

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

DON'T TREAD ON US, LLC, a Florida
limited liability company,

Plaintiff,

v.

Civil Action No.: _____

TWITTER, INC. a Delaware corporation,

Defendant.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Twitter, Inc. ("Twitter") hereby removes this action from the Circuit Court for the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, Case No. 2023-001009-CA01 (the "Circuit Court Action"), to the United States District Court for the Southern District of Florida Miami Division. Removal is proper because the Court has diversity jurisdiction over this action according to Plaintiff's allegations and Twitter has satisfied all requirements for removal. Twitter states the following in support of this Notice:

1. Plaintiff Don't Tread on Us, LLC ("DTOU") initiated this action on January 20, 2023, by filing its one-count Complaint in the Circuit Court Action. A complete copy of the state court docket and all publicly available filings are attached as **Exhibit A**.
2. DTOU served Twitter through its Registered Agent CT Corporation System on February 7, 2023. A copy of the service package Twitter received is attached as **Exhibit B**.
3. DTOU sued Twitter for breach of contract, alleging Twitter improperly failed to "unsuspend" certain Twitter accounts. (Compl. ¶¶ 18, 21-26).

DIVERSITY OF CITIZENSHIP

4. According to the allegations in the Complaint, DTOU is “based in Miami, Florida.” (Compl. ¶ 18). An online search of DTOU’s business registration and articles of organization show that DTOU is a limited liability company organized under the laws of the State of Florida, with its principal place of business located in Miami, FL 33187. That address is a residential homestead property owned by Jared Beck and Elizabeth Beck, the only two authorized persons affiliated with DTOU in the company’s business records. DTOU’s business records and the property records for the referenced address are attached as **Composite Exhibit C**.

5. For diversity purposes, a limited liability company is a citizen of any state of which its members are a citizen. *Rolling Greens MHP, L.P. V. Comcast SCH Holdings, L.L.C.*, 374 F.2d 1020, 1022 (11th Cir. 2004). Upon information and belief, DTOU’s sole members are Mr. Beck and Mrs. Beck, who are both citizens of Florida based on their domicile in Miami, Florida. DTOU is a citizen of Florida for purposes of diversity jurisdiction.

6. Twitter is a Delaware corporation with its principal place of business in San Francisco, California. (Compl. ¶ 19). Twitter is not incorporated in any state other than Delaware. Twitter is a citizen of Delaware and California for purposes of diversity jurisdiction. *See* 28 U.S.C. § 1332(c)(1).

7. Since DTOU and Twitter are citizens of different states, complete diversity exists between the parties. *See* 28 U.S.C. § 1332(a).

AMOUNT IN CONTROVERSY

8. Although Twitter denies that DTOU is entitled to any monetary relief whatsoever, DTOU seeks to recover over \$100,000 in damages, so this case satisfies the \$75,000 amount in controversy requirement. *See* 28 U.S.C. § 1332(a).

9. Specifically, DTOU alleges in its Complaint that “[t]his is an action for damages and injunctive relief that exceed[s] the value of \$50,000.00, exclusive of interest, court costs, and attorneys’ fees. (Compl. ¶ 16).

10. In addition, DTOU selected “over \$100,000.00” on the civil cover sheet it filed to estimate the amount of its claim, picking that option out of five other options, which included lower brackets of “\$50,001 - \$75,000” and “\$75,001 - \$100,000.” *See Exhibit A at *3.*

11. Federal courts in California have often consulted civil cover sheets to analyze amount in controversy. *See Mendenhal v. Christensen*, 16-cv-04232-JSC, 2016 WL 5339710, at *2 (N.D. Cal. Sept. 1, 2016) (finding that civil cover sheet indicating plaintiff sought \$222,684 in damages satisfied amount in controversy requirement and dismissing on other grounds); *Ceuvas v. Ford Motor Company*, 22-1520-DMG, 2022 WL 1487178, at * 3 (C.D. Cal. May 11, 2022) (examining contents of civil cover sheet to determine whether removal was necessary and timely); *Deutsche Bank Nat. Trust Co. v. Cambron*, 12-1901-EDL, 2012 WL 1712035, at *3 (N.D. Cal. May 12, 2012) (recommending remand where the complaint stated the demand did not exceed \$10,000.00 and the civil cover sheet indicated demand was \$25,000 or less).¹

