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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NICOLE GUIDOTTI and BRIGETTE LOWE,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

EQUIMINE, INC. d/b/a PROPSTREAM, a
California corporation,

Defendant.

Case No.

CLASS ACTION COMPLAINT FOR:

1. Violations of California Civil Code § 3344;
2. California Common-Law Right of Publicity;
- and
3. Violations of California Business and Professions Code § 17200 et seq.

DEMAND FOR JURY TRIAL

1 Plaintiffs Nicole Guidotti and Brigitte Lowe (collectively, “Plaintiffs”), individually and on
2 behalf of all others similarly situated (the “Class Members”), assert the following allegations against
3 Defendant EquiMine, Inc. d/b/a PropStream (“EQUIMINE” or “Defendant”). Each Plaintiff alleges
4 facts concerning herself based on personal knowledge. Plaintiffs allege all other matters on
5 information and belief following the investigation of undersigned counsel.

6 **I. NATURE OF THE ACTION**

7 1. This action challenges a narrow commercial use: EQUIMINE’s knowing use of
8 Plaintiffs’ and Class Members’ names within PropStream’s limited seven-day free-trial and
9 subscription-conversion sequence to advertise and sell recurring paid PropStream subscriptions.
10 Plaintiffs do not challenge EQUIMINE’s collection or maintenance of public property records, or the
11 ordinary delivery of property information to paying subscribers.

12 2. EQUIMINE operates a nationwide property-intelligence platform known as
13 PropStream. Through PropStream, EQUIMINE aggregates property and ownership data and provides
14 access to property-owner contact information to paying and prospective customers.

15 3. EQUIMINE offers prospective customers a limited seven-day free trial of PropStream.
16 A user supplies payment-card information to begin the trial, but no subscription charge is imposed
17 during the seven-day period. EQUIMINE publicly markets the trial as involving “no cost
18 commitment” and structures it to demonstrate the value of PropStream’s lead-generation and outreach
19 functions before users continue with paid access.

20 4. During the free trial, PropStream displays the names of real persons associated with
21 searched properties in its Property Details interface before any skip trace is run. Depending on the
22 trial plan and skip-tracing feature used, PropStream may then repeat the owner’s name with mailing
23 addresses, telephone numbers, email addresses, and other contact fields.

24 5. EQUIMINE uses those names and identity attributes as part of its subscription
25 marketing. By showing prospective customers Plaintiffs’ and other real persons’ names and
26 identifying information as free leads, EQUIMINE increases PropStream’s perceived value and
27 encourages users to begin and continue paid subscriptions.

1 6. EQUIMINE’s conduct is intentional and commercial. It is not incidental to any news,
2 public affairs, or analogous public-interest function. Rather, EQUIMINE uses the names of real
3 individuals as promotional content to generate subscription revenue.

4 7. EQUIMINE’s conduct is not merely publication of property records. On its official
5 sales page for real-estate agents, PropStream couples the trial and paid product in one sentence: “50
6 FREE LEADS with our 7-day free trial and continue for a flat monthly or annual fee.” The same page
7 describes “50 free saves before upgrading to a full subscription.” During that finite pre-charge sample,
8 EQUIMINE displays real owners’ names to demonstrate that PropStream can turn property records
9 into identifiable leads and to promote continuing paid access.

10 8. Instead of merely reporting property data, EQUIMINE uses named individuals’
11 identities as subscription-conversion features. It displays real owner names to substantiate
12 PropStream’s promised lead-generation and skip-tracing capabilities and to induce prospective
13 customers to continue with paid access. Plaintiffs and Class Members, whose names were displayed
14 and used by EQUIMINE through PropStream for advertising and commercial purposes without
15 consent, suffered and continue to suffer damages.

16 **II. THE PARTIES**

17 **A. Plaintiffs**

18 9. Plaintiff Nicole Guidotti is a natural person and citizen of the State of California,
19 residing in Alameda County, California. On or about July 27, 2026, a search conducted through a
20 PropStream seven-day trial account caused EQUIMINE’s existing system to retrieve and render
21 Plaintiff Guidotti’s name, displayed as “GUIDOTTI-HERNANDEZ NICOLE,” on the Property
22 Details page. The search did not create or upload Plaintiff Guidotti’s identity; it revealed that
23 EQUIMINE had configured and maintained her name for display through its ongoing trial program.

10. As shown below, EQUIMINE placed Plaintiff Guidotti's name prominently within the PropStream-branded free-trial interface, adjacent to the skip-tracing prompt and owner-contact features that EQUIMINE markets as subscription benefits.

The screenshot shows the PropStream Intelligence interface for a property in Berkeley, CA 94703. The interface includes a sidebar with navigation icons, a main content area with property details, and a right sidebar with additional information. The 'Contact Information' section is highlighted, showing the name 'GUIDOTTI-HERNANDEZ NICOLE' and a 'Skip Trace' button. The 'Ownership Information' section shows 'Owner 1 Name' as 'GUIDOTTI-HERNANDEZ NICOLE' and 'Owner 2 Name' as a redacted name. The 'Property Characteristics' section shows 'Total Rooms', 'Bedrooms', 'Total Bathrooms', 'Full Bathrooms', and 'Number of Fireplaces'.

11. After the user activated skip tracing, PropStream again displayed Plaintiff Guidotti's name at the top of the resulting contact record, next to the "Re-Skip Trace" control and fields for phone numbers and email. This name-bearing result furnished a concrete, person-specific sample of the contact data PropStream promises prospective subscribers.

