



CJ-13-274
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IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

24 HR LOCKOUTS
Plaintiff,
V.
JASON BLAIR,
Defendant.

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)

JAN 14 2013
TIM RHODES
COURT CLERK
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Petition

CJ - 2013 - 274

COMES NOW the Petitioner, 24 HR LOCKOUTS, for the cause of action against the Defendant JASON BLAIR and alleges and states that:

The facts giving rise to the cause of action described herein occurred in Oklahoma County Oklahoma during the time of March 2012 up to the filing of this Petition.

1. That Defendant has wrongfully committed the following acts against the Plaintiff:
 - a. Left negative reviews about Plaintiff 24 Hr Lockouts.
 - b. Posted links on Craigslist.com urging people to sabotage legitimate Google+ places listings of Oklahoma City locksmiths.
 - c. Reported listings on hundreds of gmail accounts to Google.com/mapmaker for duplicates, incorrect information, business no longer open and other Google options in order to cause Google to delete the Google places listing causing Plaintiff to lose eleven listings.
 - d. On a daily basis, used one or more virtual private servers to manipulate IP addresses to attack Google adwords accounts held by Plaintiff in eleven different cities.
2. That the above described activities by Defendant have caused Plaintiff to be unable to advertise.
3. That Plaintiff has been damaged in an amount greater than \$10,000.00
4. That the conduct of Defendant has been intentional, malicious, willful, wanton, vexatious, and done with reckless disregard to the rights of Plaintiff, thereby entitling Plaintiff to an award of exemplary or punitive damages against defendant in an amount in excess of \$10,000.00.

WHEREFORE, premises considered, Plaintiff prays for judgment against Defendants for compensatory and punitive damages in an amount in excess of \$10,000.00, plus interest, attorneys' fees and costs and any other such relief as the Court deems just and proper, an award of attorney's fees and costs incurred by Plaintiff, and any further relief which the Court finds Plaintiff may be entitled.

Danny B. Nichols
Danny B. Nichols OBA #6657
Attorney for Plaintiff
1611 N. Broadway
Oklahoma City, OK 73103
Telephone: 405-286-6438



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

24 HOUR LOCKOUTS)
)
)
Plaintiff,)
)
)
v.)
)
)
JASON BLAIR)
on Behalf of Himself and)
All Others Similarly Situated,)
)
Defendant,)
)
)
v.)
)
)
24 HOUR LOCKOUTS,)
)
Plaintiff.)

FEB 12 2013
TIM RHODES
COURT CLERK
32 _____

Case No. CJ-2013-274

ANSWER AND COUNTERCLAIM OF DEFENDANT

COMES NOW the Defendant by and through his attorney of record, Jeffrey J. Box, and for his Answer and Class Action Counterclaim to Plaintiff's Petition filed on January 14th, 2013, alleges and states:

1. As Plaintiff is not licensed within the State of Oklahoma, the Defendant denies paragraph 1 of Plaintiff's Petition.
2. As Plaintiff is not licensed within the State of Oklahoma, the Defendant denies paragraph 2 of Plaintiff's Petition.

3. As Plaintiff is not licensed within the State of Oklahoma, the Defendant denies paragraph 3 of Plaintiff's Petition.

4. As Plaintiff is not licensed within the State of Oklahoma, the Defendant denies paragraph 4 of Plaintiff's Petition.

WHEREFORE, Defendant, Jason Blair prays that Plaintiff take nothing by way of their Petition and requests this Court to grant Defendant, Jason Blair any reasonable costs and expenses incurred for defending this action including attorney fees.

COUNTERCLAIM

COMES NOW Defendant/Plaintiff, Jason Blair, on behalf of himself and all others similarly situated, and for his Class Action Counterclaim against Plaintiff/Defendant, 24 Hour Lockouts, alleges and states as follows:

1. Defendant/Plaintiff Jason Blair is an licensed Oklahoma locksmith with his principal place of business located within Oklahoma County, Oklahoma.