12. In addition, the essence of this action concern’s DTOU’s complaint that Twitter committed a breach of contract when it suspended accounts associated with Jared H. Beck and Elizabeth Lee Beck, who claimed to have had a combined 30,000 followers, which they used in connection with law firm clients. (Compl. ¶ 11.) Though Twitter denies DTOU is entitled to any

¹ The use of civil cover sheets by federal courts in California to analyze the amount in controversy is determinative because Twitter is moving to transfer to the Northern District of California in accordance with the mandatory forum selection clause in Twitter’s user agreement and terms of service, the only operative contract associated with DTOU’s alleged breach of contract claim. (Compl. ¶¶ 18, 21, 22, 26); *see Trump v. Twitter, Inc.*, 21-22441-CIV, 2021 WL 8202673, at *2-6 (S.D. Fla. Oct. 26, 2021) (finding forum selection clause mandatory); *Zampa v. JUUL Labs, Inc.*, Case No. 18-25005-Civ, 2019 WL 1777730, at *3-4 (S.D. Fla. Apr. 23, 2019) (considering motion to transfer before motion to remand, and noting there is no federal law or statute, or judicial decision, that requires [a] court to decide a motion to remand before it decides a motion to transfer).

monetary relief, DTOU's allegations further satisfy the amount in controversy requirement. *See e.g. PhoneDog v. Kravitz*, C 11-03474 MEJ, 2011 WL 5415612, at *10 (N.D. Cal. Nov. 8, 2011) (denying motion to dismiss for lack of jurisdiction where plaintiff had calculated damages by multiplying an alleged industry standard figure with the number of followers (17,000), and finding it was not beyond a legal certainty that the claim was for less than \$75,000).

13. Based on DTOU's allegations, the amount in controversy exceeds the jurisdictional threshold. *See Arias v. Residence Inn by Marriott*, 936 F.3d 920, 925 (9th Cir. 2019) (agreeing that defendant could rely on allegations of complaint to assess amount in controversy); *Patel v. Nike Retail Services, Inc.*, 58 F. Supp. 3d 1032, 1039 (N.D. Cal. 2014) ("The amount in controversy is simply an estimate of the total amount in dispute, not a prospective assessment of defendant's liability").

PROCEDURAL COMPLIANCE

14. This removal is timely because Twitter has filed this Notice within 30 days after service of the Complaint. *See* 28 U.S.C. § 1446(b)(1); (Exs. A, B (reflecting service on February 7, 2023)).

15. Venue for removal is proper in this Court because the Southern District of Florida, Miami Division embraces the court where the Circuit Court Action was pending. *See* 28 U.S.C. § 1441(a).

16. Twitter has attached to this Notice copies of all process, pleadings, and orders on file in the Circuit Court Action. *See* 28 U.S.C. § 1446(a); (Exhibit A, Civil Cover Sheet, Complaint, Summons, Verified Return of Service).

17. Twitter will serve DTOU's counsel with a copy of this Notice of Removal and its exhibits by filing a copy of the Notice of Removal with the Clerk of the Miami-Dade County Circuit Court which will serve DTOU's counsel by email. *See* 28 U.S.C. § 1446(d).

RESERVATION OF RIGHTS

18. By filing this Notice of Removal, Twitter does not waive any objections, defenses, obligations, or exceptions it may have as to service, jurisdiction or venue, or any other matter.

19. In making the allegations in this Notice of Removal, Twitter does not concede in any way that the allegations in the Complaint are true, that Plaintiffs have asserted claims upon which relief can be granted, or that any relief that Plaintiffs seek is authorized or appropriate.

20. Twitter reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendant Twitter, Inc. removes this action from the Circuit Court of the Eleventh Judicial Circuit, Miami-Dade County, Florida to this Court.

Dated: March 9, 2023

Respectfully submitted,

/s/ Joshua C. Webb
Joshua C. Webb (FBN: 051679)
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(813) 221-3900 (Telephone)
(813) 221-2900 (Facsimile)
Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by electronic mail
this 9th day of March, 2023 to:

Jared H. Beck
Elizabeth Lee Beck
Beck & Lee Trial Lawyers
jared@beckandlee.com
elizabeth@beckandlee.com

/s/ Joshua C. Webb
Attorney



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DON'T TREAD ON US, LLC VS TWITTER, INC.