The screenshot shows the PropStream Intelligence interface displaying the results of a skip trace. The 'Contact Information' section shows 'Last Skip Trace: 07/27/26' and a 'Re-Skip Trace' button. Below this, the contact information for 'Guidotti-Hernandez, Nicole' is listed, including 'Phone 1', 'Phone 2', and 'Email 1', all of which are redacted. The 'Ownership Information' section shows 'Owner 1 Name' as 'GUIDOTTI-HERNANDEZ NICOLE' and 'Owner 2 Name' as a redacted name. The 'Property Characteristics' section shows 'Total Rooms', 'Bedrooms', 'Total Bathrooms', 'Full Bathrooms', and 'Number of Fireplaces'.

12. EQUIMINE’s challenged configuration and maintenance of Plaintiff Guidotti’s identity for display through the trial program did not originate with the investigation that revealed it. Upon learning that PropStream had used and remained capable of using her name, identity, and property-ownership information to promote paid subscriptions without her consent, Plaintiff Guidotti became worried, frustrated, and concerned. She was particularly disturbed that PropStream was commercially exploiting information connected to her and her home, permitting unknown users to locate and target her as a potential real-estate lead, and profiting from her identity without her permission or compensation. This caused Plaintiff Guidotti emotional distress and mental anguish, including worry about her inability to control EQUIMINE’s continuing commercial use of her name, and it meaningfully disturbed her peace of mind. Plaintiff Guidotti did not authorize or consent to EQUIMINE’s use of her name in the free-trial demonstration or to advertise or sell PropStream subscriptions.

13. Plaintiff Brigitte Lowe is a natural person and citizen of the State of California, residing in Contra Costa County, California. On or about July 27, 2026, a search conducted through a PropStream seven-day trial account caused EQUIMINE’s existing system to retrieve and render Plaintiff Lowe’s name within the PropStream-branded Property Details interface. The search did not create or upload Plaintiff Lowe’s identity; it revealed that EQUIMINE had configured and maintained her name for display through its ongoing trial program.

14. As displayed in the screenshot below, on the PropStream-branded Property Details page, EQUIMINE displayed Plaintiff Lowe’s name under both “Contact Information” and “Ownership Information,” alongside the “Re-Skip Trace” control and contact-data fields. Within the limited trial, the person-specific display demonstrated the kind of identifiable owner lead that EQUIMINE offers with continuing PropStream access. Plaintiff Lowe did not authorize or consent to EQUIMINE’s use of her name in the free-trial demonstration or to advertise or sell PropStream subscriptions.

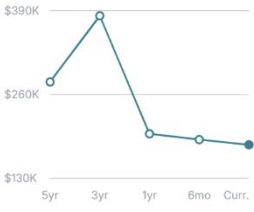
Bethel Island, CA 94511 Tools **NEW** Status / Tags Print Analysis Saved X



Property Type	
Status	Off Market
Distressed	No
Short Sale	No
HOA/COA	Yes
Owner Type	
Owner Status	Owner Occupied
Occupancy	Occupied
Length of Ownership	
Purchase Method	Financed
County	
Contra Costa	

Value

Estimated Value **\$182,000** Last Year (07/2025) **\$199,000**



Mortgage & Debt

Open Mortgages	0
Estimated Balance	\$0
Involuntary Liens	0
Involuntary Amount	\$0

Last Sale

Public Record	N/A
MLS	N/A
Document Type	N/A

[Purchase Document](#)

Opportunity

Equity (est.) **\$182,000** | 100% | High

Linked Properties	1
Est. Wholesale Price	\$127,400
Monthly Rent	N/A
Gross yield	N/A

Comps at a Glance

Avg. Sale Price	N/A
Days on Market	N/A

[Open Comps](#)

Property Details **Comparables & Nearby Listings** **Demographics** **Tax Information** **Linked Properties** **Documents & Reports**

Contact Information Re-Skip Trace

Last Skip Trace: 07/27/26

Lowe, Brigitte

Phone 1 [REDACTED] Landline [REDACTED]

Ownership Information

Owner 1 Name	Mailing Address	Do Not Mail	Mailing Care of Name
LOWE BRIGETTE	[REDACTED]	No	BRIGETTE LOWE

Property Characteristics

Total Rooms	Bedrooms	Total Bathrooms	Full Bathrooms	Air Conditioning Type
8	3	2	2	Central
Garage Type	Number of Buildings			
Carport	1			

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Los Angeles, CA 90017

15. EQUIMINE's challenged configuration and maintenance of Plaintiff Lowe's identity for display through the trial program did not originate with the investigation that revealed it. Upon learning that PropStream had used and remained capable of using her name, identity, and property-ownership information to promote paid subscriptions without her consent, Plaintiff Lowe became worried, frustrated, and concerned. She was particularly disturbed that PropStream was commercially exploiting her identity and making her associated property and contact information available to facilitate targeted outreach without her permission or compensation. This caused Plaintiff Lowe emotional distress and mental anguish, including worry about her inability to control EQUIMINE's continuing commercial use of her name, and it meaningfully disturbed her peace of mind.

16. Plaintiff Lowe's injuries arise from EQUIMINE's continuing unauthorized commercial use and her resulting loss of control.

17. As a direct result of PropStream's conduct, each Plaintiff suffered concrete injury, including anxiety, mental anguish, and disturbance of her peace of mind arising from the loss of control over EQUIMINE's commercial use of her name and identity. Plaintiffs also lost the

1 opportunity to decide whether, when, and on what terms EQUIMINE could use their identities to
2 promote a subscription service.