2. Plaintiff/Defendant 24 Hour Lockouts is believed to be a corporation within the State of Idaho, and was at all times hereinafter stated, unauthorized to transact business in the State of Oklahoma as 24 Hour Lockouts.

3. 24 Hour Lockouts has never been and is not currently licensed to do business within the State of Oklahoma.

4. On January 14, 2013, Plaintiff/Defendant 24 Hour Lockouts filed a Petition alleging Defendant/Plaintiff Jason Blair had interfered with 24 Hour Lockouts' ability to advertise and conduct business within the State of Oklahoma.

5. "No person shall engage in an alarm or locksmith industry business in this state without first having obtained a license pursuant to the provisions of the Alarm and Locksmith Industry Act." Title 59 O.S. 1800.6.

6. Under Title 310, Chapter 205, of the Oklahoma Administrative Code,

a '**Locksmith company**' means a business that provides locksmithing to others by any means, including but not limited to, design, install, service, repair, re-key, re-pin, sell, inspect, rebuild, record, adjust, unlock mechanical or electronic locks or advertisement of locksmith services; holding oneself or one's company out for hire to perform any such task; or otherwise offering to perform any such task for compensation, either directly or indirectly. (emphasis in original).

7. Plaintiff/Defendant 24 Hour Lockouts has illegally advertised and conducted locksmithing services, either directly or through unlicensed contractors, in the State of Oklahoma and has tortiously interfered with Defendant/Plaintiff Jason Blair's legitimate business as well as all other licensed locksmiths within the State of Oklahoma as set forth in paragraph eleven (11) below. *See* Exhibit A.

8. Under Title 310, Chapter 205, of the Oklahoma Administrative Code, " No company shall contract for the independent services of a holder of an individual license under this Section.

9. Defendant/Plaintiff Jason Blair believes that Plaintiff/Defendant 24 Hour Lockouts has illegally profited from unlicensed advertisement and business in the State of Oklahoma to the detriment of licensed Oklahoma locksmiths.

Plaintiff's Class Action Allegations

10. Plaintiff brings this action against Plaintiff/Defendant 24 Hour Lockouts on behalf of himself and all other similarly situated as set forth in paragraph eleven (11) below for tortious interference with business relationships. Specifically, Title 59 O.S. 1800.6 provides as follows:

No person shall engage in an alarm or locksmith industry business in this state without first having obtained a license pursuant to the provisions of the Alarm and Locksmith Industry Act.

11. The Plaintiff class is defined as “all persons or entities in Oklahoma who are licensed locksmiths during the period from February 12, 2012, to the date of the filing of the Class Action Petition, and after the date of filing as evidenced by 24 Hour Lockouts continuing advertisements within the State of Oklahoma.”

12. The Plaintiff class is so numerous that joinder of all members is impracticable.

13. There are questions of law or fact common to members of the Plaintiff class.

14. The named Plaintiff is a member of the class that it seeks to represent and its claims are typical of the claims of the members of the class.

15. Plaintiff will adequately represent and protect the interests of the Plaintiff class. Plaintiff has hired counsel experienced in the conduct of complex litigation.

16. The prosecution of separate actions by individual members of the class would create a risk of inconsistent adjudications with respect to individual members of the class that could establish incompatible standards of conduct for Defendant, or which could, as a practical matter, be dispositive of the interests of non-parties.

17. Questions of law or fact are common to all members of the class and predominate over any question affecting only individual members, such that a class action is superior to other available methods for the fair and efficient adjudication of this controversy. Because the damage suffered by each individual class member may be relatively small, the burden and expense of individual class members to seek redress for the wrongful conduct alleged here. Absent a class action, Defendant likely would retain the benefits of its wrongdoing. In addition, individual litigation would increase the delay and expense to all parties and to the court system. By contrast, the class action device presents far fewer management difficulties and provides the benefits of single adjudication, economy of scale, and comprehensive supervision by a single court.