Local Case Number: 2023-001009-CA-01

Filing Date: 01/20/2023

State Case Number: 132023CA0010090000001

Judicial Section: CA15

Consolidated Case No.: N/A

Case Type: Contract & Indebtedness

Case Status: OPEN

Related Cases

Total Of Related Cases: 0 +

Parties

Total Of Parties: 2 +

Hearing Details

Total Of Hearings: 0 +

Dockets

Total Of Dockets: 8 -

	Number	Date	Book/Page	Docket Entry	Event Type	Comments
	8	02/07/2023		Service Returned	Event	TWITTER, INC.
	7	02/01/2023		Receipt:	Event	RECEIPT#:3140215 AMT PAID:\$10.00 NAME:BECK, ELIZABETH LEE BECK & LEE TRIAL LAWYERS 8306 MILLS DR. #248 MIAMI FL 33183 COMMENT: ALLOCATION CODE QUANTITY UNIT AMOUNT 3139-SUMMONS ISSUE FEE 1 \$10.00 \$10.00 TENDER TYPE:EFILINGS TENDER AMT:\$10.00 RECEIPT DATE:02/01/2023 REGISTER#:314 CASHIER:EFILINGUSER
		01/31/2023		20 Day Summons Issued	Service	
	6	01/31/2023		ESummons 20 Day Issued	Event	RE: INDEX # 5. Parties: Twitter Inc.
	5	01/31/2023		(M) 20 Day (C) Summons (Sub) Received	Event	
	4	01/24/2023		Receipt:	Event	RECEIPT#:3100046 AMT PAID:\$401.00 NAME:JARED H BECK (ESQ) BECK & LEE TRIAL LAWYERS 8306 MILLS DR. #248 MIAMI FL 33183 COMMENT: ALLOCATION CODE QUANTITY UNIT AMOUNT 3100-CIRCUIT FILING FEE 1 \$401.00 \$401.00 TENDER TYPE:EFILINGS TENDEF AMT:\$401.00 RECEIPT DATE:01/24/2023 REGISTER#:310 CASHIER:EFILINGUSER



	Number	Date	Book/Page	Docket Entry	Event Type	Comments
	2	01/20/2023		Complaint	Event	
	1	01/20/2023		Civil Cover Sheet - Claim Amount	Event	

◀ BACK

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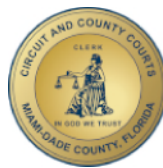
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Clerk of the Courts

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305-275-1155

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FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

IN THE CIRCUIT/COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Don't Tread on Us, LLC
Plaintiff

Case # _____
Judge _____

vs.
Twitter, Inc.
Defendant

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- ☐ \$8,000 or less
- ☐ \$8,001 - \$30,000
- ☐ \$30,001- \$50,000
- ☐ \$50,001- \$75,000
- ☐ \$75,001 - \$100,000
- ☒ over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- ☐ Condominium
- ☒ Contracts and indebtedness
- ☐ Eminent domain
- ☐ Auto negligence
- ☐ Negligence—other
 - ☐ Business governance
 - ☐ Business torts
 - ☐ Environmental/Toxic tort
 - ☐ Third party indemnification
 - ☐ Construction defect
 - ☐ Mass tort
 - ☐ Negligent security
 - ☐ Nursing home negligence
 - ☐ Premises liability—commercial
 - ☐ Premises liability—residential
- ☐ Products liability
- ☐ Real Property/Mortgage foreclosure
 - ☐ Commercial foreclosure
 - ☐ Homestead residential foreclosure
 - ☐ Non-homestead residential foreclosure
 - ☐ Other real property actions
- ☐ Professional malpractice
 - ☐ Malpractice—business
 - ☐ Malpractice—medical
 - ☐ Malpractice—other professional
- ☐ Other
 - ☐ Antitrust/Trade regulation
 - ☐ Business transactions
 - ☐ Constitutional challenge—statute or ordinance
 - ☐ Constitutional challenge—proposed amendment
 - ☐ Corporate trusts
 - ☐ Discrimination—employment or other
 - ☐ Insurance claims
 - ☐ Intellectual property
 - ☐ Libel/Slander
 - ☐ Shareholder derivative action
 - ☐ Securities litigation
 - ☐ Trade secrets
 - ☐ Trust litigation