3 **B. Defendant**

4 18. EQUIMINE is a California corporation doing business as PropStream, with its
5 principal place of business at 26457 Rancho Parkway South, Lake Forest, California 92630.
6 PropStream's Terms of Use identify EQUIMINE as the provider of the software and subscription
7 services, provide for recurring subscription billing, select California law, state that the agreement is
8 deemed entered into and performed in California, and designate California courts. EQUIMINE
9 operates and markets PropStream nationwide. On information and belief, personnel and management
10 working for EQUIMINE in California designed, approved, implemented, and controlled the
11 standardized trial interface, lead limits, pricing, subscription-conversion messages, and nationwide
12 marketing practices challenged here.

13 **III. JURISDICTION AND VENUE**

14 19. *Personal Jurisdiction:* This Court has personal jurisdiction over EQUIMINE because
15 EQUIMINE is incorporated in California and maintains its principal place of business in California.
16 The claims also arise from EQUIMINE's operation of the challenged PropStream trial in California
17 and its intentional display of the names of California residents associated with properties in this
18 District.

19 20. *Subject Matter Jurisdiction:* This Court has jurisdiction under the Class Action
20 Fairness Act ("CAFA"), 28 U.S.C. § 1332(d)(2), because this is a class action, the proposed Class
21 includes more than 100 members, at least one Class Member is a citizen of a state other than California
22 while EQUIMINE is a citizen of California, and the aggregate amount in controversy exceeds
23 \$5,000,000, exclusive of interest and costs, based on the statutory minimum damages sought for each
24 unique Class Member together with other relief placed in controversy by the Complaint.

25 21. *Article III Standing:* Plaintiffs have each suffered a concrete and particularized injury
26 in fact. A search through a PropStream trial account caused each Plaintiff's name to be rendered and
27 viewed in the challenged interface. The searches involving Plaintiffs revealed, rather than created,
28 EQUIMINE's preexisting configuration of each name for trial display. After learning of that ongoing

commercial use, each Plaintiff experienced the anxiety, mental anguish, and disturbance of peace of mind described above concerning her inability to control EQUIMINE's use. EQUIMINE invaded Plaintiffs' legally protected interests recognized by California right-of-publicity law, caused Plaintiffs to lose control over the commercial use of their identities, and deprived them of the economic value of those identities.

22. *Venue:* Venue is proper in the Northern District of California under 28 U.S.C. § 1391(b)(2) (2024) because a substantial part of the events and omissions giving rise to the claims occurred in this District. Plaintiffs reside in Alameda and Contra Costa Counties; the challenged searches concerned properties located in this District; EQUIMINE caused Plaintiffs' names and associated property records to be displayed through its free-trial platform in connection with those District properties; and Plaintiffs suffered the injury in this District.

23. *Divisional Assignment:* This action arises in Alameda and Contra Costa Counties because a substantial part of the events or omissions giving rise to Plaintiffs' claims occurred there and the properties at issue are situated there. Assignment to the Oakland Division is proper under Civil Local Rule 3-2(c)-(d).

IV. GENERAL FACTUAL ALLEGATIONS

A. EQUIMINE and PropStream

24. EQUIMINE, doing business as PropStream, operates a nationwide real estate data, lead-generation, skip-tracing, and marketing platform for real estate professionals.¹

25. PropStream represents that it provides data concerning more than 160 million properties nationwide.²

26. PropStream is a commercial subscription platform offered by EQUIMINE to paying users.

¹ PropStream, About PropStream, <https://www.propstream.com/about-us> (last accessed July 27, 2026).

² PropStream, PropStream Real Estate Investment Software, <https://www.propstream.com/> (last accessed July 27, 2026).

27. EQUIMINE offers a seven-day free trial of PropStream alongside three paid plans: Essentials for \$99 per month, Pro for \$199 per month, and Elite for \$699 per month.³

28. To begin a free trial, a user creates an account and provides payment-card information. No subscription fee is charged during the seven-day trial period. PropStream publicly describes the trial as involving “no cost commitment.” Trial users may save up to 50 free leads, and the Property Details interface displays an owner’s name before skip tracing. Separate access to telephone numbers and email addresses depends on the plan and skip-tracing feature. Each advertised plan includes a “7-Day Free Trial With 50 Free Leads,” and each plan is displayed next to a prominent “START FREE TRIAL” button.⁴

29. PropStream’s pricing materials describe those leads as tools for marketing and outreach and promote access to nationwide property data, lead-generation tools, and skip tracing.

30. The free trial allows prospective customers to use PropStream’s core features and observe the names and identifying information available through the platform during the trial and before the larger recurring limits associated with paid plans apply.

