty, and doubt,” or “FUD,” surrounding Tesla, in order to drive down Tesla stock prices and  
11 thus increase the profits associated with their short positions.

12           9.       In April 2019, Tesla obtained a restraining order against Mr. Hothi in response to his  
13 repeated trespassing on Tesla property, including a recent incident where Mr. Hothi hit a Tesla security  
14 guard with his car before fleeing the scene. Mr. Greenspan reached out to Mr. Hothi and recommended  
15 that he retain plaintiff lawyer Gill Sperlein and his fellow \$TSLAQ member, Mr. Fossi, to defend Mr.  
16 Hothi in the restraining order proceedings.

17           10.      Mr. Hothi subsequently retained Mr. Fossi and Mr. Sperlein as defense counsel. On  
18 information and belief, Mr. Hothi’s legal fees are being paid for by other members of \$TSLAQ.

19           **Mr. Greenspan’s Publication of the Allegedly Defamatory Comments**

20           11.      On August 7, 2019, Mr. Greenspan sent multiple emails to Mr. Musk and the members of  
21 Tesla’s Board of Directors seeking information about Mr. Musk and Tesla to further his short-selling.  
22 Some of Mr. Greenspan’s emails copied Mr. Fossi.

23           12.      Following these initial emails, Mr. Greenspan emailed Mr. Musk alone. In that email to  
24 Mr. Musk, Mr. Greenspan criticized Tesla’s “treat[ment]” of various individuals, including, among  
25 others, Mr. Hothi, who had been spying on Tesla by, among other things, repeatedly trespassing and  
26 illegally placing hidden cameras on Tesla’s property, and hitting a Tesla security guard with his vehicle  
27 before fleeing the scene.

1           13.     Mr. Greenspan defended Mr. Hothi’s illicit attempts to obtain confidential Tesla  
2 information. In Mr. Greenspan’s view, Mr. Hothi was merely “interested in your factory output  
3 precisely because you weren’t being open at all.” Even so, Mr. Greenspan admitted that Mr. Musk  
4 “may have a different perspective” with regard to Mr. Hothi.

5           14.     Mr. Musk responded to Mr. Greenspan privately (and truthfully), noting that, “as for the  
6 people you mention below, they have actively harassed and, in the case of Hothi, almost killed Tesla  
7 employees. What was a sideswipe when Hothi hit one of our people could easily have been a death  
8 with 6 inches of difference.”

9           15.     Mr. Greenspan responded to Mr. Musk, saying that “you’ll have to do better than trying  
10 to pin an almost-but-not-even-close murder on [Mr. Hothi]” and that “one of your vehicles could kill  
11 someone with 6 inches of difference, if, for example, there was a sudden acceleration event. Or a mis-  
12 reading of a lane marking.”

13           16.     Shortly after receipt of Mr. Musk’s email, Mr. Greenspan forwarded the email exchange  
14 to Mr. Hothi’s attorney, Mr. Fossi. Mr. Fossi then forwarded the correspondence to his co-counsel Gill  
15 Sperlein, both of whom represented Mr. Hothi at the time.

16           17.     On information and belief, Mr. Fossi also forwarded the allegedly defamatory  
17 correspondence to, and discussed it with, his client, Mr. Hothi.

18           18.     On information and belief, despite being nearly immediately informed of Mr. Musk’s  
19 private statement after it was made and before it was publicized, neither Mr. Hothi nor his attorneys  
20 made any attempt to disclaim the truth of Mr. Musk’s statement to Mr. Greenspan, or to request that Mr.  
21 Greenspan refrain from publishing it further.

22           19.     Instead, on August 8, 2019, the day *after* Mr. Greenspan forwarded the allegedly  
23 defamatory email to Mr. Hothi’s counsel, Mr. Greenspan published his email exchange with Mr. Musk  
24 regarding Mr. Hothi, on PlainSite.org, the website that Mr. Greenspan operates through TCC. *See*  
25 Exhibits 1, 2, available at [https://www.plainsite.org/documents/hwau8/email-conversation-between-](https://www.plainsite.org/documents/hwau8/email-conversation-between-plainsite-founder-aaron-greenspan-and-tesla-ceo-elon-musk/)  
26 [plainsite-founder-aaron-greenspan-and-tesla-ceo-elon-musk/](https://www.plainsite.org/documents/hwau8/email-conversation-between-plainsite-founder-aaron-greenspan-and-tesla-ceo-elon-musk/).

27           20.     Mr. Greenspan also turned to Twitter to tweet about his “robust e-mail exchange” with  
28 Mr. Musk. *See* Exhibit 3. Mr. Greenspan’s tweet linked to the PlainSite.org page containing the email

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