18. Plaintiff anticipates no unusual difficulties in the management of this litigation as a class action.

19. Class certification is appropriate under 12 O.S. §2023 because there is no indication that individual claimants wish to be excluded from the Plaintiff class or to individually control this litigation, there are no other actions known to Plaintiff regarding this controversy, concentration of this action in this forum will facilitate the

comprehensive resolution of all the claims relating to Defendant's improper practices and no manageability problems are presented by maintaining this suit as a class action.

Common Questions

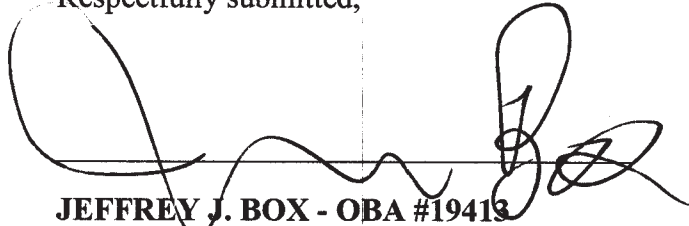
20. This case involved a substantial number of common questions of law and fact including, but not limited to, the following:

- (a) Whether Plaintiff/Defendant 24 Hour Lockouts interfered with business transactions of licensed locksmiths in the State of Oklahoma;
- (b) Whether Plaintiff/Defendant 24 Hour Lockouts violated Oklahoma law by conducting locksmith advertisement and locksmith services while unlicensed within the State;
- (c) Whether Plaintiff/Defendant 24 Hour Lockouts illegally profited from unlicensed locksmithing advertisement and services in the State of Oklahoma.

WHEREFORE, premises considered, Defendant/Plaintiff Jason Blair prays for the following:

- (a) Certification of a class of plaintiffs as prayed;
- (b) Recovery of actual monetary loss from each such violation;
- (c) Punitive damages for each violation;
- (d) Costs of this action and reasonable attorney's fees of counsel; and
- (e) All other relief just and proper in the premises.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey J. Box', written over a horizontal line.

JEFFREY J. BOX - OBA #19413

Jeffrey J. Box, P.C.

2621 South Western

Oklahoma City, OK 73109

(405) 600-9918

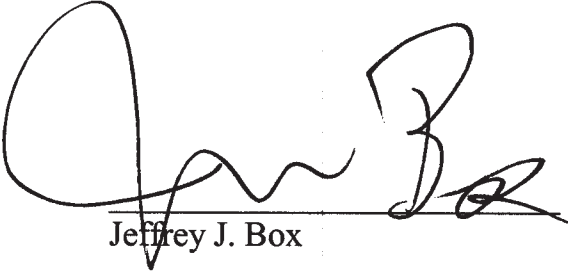
(405) 632-8828 fax

ATTORNEY FOR DEFENDANT/PLAINTIFF

CERTIFICATE OF SERVICE



On February __, 2013, I hand delivered a true copy of the foregoing instrument to:

Danny B. Nichols, OBA# 6657
1611 North Broadway
Oklahoma City, OK 73103
(405) 286-6438
Attorney for Plaintiff/Defendant



Jeffrey J. Box

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Locked Out? Call 1 (877) 710-LOCK  

24-Hour Emergency Automobile, Residential and Commercial Lockout Service

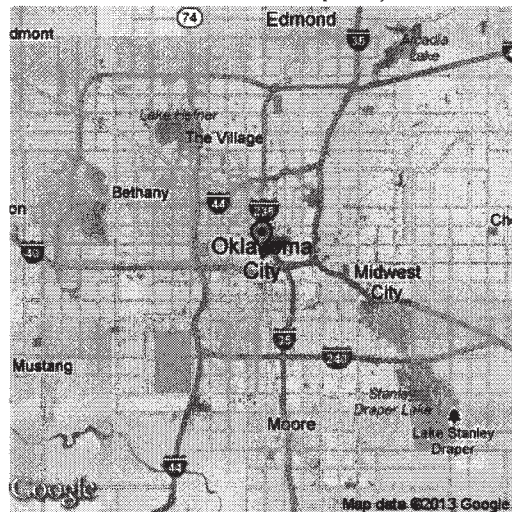


 Insured  Bonded  Certified

Get Help Now!