COUNTY CIVIL

- ☐ Small Claims up to \$8,000
- ☐ Civil
- ☐ Real property/Mortgage foreclosure

- ☐ Replevins
- ☐ Evictions
 - ☐ Residential Evictions
 - ☐ Non-residential Evictions
- ☐ Other civil (non-monetary)

COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes ☐ No ☒

IV. REMEDIES SOUGHT (check all that apply):

- ☒ Monetary;
- ☒ Nonmonetary declaratory or injunctive relief;
- ☐ Punitive

V. NUMBER OF CAUSES OF ACTION: []
(Specify)

1

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- ☐ yes
- ☒ no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- ☒ no
- ☐ yes If “yes,” list all related cases by name, case number, and court.

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- ☒ yes
- ☐ no

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?

- ☐ yes
- ☒ no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: s/ Jared Beck
Attorney or party

Fla. Bar # 20695
(Bar # if attorney)

Jared Beck
(type or print name)

01/20/2023
Date

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

CIVIL DIVISION

CASE NO.

DON'T TREAD ON US, LLC, a Florida
limited liability company,

Plaintiff,

v.

TWITTER, INC., a Delaware corporation,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL



Plaintiff, DON'T TREAD ON US, LLC ("Plaintiff"), by and through undersigned
counsel, hereby sues Defendant, TWITTER, INC. ("Defendant" or "Twitter"), and alleges the
following:

GENERAL ALLEGATIONS OF FACT

1. On October 27, 2022, billionaire Elon Musk acquired social media service
Twitter. Shortly thereafter, Musk explained his purchase of the "digital town square" was

motivated by concerns that Twitter was increasingly suppressing free speech. Upon naming himself CEO, Musk promptly restored several high-profile accounts that had been suspended, including former President Donald Trump, the Babylon Bee, Andrew Tate, and Project Veritas. On November 24, 2022, after conducting a user poll, Musk offered **“a general amnesty to suspended accounts, provided that they have not broken the law or engaged in egregious spam[.]”** Musk tweeted, **“The people have spoken. Amnesty begins next week. Vox Populi, Vox Dei.”**

2. In addition to unsuspending accounts and granting general amnesty, Musk’s agenda as owner and CEO of Twitter has revealed the extraordinary extent of censorship and speech suppression engaged in by the company’s prior management. To this end, on December 2, 2022, Musk, through various journalists, began releasing the Twitter Files. Published in installments, the Twitter Files have exposed intense coordination between Twitter and various government agencies including the FBI, CIA, and Department of Defense as well as the Democratic National Committee (“DNC”) to censor discourse on the platform around various public issues including the 2020 presidential election, the Hunter Biden laptop controversy, and Covid-19. As one of the Twitter Files journalists, Matt Taibbi, tweeted on January 3, 2023, in connection with a request by Democratic congressman Adam Schiff to ban journalist Paul Sperry, Twitter “received an astonishing variety of requests from officials asking for individuals they didn’t like to be banned.”

3. Bafflingly, however, while Twitter’s new policy has resulted in the restoration of numerous accounts, many of which, like Sperry’s, were targeted for censorship due to the expression of views critical of the Democratic Party or its candidates, two of the most obvious

victims of Twitter’s censorship campaign on behalf of the DNC have yet to be restored: Jared H. Beck (“Mr. Beck”) and Elizabeth Lee Beck (“Mrs. Beck”).

4. Mr. and Mrs. Beck are married attorneys who have been practicing civil litigation in Miami, Florida through their law office, Beck & Lee Trial Lawyers (“Beck & Lee”), since 2007. They are graduates of Harvard and Yale Law Schools, respectively. Before starting Beck & Lee, Mr. Beck practiced at Quinn Emanuel in Los Angeles and Morgan Lewis & Bockius in Miami. Mrs. Beck worked for Quinn Emanuel in Los Angeles and Coffey Burlington in Miami. Beck & Lee’s practice runs the gamut of civil matters, including complex business disputes, real estate litigation, medical malpractice lawsuits, and nationwide antitrust and consumer class actions.