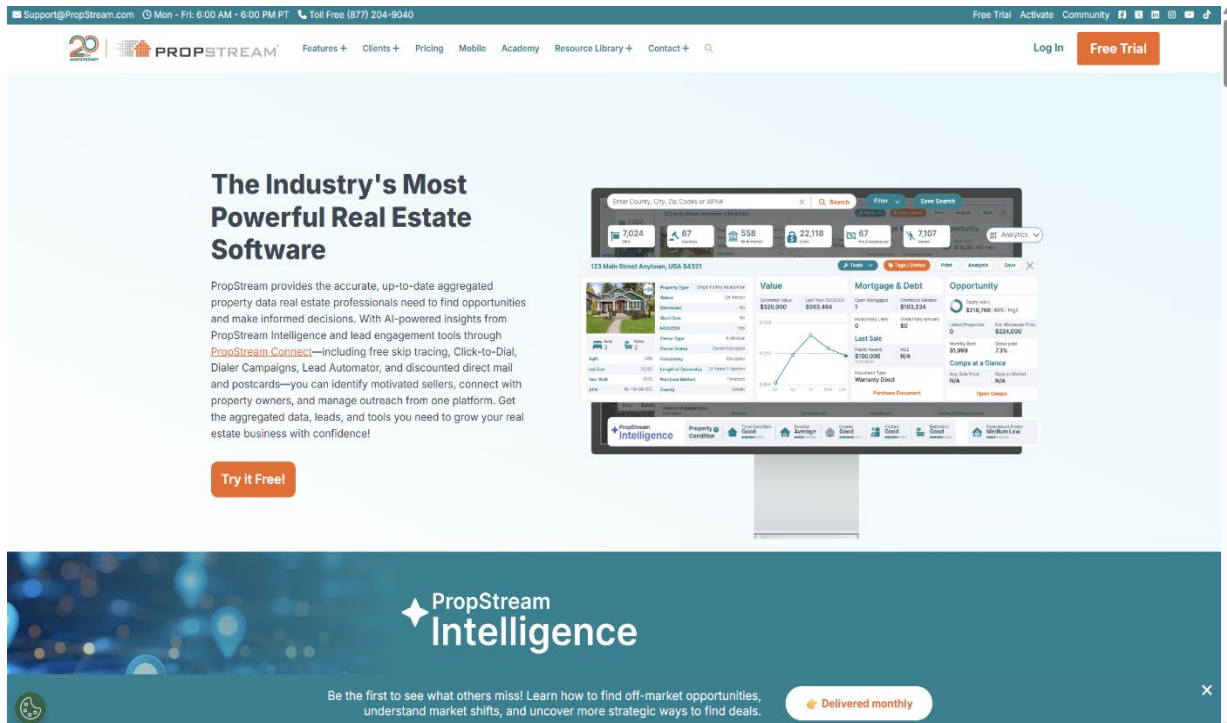
31. At or before the end of the trial, PropStream directs users to activate or continue with a paid subscription to retain access. PropStream’s official getting-started materials label the final step “Activate your Subscription” and tell trial users to “move on to a full subscription.”⁵

³ PropStream, Pricing, <https://www.propstream.com/pricing> (last accessed July 27, 2026).

⁴ Id.

⁵ Getting Started with the PropStream 7-day Free Trial, <https://www.propstream.com/7-day-free-trial-getting-started> (last accessed July 30, 2026).

32. EQUIMINE uses the free trial to demonstrate the breadth and utility of PropStream and to encourage conversion from free-trial users to paid subscribers. EQUIMINE heavily promotes its free-trial offer throughout its website, as shown in the screenshot below.



33. EQUIMINE's website repeatedly couples invitations to start a seven-day trial with sales language directed at prospective subscribers, including promises to help users locate, evaluate, and market to buyers and sellers and an offer to receive 50 leads free. The trial is therefore part of the sales message for recurring subscription plans.

34. EQUIMINE's website repeatedly couples invitations to start the seven-day trial with sales language directed at prospective subscribers. PropStream promises to help prospective customers "Find Qualified Leads, Make a Connection, Get a New Listing," and states: "50 FREE LEADS with our 7-day free trial and continue for a flat monthly or annual fee." PropStream also describes the offer as "50 free saves before upgrading to a full subscription." These express statements make the trial part of the sales message for the recurring subscription plans, not a directory accompanied only by an unrelated or generic advertisement.⁶

⁶ <https://www.propstream.com/real-estate-agents-free-listings> (last accessed July 30, 2026).

1 35. The 50-lead trial is a limited sample of the much larger monthly save-and-export
2 capacities sold with the paid plans. By design, a prospective customer can use real persons' names to
3 verify that PropStream can identify property owners and furnish contact details before the customer
4 continues with recurring paid access.

5 36. The product being solicited during the no-charge trial is not the single property record
6 displayed. It is recurring, database-wide access to millions of records, materially larger lead
7 quantities, and integrated lead-generation, skip-tracing, and marketing tools. No subscription fee has
8 yet been charged when the sample name is shown. Each real person's name therefore functions as
9 concrete proof of what continuing paid access will deliver, even though similar underlying data may
10 also appear after a user subscribes. PropStream did not merely retain those names in a nonpublic,
11 internal database. It incorporated the names and associated person-specific records into the live,
12 searchable inventory offered to users as part of the free trial. Each identity made searchable and
13 retrievable contributed to the breadth, usefulness, and commercial appeal of the free-trial offering.
14 The names were therefore part of the content of PropStream's promotional sample and the means by
15 which EQUIMINE demonstrated and advertised the value of continuing paid access.

16 37. During the trial, prospective customers can search for properties, save up to 50 free
17 leads, and view owner names in the Property Details interface. Depending on the trial plan and any
18 applicable skip-tracing charge, a user may also access integrated skip-tracing functionality before
19 paid-plan limits apply.

20 38. EQUIMINE's marketing and pricing materials promote lead generation, owner
21 contact information, and skip tracing as features of PropStream and as reasons to select a paid plan.

22 39. PropStream's paid plans provide dramatically larger monthly lead capacities and
23 additional outreach and automation features, reinforcing that the 50-lead trial is promotional access
24 designed to sell those plans.

25 **B. PropStream Displays Names and Identifying Attributes of Real Persons**

26 40. Through PropStream, users can search for properties by address, assessor parcel
27 number, ZIP code, city, county, property type, and numerous other criteria, and can save properties
28 as leads for later marketing and outreach.

1 41. The Property Details interface displays an owner’s name before a skip trace is run. A
2 trial user may then select PropStream’s integrated “Skip Trace” function to obtain additional owner-
3 contact information, subject to the selected plan and any applicable per-contact charge.