Oklahoma City Area Locksmith Service

Moore, Del City, Yukon, Bethany, Piedmont Telephone:
(405) 593-8018



[View Larger Map](#)

24 Hour Lockouts of Oklahoma City, Oklahoma tries to provide the fastest and most affordable mobile emergency locksmith service for vehicles and residences; our contracted locksmith technicians in Oklahoma City have the expertise to help you get back into your building or car and on your way.

If you are locked out of your automobile or home call (405) 593-8018 and you will be instantly connected with one of our friendly, local to Oklahoma City, contracted locksmiths who can give you an estimate as low as \$19.95*.

Our locksmithing referral company strives for customer satisfaction and a complete no hassle service, that's why all of our "lock-pop-in"

Locked Out

of your house or car?



AS LOW AS
\$19.95*

Estimated Arrival
15
minutes



House Lockouts | Car Lockouts
Garage Lockouts | Deadbolt Lockouts



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**\$19.95 offer only applies to child emergency lockouts.
Only valid within city limits.*

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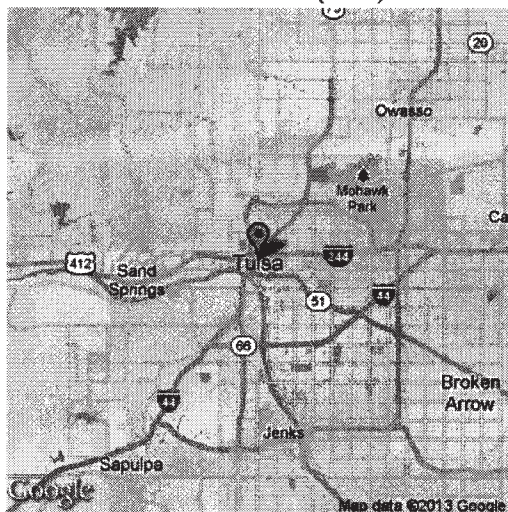


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[Get Help Now!](#)

Tulsa Area Locksmith Service

Broken Arrow, Jenks, Sapulpa, Sand Springs, Owasso Telephone: (918) 732-9470



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24 Hour Lockouts of Tulsa, Oklahoma tries to provide the fastest and most affordable mobile emergency locksmith service for vehicles and residences; our contracted locksmith technicians in Tulsa have the expertise to help you get back into your building or car and on your way.

If you are locked out of your automobile or home call (918) 732-9470 and you will be instantly connected with one of our friendly, local to Tulsa, contracted locksmiths who can give you an estimate as low as \$19.95*.

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AS LOW AS
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House Lockouts | Car Lockouts
Garage Lockouts | Deadbolt Lockouts

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Only valid within city limits.*

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24hrlockoutstulsa.com

VERIFICATION

STATE OF OKLAHOMA)
) ss
COUNTY OF OKLAHOMA)

JASON BLAIR, of lawful age, being duly sworn upon oath, states:

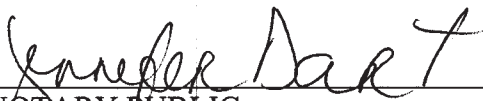
That he is the Claimant herein; That He has read the foregoing, knows the contents thereof, and that the matters set forth are true and correct to her best knowledge and belief.

I declare under penalty of perjury that I have examined the document herein, and to the best of my knowledge and belief, it is true, correct, and complete.



JASON BLAIR

SUBSCRIBED and SWORN to me this 12th day of February, 2013.



NOTARY PUBLIC 00016175

My Commission Expires:

9-25-16