5. Beck & Lee initially built its reputation by successfully litigating hundreds of claims on behalf of real estate investors arising out of the Great Recession of 2007-09 and the associated real estate market crash. Several of those claims involved the abandoned Trump International Hotel & Tower project in Fort Lauderdale, which resulted in a jury trial in Broward County state court against Donald Trump in 2014. Beck & Lee’s litigation against Trump later garnered intense national and international media attention during his 2016 presidential campaign due to an angry sexist tirade by Trump against Mrs. Beck at his 2011 deposition, whereupon a red-faced Trump stormed out of the room. *See* Jeremy Diamond, *Lawyer: Donald Trump called me ‘disgusting’ for request to pump breast milk*, CNN (July 29, 2015), available at <https://www.cnn.com/2015/07/29/politics/trump-breast-pump-statement/index.html> (last visited Jan. 1, 2023).

6. Mrs. Beck was interviewed regarding Trump’s conduct by, among others, the New York Times, CNN, and MSNBC. Portions of her CNN interview were replayed by the

DNC at its July 2016 national convention as part of a video presentation titled “Trump in His Own Words: Women in the Workplace.” (The presentation is available on YouTube at <https://www.youtube.com/watch?v=9dQyauLUGQs> (last visited Jan. 1, 2023)). (Trump swiftly lashed out against Mrs. Beck, maligning her in the press as a “tough killer in Miami,” “whack-job,” “crazy,” “vicious, horrible person,” and falsely asserting that “she wanted to breast-pump in front of me.”).¹

7. In an ironic twist, at the very moment the DNC was projecting Mrs. Beck’s personal experience with Trump at its national convention in Philadelphia to persuade voters to elect Hillary Clinton, Beck & Lee was battling the DNC in a federal courtroom in Fort Lauderdale on behalf of supporters of Clinton’s principal challenger for the Democratic nomination, Bernie Sanders. At the time, Mr. and Mrs. Beck were ardent supporters of Sanders and donors to his campaign. On June 28, 2016, just under a month before the convention, Beck & Lee filed a class action on behalf of 120 named Sanders supporters. The lawsuit, which named as defendants the DNC’s body corporate and chairwoman Deborah Wasserman Schultz, asserted that the DNC and Wasserman Schultz had violated the DNC’s charter obligation to “maintain impartiality and evenhandedness during the Democratic Party nominating process.” Art. 5, § 4 of the Charter of the Democratic Party of the United States. The legal claims were based on the DNC’s internal documents – the authenticity of which the DNC has never contested, and which were released into the public domain by Guccifer 2.0 and later Wikileaks –

¹ See David Martosko, *EXCLUSIVE: Donald Trump hammers ‘whack-job’ attorney who once tried to pump breast milk while he gave a legal deposition, saying he ‘knocked her out of the box’ on Twitter*, DailyMail.com (July 29, 2015), available at <https://www.dailymail.co.uk/news/article-3179223/Donald-Trump-hammers-whack-job-attorney-tried-pump-breast-milk-gave-legal-deposition-saying-knocked-box-Twitter.html> (last visited Aug. 5, 2021); *Donald Trump: Elizabeth Beck is a ‘horrible person,’* CNN.com (July 29, 2015), available at <https://www.cnn.com/videos/politics/2015/07/29/donald-trump-elizabeth-beck-dana-bash-interview.cnn> (last visited Jan. 3, 2023).

that show, beyond dispute, that the DNC favored and devoted considerable resources to Clinton's campaign for the Democratic presidential nomination while undermining Sanders. In the immediate aftermath of the WikiLeaks release, Wasserman Schultz and three additional DNC officers resigned.

8. The "DNC Fraud Lawsuit," as it became known on social media and in mainstream and alternative news publications, was ultimately dismissed based on lack of standing, a decision upheld by the Eleventh Circuit in a 29-page published opinion from which the U.S. Supreme Court denied certiorari relief. *See Wilding v. DNC Servs. Corp.*, 941 F.3d 1116 (11th Cir. 2019), *cert. denied by Wilding v. DNC Servs. Corp.*, 140 S.Ct. (2020). While it did not result in a positive judgment for the plaintiffs, the case did achieve a large measure of success in other respects. First, during the district court proceedings, the plaintiffs obtained a critical admission from the DNC in open court when the defendants' lead counsel acknowledged under questioning from Judge William Zloch that his clients believed they had the legal right to rig the primary elections. *See Wilding v. DNC Servs. Corp.*, Transcript of Motion Hearing (Apr. 25, 2017) at 36:21-25 (Counsel for DNC: "[W]e could have voluntarily decided that, Look, we're gonna go into back rooms like they used to and smoke cigars and pick the candidate that way. That's not the way it was done. But they could have. **And that would have also been their right.**" (emphasis added)). Judge Zloch took note of this shocking admission in his opinion dismissing the case. *See Wilding v. DNC Servs. Corp.*, 2017 WL 6345492, *5 (S.D. Fla. Aug. 25, 2017) ("The Court does not accept this trivialization of the DNC's governing principles. While it may be true in the abstract that the DNC has the right to have its delegates 'go into back rooms like they used to and smoke cigars and pick the candidate that way,' [] the DNC, through its charter, has committed itself to a higher principle." (citation omitted)).