4 42. The resulting contact record identifies the property owner by first, middle, and last
5 name and may display the property address, mailing address, multiple telephone numbers, email
6 addresses, and related identifying information.

7 43. PropStream thus does not merely display anonymized property statistics. It displays
8 the names and other identifiable attributes of real individuals associated with specific properties.

9 44. EQUIMINE intentionally determines the fields, labels, placement, and visual
10 presentation of owner names in the PropStream interface; programs the platform to retrieve specific
11 owners in response to user searches and lead-list actions; displays owner names before skip tracing;
12 and repeats those names in PropStream-branded contact records after skip tracing. These standardized
13 design choices make the use of each name knowing and deliberate—not an accidental employee-level
14 disclosure—and make identity central to demonstrating the contactable-lead functionality
15 EQUIMINE sells.

16 45. Each Plaintiff’s name was actually rendered and viewed in a trial account. The
17 challenged names were therefore not merely stored in a back-end database or hypothetically available;
18 EQUIMINE’s programmed interface retrieved and displayed them as person-specific examples
19 within its limited promotional trial.

20 **C. The Free Trial Is an Advertisement for Paid PropStream Subscriptions**

21 46. PropStream’s seven-day free trial is structured to provide prospective customers with
22 limited but meaningful access to the same type of leads and identifying information sold through paid
23 plans.

24 47. The free trial allows users to see that PropStream contains not only aggregate property
25 information, but also the names and identity attributes of real property owners and other persons
26 associated with properties. The free trial permits users to search that live inventory and select
27 particular named owners as potential leads. EQUIMINE therefore exposes those names for retrieval
28 by prospective users rather than merely maintaining them in a nonpublic back-end file.

48. By displaying real persons' names and identity attributes during the finite free trial, EQUIMINE authenticates and substantiates its sales pitch: the names show that PropStream can turn property records into identifiable, contactable owner leads. That person-specific proof is directly coupled with PropStream's express invitation to "continue for a flat monthly or annual fee" and to upgrade to a full subscription.

49. EQUIMINE uses the display of names and other identifying attributes as an advertising and conversion tool to induce prospective customers to continue with paid access after the trial.

50. To retain continuing access after the trial, users must activate or allow conversion to a paid subscription. The trial's no-charge, 50-lead limit is therefore temporally and quantitatively distinct from the recurring paid access being solicited.

51. In this way, there is a direct connection between EQUIMINE's use of each name and its commercial purpose: the real name makes the sample lead useful and credible, demonstrates the owner-contact and skip-tracing features, and increases the likelihood that the prospective customer will pay for continuing database access.

52. Stewart Information Services Corp.'s Chief Financial Officer described PropStream as a "subscription real estate service" that provides "very valuable" property-owner information for investor and realtor prospecting.⁷

53. PropStream uses a seven-day trial containing "50 Free Leads" to promote and sell its paid subscriptions. PropStream instructs trial users to search for potential off-market leads, review targeted properties, and obtain property-owner information. Its sales page tells users they receive "50 FREE LEADS with our 7-day free trial and continue for a flat monthly or annual fee," and its

⁷ *Stewart Information Services Corp., Second Quarter 2022 Earnings Call Transcript* (July 28, 2022) (statement of David C. Hisey, Chief Financial Officer) (describing PropStream as a "subscription real estate service" and its information as "very valuable" for investor and realtor prospecting), https://earningscalls.dev/transcripts/stewart-information-services-corporation_stc_earnings_call_transcript_2022-07-28 (last accessed July 30, 2026).

1 onboarding materials instruct users to “Activate your Subscription” and “move on to a full
2 subscription.”⁸

3 54. Accordingly, when PropStream incorporated Plaintiffs’ and Class Members’ names
4 into its live, searchable free-trial inventory—and, at a minimum, when it generated and displayed
5 those names as limited free leads during the finite, no-charge trial—those identities were not merely
6 database content sitting next to a generic upgrade banner. The names were person-specific examples
7 embedded in the very leads PropStream offered before directing the user to continue or upgrade to
8 the recurring paid product.

9 55. PropStream’s pricing further demonstrates the direct commercial connection. Its paid
10 tiers bundle ownership information with materially larger quantities of lead saves and exports used
11 for marketing and outreach. EQUIMINE therefore uses each challenged name within the limited trial
12 to demonstrate and promote the recurring paid product.

13 56. EQUIMINE’s use of Plaintiffs’ and Class Members’ names is directly tied to its
14 commercial purpose of advertising and selling PropStream subscriptions.

15 **D. EQUIMINE Did Not Obtain the Required Consent**

16 57. EQUIMINE did not obtain prior consent from Plaintiffs before configuring,
17 maintaining, and displaying Plaintiffs’ names and identity attributes through PropStream’s free-trial
18 subscription-marketing sequence. Any account used to investigate the public-facing trial functionality
19 did not purport to grant EQUIMINE consent on Plaintiffs’ behalf to use their identities for advertising.

20 58. EQUIMINE likewise did not obtain consent from the persons, including Class
21 Members, whose names and related identifying information were displayed in PropStream’s search
22 results and property reports.

23 59. Plaintiffs and Class Members did not authorize EQUIMINE to use their names or
24 identities in connection with PropStream’s promotional free trial or subscription marketing.

25
26
27 ⁸ PropStream, *Getting Started with the PropStream 7-Day Free Trial*, Steps 3, 5 & 9 (stating that
28 trial users locate potential off-market leads and property owners and, after exploring PropStream’s
features, should “Activate [their] Subscription” and “move on to a full subscription”),
<https://www.propstream.com/7-day-free-trial-getting-started> (last accessed July 27, 2026).