9. Second, at least in part due to its success in revealing the depth of the DNC's disregard for its own charter obligation, the DNC Fraud Lawsuit inspired a vigorous social media discourse surrounding the issue of election integrity, including on Facebook and Twitter, frequently centered on the hashtag #DNCFraudLawsuit, and anticipating, by several years, the now-notorious issues arising out of the 2020 presidential election. One of the United Kingdom's newspapers of record, The Guardian, took note of Beck & Lee's deployment of social media in aid of their David v. Goliath battle, including the divulgement of threats to the safety of plaintiffs' counsel and other participants in the DNC Fraud Lawsuit. *See* James Williams, *Oath Keepers militia will attend Portland 'free speech' rally, says leader*, The Guardian (June 4, 2017) ("A Miami law firm, Beck and Lee, is suing the DNC over its treatment of Bernie Sanders during the Democratic primary last year. The firm is run by a husband and wife team, Jared and Elizabeth Lee Beck. Jared Beck has used his Twitter account to demand closer investigation of the murder of a DNC staffer, Seth Rich, which has become the subject of rightwing conspiracy theories. Elizabeth Beck recently complained about death threats on Twitter.") *available at* <https://www.theguardian.com/us-news/2017/jun/03/oath-keepers-militia-portland-free-speech-rally> (last visited Jan. 10, 2023).

10. Beck & Lee's use of social media was especially vital to the advocacy of their clients' cause, given the extraordinary extent to which coverage of the DNC Fraud Lawsuit was suppressed by the mainstream news. *See* Paul Rosenberg, *What You Don't Know Can Hurt You: The 10 News Stories Most Ignored By the Mainstream Media*, Willamette Week (Oct. 11, 2017), *available at* <https://www.wweek.com/news/2017/10/11/what-you-dont-know-can-hurt-you-the-10-news-stories-most-ignored-by-the-mainstream-media/> (last visited Jan. 10, 2023) ("A key story about 2016 election has mostly been ignored by the media—a class action lawsuit alleging

that the Democratic National Committee broke legally binding neutrality agreements in the Democratic primaries by strategizing to make Hillary Clinton the nominee before a single vote was cast.”).

11. However, in January 2019, a vital component of Beck & Lee’s social media advocacy on behalf of its clients, Mr. and Mrs. Beck’s Twitter accounts (Twitter handles @jaredbeck and @eleebeck, respectively) – which at the time had over 30,000 followers combined – were permanently suspended. As reported in Disobedient Media, at the time of Mr. Beck’s suspension, he had recently “openly mocked the presidential bid of Kamala Harris. He has been far from the only voice to raise concerns regarding Harris’s candidacy.” Elizabeth Vos, *Twitter Suspends Jared Beck, Attorney For Plaintiffs In DNC Lawsuit*, Disobedient Media (Jan. 30, 2019) available at <https://web.archive.org/web/20190130221942/https://disobedientmedia.com/2019/01/twitter-suspends-jared-beck-attorney-for-plaintiffs-in-dnc-fraud-lawsuit/>

12. It is hardly surprising that criticism of Kamala Harris’s candidacy was the trigger that ultimately brought down the censorious wrath of the DNC on Beck & Lee. At the time of Mr. Beck’s suspension, Harris’s former press secretary, Nick Pacilio, was a senior communications manager at Twitter. See Joseph Wulfsohn, *Former Kamala Harris press secretary is top Twitter communications official, announced removal of Trump clip*, Fox News (Aug. 12, 2020) available at <https://www.foxnews.com/media/kamala-harris-nick-pacilio-twitter-communications-officer>.

13. Several days later, Mrs. Beck’s Twitter account was permanently suspended. Mr. and Mrs. Beck’s accounts have remained permanently suspended continuously until the present.

14. Regardless of whether Twitter had the contractual and/or statutory right to suspend Mr. and Mrs. Beck's Twitter accounts at the time, the general amnesty announced by Twitter's CEO on November 24, 2022, applies to them because Mr. and Mrs. Beck have never broken the law or engaged in egregious spam with their Twitter accounts, nor have they even been alleged to have done so. Instead, they were suspended for engaging in political speech antagonistic to the establishment Democratic Party interests that largely directed Twitter's censorship policies prior to Musk's takeover, as Musk's own actions as CFO have revealed.

15. Nonetheless, despite several requests for the reinstatement of their accounts made to Twitter's outside counsel, Mr. and Mrs. Beck have remained suspended. As a result, they continue to be excluded from the digital town square, subjected to unwarranted attacks on their reputation and character with no ability to respond, and have been and continue to be significantly damaged in the ability to advocate for their clients in their chosen profession. Moreover, the public sphere has been deprived of the voices of two tenacious advocates on a range of important political and social issues, of which election integrity is just one example. There is no legitimate reason for why Mr. and Mrs. Beck's accounts should not be restored under Twitter's general amnesty policy, and no rationale has ever been supplied.

JURISDICTION AND VENUE

16. This is an action for damages and injunctive relief that exceed the value of \$50,000.00, exclusive of interest, court costs, and attorneys' fees.

17. Venue is proper in this County, where a substantial part of the events relevant to this action took place and where Defendant has targeted its conduct. Furthermore, Plaintiff is a resident of this County.

PARTIES

18. Plaintiff, Don't Tread On Us, LLC is a Florida limited liability company based in Miami, Florida. Plaintiff is the assignee of all rights held by Jared H. Beck and Elizabeth Lee Beck pursuant to their respective contractual relationships with Twitter.

19. Defendant, Twitter Inc. is a Delaware corporation headquartered in San Francisco, California.

CAUSE OF ACTION

(Breach of Contract)

20. Plaintiff re-alleges paragraphs 1 through 19 above as if fully set forth herein.

21. Both Jared Beck and Elizabeth Lee Beck have valid and enforceable contracts with Twitter.

22. The contracts with Twitter allow Twitter the right to revise or modify their terms.

23. On November 24, 2022, Twitter modified the terms of its contracts with Jared Beck and Elizabeth Lee Beck when it provided, through its CEO, "a general amnesty to suspended accounts, provided that they have not broken the law or engaged in egregious spam[.]"

24. Despite the fact neither Mr. Beck nor Mrs. Beck have ever broken the law or engaged in egregious spam with their Twitter accounts, Twitter has failed to unsuspend Mr. Beck's account or Mrs. Beck's account, thus materially breaching its contracts with them.

25. Twitter's breach is the proximate cause of damages to Mr. and Mrs. Beck.

26. As the assignee of Mr. and Mrs. Beck's contractual rights with Twitter, Plaintiff has standing to sue Twitter for damages and injunctive relief.

WHEREFORE, Plaintiff Don't Tread On Us, LLC prays for judgment against Defendant Twitter, Inc. for damages, injunctive relief, prejudgment and post-judgment interest, court costs, and all other relief as may be necessary and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury in this action on all issues so triable.

DATED: January 20, 2023

RESPECTFULLY SUBMITTED,

/s/ Jared H. Beck

By: Jared H. Beck

BECK & LEE TRIAL LAWYERS

JARED H. BECK

Florida Bar No. 20695

ELIZABETH LEE BECK

Florida Bar No. 20697

8306 Mills Drive #248

Miami, Florida 33183

Telephone: (305) 234-2060

Facsimile: (786) 664-3334

jared@beckandlee.com

elizabeth@beckandlee.com

Counsel for Plaintiff

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		
CIVIL DIVISION	CIVIL ACTION SUMMONS Personal Service on a Natural Person (En Español al Dorso) (Francais Au Verso)	CASE NUMBER 2023-001009-CA-01
PLAINTIFF(S) DON'T TREAD ON US, LLC	vs. DEFENDANT(S) TWITTER, INC.	CLOCK IN
To Defendant: TWITTER, INC.		Address: CT CORPORATION SYSTEM 1200 SOUTH PINE ISLAND ROAD PLANTATION, FL 33324
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Plaintiff/Plaintiff's Attorney Elizabeth Lee Beck, Esq.	Address: BECK & LEE TRIAL LAWYERS 8306 Mills Dr., #248 Miami, FL 33183	
<p>TO EACH SHERIFF OF THE STATE OF FLORIDA: You are commanded to serve this Summons and a copy of the Complaint of this lawsuit on the above named defendant.</p>		
CLERK OF COURTS	BY: _____ COURT SEAL	DATE