1 60. On information and belief, EQUIMINE maintained and used those names and
2 identifying attributes as part of its proprietary platform and sales funnel without the consent required
3 by California law.

4 61. Plaintiffs do not challenge the reporting of deeds, assessments, or other property facts
5 as such. The challenged use is EQUIMINE's separate decision to place an owner's name into a
6 limited, branded lead sample that PropStream expressly couples with continued paid access, skip
7 tracing, and direct marketing. The trial displays contained no news reporting, commentary, analysis,
8 or public-affairs account and used each name for its utility in identifying a contactable sales lead and
9 promoting the subscription.

10 **E. Plaintiffs and Class Members Suffered Harm**

11 62. Each Plaintiff personally suffered the anxiety, mental anguish, and disturbance of
12 peace of mind alleged above. Each proposed Class Member's name, by definition, was actually
13 rendered through the challenged trial interface rather than merely stored in EQUIMINE's database.

14 63. Plaintiffs and Class Members were deprived of exclusive control over the commercial
15 use of their identities and of the opportunity to decide whether, when, and on what terms their names
16 would be used to promote a subscription product.

17 64. EQUIMINE received the measurable commercial benefit of using those identities to
18 make its trial more persuasive, acquire and convert prospective subscribers, and market its
19 subscription product, while Plaintiffs and Class Members received no compensation and gave no
20 consent.

21 65. California law applies to the Nationwide Class claims because the material conduct
22 giving rise to those claims emanated from California. EQUIMINE is incorporated and headquartered
23 in California; its Terms select California law and treat the subscription agreement as entered into and
24 performed in California; and, on information and belief, EQUIMINE management and personnel in
25 California designed, approved, implemented, and controlled the uniform trial interface, lead limits,
26 pricing, subscription-conversion, and challenged conduct. California therefore has substantial
27
28

1 contacts with the claims and a strong interest in regulating the commercial conduct of its corporate
2 citizen.⁹

3 **V. ANTI-SLAPP EXEMPTIONS**

4 66. This action is brought solely on behalf of the general public and the proposed Class.
5 Plaintiffs seek no relief greater than or different from the relief sought for the persons they represent;
6 successful enforcement would protect an important right and confer a significant benefit on a large
7 class; and private enforcement is necessary and imposes a financial burden disproportionate to each
8 Plaintiff's individual statutory stake. California Code of Civil Procedure § 425.17(b) therefore
9 exempts this action from California's anti-SLAPP statute.

10 67. The challenged conduct also arises from statements and conduct by EQUIMINE, a
11 person primarily engaged in selling subscription services, consisting of representations of fact about
12 those services made to promote or secure sales to actual or potential customers. California Code of
13 Civil Procedure § 425.17(c) independently exempts the challenged commercial speech.

14 **VI. CLASS ACTION ALLEGATIONS**

15 68. Plaintiffs bring this action under Federal Rules of Civil Procedure 23(a), 23(b)(2), and
16 23(b)(3) on behalf of the following Class:

17 69. The proposed Nationwide Class is defined as:

18 All natural persons in the United States whose names were rendered in an owner-
19 or contact-information result in response to a search, lead-list action, or skip-trace
20 action performed through a PropStream seven-day trial account during the period
21 beginning two years before the filing of this Complaint and continuing through the
22 date of class certification (the "Class Period").

23 70. Plaintiffs reserve the right to amend the Class definition or propose subclasses as
24 discovery proceeds.

25 71. Excluded from the Class are persons whom Defendant's contemporaneous business
26 records identify as having, before the challenged display, expressly authorized Defendant to use their

27 _____
28 ⁹ PropStream, Terms of Use, <https://www.propstream.com/terms-of-use> (last accessed July 30, 2026).

names or identities in PropStream's free-trial search results, property profiles, or lead records to advertise, promote, or sell PropStream subscriptions.. Also excluded from the Class are Defendant; its parents, subsidiaries, affiliates, officers, directors, employees, legal representatives, successors, and assigns; any judge or judicial officer presiding over this matter; and members of their immediate families.

72. *Numerosity*: The proposed Class is so numerous that joinder of all Class Members is impracticable.

73. On information and belief, PropStream's seven-day trial program caused the names and identity attributes of tens of thousands of individuals throughout the United States to be rendered during the Class Period.

74. The exact number of Class Members is uniquely within EQUIMINE's possession, custody, or control, but Class Members can be identified through EQUIMINE's databases, logs, subscriptions, search histories, and related records.

75. *Commonality*: Questions of law and fact common to the Class include, without limitation:

- a. Whether EQUIMINE displayed or used Class Members' names through PropStream for advertising or commercial purposes;
- b. Whether EQUIMINE obtained the requisite consent before doing so;
- c. Whether EQUIMINE's conduct violated California right-of-publicity law;
- d. Whether PropStream's free-trial marketing and subscription funnel constitutes advertising or commercial use;
- e. Whether EQUIMINE commercially used Class Members' names by incorporating them into PropStream's live, searchable free-trial inventory and by generating, returning, transmitting, or displaying those names through the free-trial interface;
- f. Whether EQUIMINE's conduct caused injury to Plaintiffs and Class Members; and
- g. Whether Plaintiffs and the Class are entitled to statutory damages, actual damages, attributable profits, declaratory relief, injunctive relief, attorneys' fees, and costs.

1 76. These questions are capable of classwide resolution because they turn on
2 EQUIMINE's standardized platform design, uniform marketing practices, California-based conduct,
3 and common course of conduct.

4 77. *Typicality*: This action satisfies Rule 23(a)(3) because Plaintiffs' claims are typical of
5 the Class they seek to represent and arise from the same course of conduct by Defendant.

6 78. Plaintiffs' claims are typical of the claims of the Class because each Plaintiff, like the
7 Class Members, had her name displayed and used by EQUIMINE through the same platform, in the
8 same manner, for the same advertising and commercial purpose, and without the required consent.

9 79. Plaintiffs' claims arise from the same practice, course of conduct, and legal theories
10 as those of the Class Members.

11 80. *Adequacy*: Plaintiffs will fairly and adequately represent and protect the interests of
12 the Class. Plaintiffs have retained counsel with substantial experience in prosecuting consumer class
13 actions.

14 81. Plaintiffs have no interests antagonistic to the Class.

15 82. Plaintiffs have retained counsel experienced in complex class actions, privacy
16 litigation, and consumer-protection cases.

17 83. Plaintiffs and counsel are committed to vigorously prosecuting this action on behalf
18 of the Class and have the financial resources to do so. Neither Plaintiffs nor their counsel has interests
19 adverse to the Class.

20 84. *Predominance*: Common questions predominate over individualized issues because
21 EQUIMINE's conduct, its use of a standardized platform and promotional free trial, its California-
22 based decisions, and its lack of consent present common proof applicable to all Class Members.

23 85. Any individual questions are secondary and do not defeat class treatment.

24 86. *Superiority*: A class action is superior to individual suits because the amounts at stake
25 for any one Class Member are relatively small compared to the cost of individual litigation, while
26 EQUIMINE's conduct affected a large number of persons in the same manner.

27 87. Because the damages suffered by each individual Class Member may be relatively
28 small, the expense and burden of individual litigation would make it very difficult or impossible for

individual Class Members to redress the wrongs done to each of them individually, such that most or all Class Members would have no rational economic interest in individually controlling the prosecution of specific actions; and the burden imposed on the judicial system by individual litigation—by even a small fraction of the Class—would be enormous, making class adjudication the superior alternative under Rule 23(b)(3)(A).

88. Class action treatment of this matter presents fewer management difficulties, better conserves judicial and party resources, and more effectively protects the rights of Class Members than piecemeal litigation. Compared to the expense, burdens, inconsistencies, economic infeasibility, and inefficiencies of individualized litigation, the challenges of managing this action as a class action are substantially outweighed by the benefits to the legitimate interests of the parties, the Court, and the public of class treatment in this Court, making class adjudication superior to other alternatives under Rule 23(b)(3)(D).

89. Plaintiffs are not aware of any obstacles likely to be encountered in the management of this action that would preclude its maintenance as a class action. Rule 23 provides the Court with authority and flexibility to maximize the efficiencies and benefits of the class mechanism and reduce management challenges. The Court may certify the Class, appropriate subclasses, or particular claims or issues under Rule 23(c)(4) and Rule 23(c)(5).

90. This action satisfies Rule 23(b)(2) because Defendant has acted and refused to act on grounds generally applicable to the Class, making declaratory and injunctive relief appropriate for the Class as a whole. Unless restrained, EQUIMINE will continue the challenged conduct because PropStream's platform and subscription model are ongoing.

VII. CAUSES OF ACTION

FIRST CAUSE OF ACTION

Violation of California Civil Code § 3344

(On Behalf of Plaintiffs and the Class)

91. Plaintiffs, individually and on behalf of the Class, repeat and reallege all foregoing paragraphs as if fully alleged herein.

1 92. California Civil Code § 3344(a)(1) prohibits the knowing use of another's name for
2 purposes of advertising or selling, or soliciting purchases of products, merchandise, goods, or
3 services, without prior consent.

4 93. EQUIMINE knowingly used Plaintiffs' and Class Members' names in PropStream's
5 limited free-trial and subscription-conversion sequence for the purpose of advertising, promoting,
6 marketing, and soliciting purchases of recurring paid PropStream subscriptions. In fact, EQUIMINE
7 tells trial users that they receive "50 FREE LEADS" and may "continue for a flat monthly or annual
8 fee."

9 94. EQUIMINE's use was intentional, commercial, and designed to generate subscription
10 revenue by exploiting the commercial utility of Plaintiffs' and Class Members' names within the leads
11 displayed to trial users.

12 95. EQUIMINE did not obtain prior consent from Plaintiffs or Class Members to use their
13 names in this way.

14 96. EQUIMINE's conduct was not incidental or de minimis. Its programmed interface
15 retrieved and rendered each specific owner name in response to user searches and actions before and
16 after skip tracing. Real names converted otherwise anonymous property records into marketable
17 owner leads, substantiated PropStream's promised contact capabilities, and made the finite trial more
18 persuasive as an advertisement for recurring paid access. Because PropStream expressly coupled the
19 free leads with continuation for a monthly or annual fee, the use therefore bore a direct connection to
20 EQUIMINE's commercial purpose.

21 97. As a direct and proximate result of EQUIMINE's unlawful conduct, Plaintiffs suffered
22 the concrete anxiety, mental anguish, disturbance of peace of mind, and loss of control alleged above.
23 Plaintiffs and Class Members also suffered the actual unauthorized commercial use of their names
24 and loss of the opportunity to decide whether, when, and on what terms EQUIMINE could use those
25 names to promote subscriptions.

26 98. Pursuant to California Civil Code § 3344(a)(1), Plaintiffs and Class Members are
27 entitled to recover the statutory minimum of \$750 or their actual damages, whichever is greater,
28

1 together with any profits attributable to the unauthorized use that are not taken into account in
2 computing actual damages.

3 99. Plaintiffs and Class Members are also entitled to punitive damages upon proof
4 satisfying California law, attorneys' fees and costs under California Civil Code § 3344(a)(1), and
5 narrowly tailored preliminary and permanent injunctive relief under California Civil Code §
6 3344(a)(2).

7 100. Plaintiffs seek only those profits attributable to the unauthorized use that are
8 recoverable under California Civil Code § 3344(a)(1), and do not seek nonrestitutionary disgorgement
9 under this cause of action.

10 SECOND CAUSE OF ACTION

11 California Common-Law Right of Publicity

12 (On Behalf of Plaintiffs and the Class)

13 101. Plaintiffs, individually and on behalf of the Class, repeat and reallege all foregoing
14 paragraphs as if fully alleged herein.

15 102. EQUIMINE used Plaintiffs' and Class Members' identities through PropStream;
16 appropriated those identities to its commercial advantage by using them to demonstrate and promote
17 its subscription service; and did so without consent.

18 103. The use was directly connected to EQUIMINE's commercial purpose because each
19 name transformed property information into an identifiable, contactable owner lead and served as a
20 person-specific example of the leads available through continued paid access.

21 104. As a direct and proximate result, Plaintiffs and Class Members suffered injury,
22 including loss of control over the challenged commercial use of their names, deprivation of the value
23 of that use, and the noneconomic injuries alleged above.

24 105. Plaintiffs and Class Members seek actual damages, profits attributable to the
25 unauthorized use where recoverable, punitive damages upon the required proof, and appropriate
26 injunctive relief under California common law.

THIRD CAUSE OF ACTION

Violation of California Business and Professions Code § 17200 et seq.

(On Behalf of Plaintiffs and the Class)

106. Plaintiffs, individually and on behalf of the Class, repeat and reallege all foregoing paragraphs as if fully alleged herein.

107. EQUIMINE engaged in unlawful and unfair business acts or practices in violation of California’s Unfair Competition Law (“UCL”), codified at California Business and Professions Code § 17200, by designing, approving, implementing, and controlling the standardized use of Plaintiffs’ and Class Members’ names without consent in PropStream’s free-trial subscription-marketing sequence.

108. The conduct is unlawful because it violates California Civil Code section 3344, as alleged above.

109. EQUIMINE configured PropStream to retrieve and display each Plaintiff’s and each Class Member’s name within the PropStream-branded trial interface and the finite leads that EQUIMINE expressly couples with continuing monthly or annual paid access.

110. The challenged conduct is independently unfair.

111. EQUIMINE deliberately engaged in the challenged conduct to obtain an unfair commercial advantage over Plaintiffs and Class Members by using their identities to demonstrate and promote PropStream without consent or compensation.

112. The conduct is tethered to and contravenes the policy embodied in California Civil Code section 3344; is immoral, unethical, oppressive, or substantially injurious; and causes harm that is not outweighed by countervailing benefits and that the identified persons could not reasonably avoid.

113. Plaintiffs suffered injury in fact and lost money or property as a result of EQUIMINE’s conduct because EQUIMINE took and exercised, without compensation, the legally protected and economically valuable right to control, license, or withhold the challenged commercial use of their names.

114. EQUIMINE's continuing conduct also creates a real threat that Plaintiffs' names will be repeatedly displayed through new trial accounts. EQUIMINE maintains the system and data necessary to repeat the challenged use, and Plaintiffs cannot prevent that recurrence themselves.

115. Plaintiffs seek prospective injunctive relief under the UCL. Legal remedies available for past unauthorized uses cannot prevent EQUIMINE from repeatedly displaying Plaintiffs' and Class Members' names through new free-trial accounts, restore Plaintiffs' control over the future commercial use of their identities, or prevent continuing invasions of their privacy and peace of mind. Plaintiffs therefore lack an adequate legal remedy for the threatened future harm.

116. Plaintiffs do not seek damages, restitution based on a reasonable royalty or lost licensing opportunity, EQUIMINE's profits, or nonrestitutionary disgorgement under the UCL.

VIII. PRAYER FOR RELIEF

Wherefore, Plaintiffs, individually and on behalf of all others similarly situated, respectfully request that the Court enter judgment against Defendant and award the following relief:

1. Certifying this action as a class action under Rule 23, appointing Plaintiffs as Class Representatives of the Class, and appointing Plaintiffs' counsel as Class Counsel;
2. Entering judgment in favor of Plaintiffs and the Class on all claims;
3. Awarding actual damages, statutory damages, profits attributable to the unauthorized use under California Civil Code § 3344(a)(1), and other monetary relief authorized by applicable substantive law;
4. Awarding punitive damages to the fullest extent permitted by law;
5. Awarding pre-judgment and post-judgment interest as allowed by law;
6. Awarding reasonable attorneys' fees, costs, and litigation expenses only where authorized by applicable law;
7. Entering narrowly tailored preliminary and permanent injunctive relief enjoining EQUIMINE from displaying Plaintiffs' and Class Members' names as free promotional leads or examples through PropStream's trial and subscription-conversion sequence without lawful consent;
8. Entering declaratory relief declaring Defendant's challenged conduct unlawful; and

1 9. Granting such other and further relief as the Court deems just and proper.

2

3 Dated: August 5, 2026

WILSHIRE LAW FIRM, PLC

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By: /s/ Thiago M. Coelho

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DEMAND FOR JURY TRIAL

Plaintiffs, individually and on behalf of all others similarly situated, hereby demand a jury trial for all claims so triable.

Dated: August 5, 2026

WILSHIRE LAW FIRM, PLC

By: /s/ Thiago M. Coelho

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