IMPORTANTE

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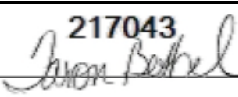

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IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		
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Luis G. Montaldo, CLERK AD INTERIM CLERK OF COURTS	BY: <u>217043 </u> <div style="display: inline-block; text-align: center; vertical-align: middle;">  COURT SEAL </div> <div style="display: inline-block; text-align: right; vertical-align: middle;"> DATE 1/31/2023 </div>	

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VERIFIED RETURN OF SERVICE

State of Florida

County of Miami-Dade

Circuit Court

Case Number: 2023-001009-CA-01

Plaintiff:

DON'T TREAD ON US. LLC

vs.

Defendant:

TWITTER, INC

For:

Elizabeth Lee Beck

BECK & LEE BUSINESS TRIAL LAWYERS

12485 Sw 137th Avenue

#205

Miami, FL 33186

Received by C. ZIRKLE on the 6th day of February, 2023 at 3:07 pm to be served on **TWITTER, INC. CT CORPORATION SYSTEM, 1200 SOUTH PINE ISLAND ROAD, PLANTATION, FL 33324.**

I, CHARLES ZIRKLE, do hereby affirm that on the **7th day of February, 2023 at 12:16 pm, I:**

Served the within named **CORPORATION** by delivering a true copy of the **CIVIL ACTION SUMMONS; CIVIL COVER SHEET; COMPLAINT AND DEMAND FOR JURY TRIAL** with date and hour of service endorsed thereon by me to **DONNA MOCH** as employee authorized to accept service for CT CORPORATION SYSTEM registered agent, at the address of: **1200 SOUTH PINE ISLAND ROAD, PLANTATION, FL 33324**, and informed said person of the contents therein, PURSUANT TO F. S. 48.081(3)(a).

I certify that I am over the age of 18, have no interest in the above action, and I am a Special Process Server, in good standing, in the judicial circuit in which the process was served. Under Penalties of perjury, I declare that I have read the forgoing document and that the facts stated in it are true.

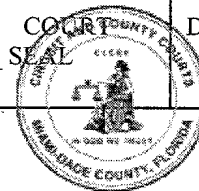


CHARLES ZIRKLE
SPS #110

C. ZIRKLE
3408 N.W. 68TH CT
FORT LAUDERDALE, FL 33309
(754) 422-9788

Our Job Serial Number: CZP-2023000017

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		
CIVIL DIVISION	CIVIL ACTION SUMMONS Personal Service on a Natural Person (En Español al Dorso) (Francais Au Verso)	CASE NUMBER 2023-001009-CA-01
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Luis G. Montaldo, CLERK AD INTERIM CLERK OF COURTS	BY: <u>217043</u> <i>[Signature]</i>	DATE 1/31/2023



DONNA
MOCH
SENIOR CORPORATE
OPERATIONS MANAGER

12:16 PM
2/7/23

IMPORTANTE

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CT Corporation
Service of Process Notification

02/07/2023
CT Log Number 543174788

Service of Process Transmittal Summary

TO: Shishay Sebhata
Twitter, Inc.
1355 MARKET ST STE 900
SAN FRANCISCO, CA 94103-1337

RE: Process Served in Florida

FOR: TWITTER, INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: DON'T TREAD ON US, LLC, a Florida limited liability company vs. TWITTER, INC.

CASE #: 2023001009CA01

PROCESS SERVED ON: C T Corporation System, Plantation, FL

DATE/METHOD OF SERVICE: By Process Server on 02/07/2023 at 12:49

JURISDICTION SERVED: Florida

ACTION ITEMS: CT will retain the current log

Image SOP

Email Notification, Ozgur Basak obasak@twitter.com

Email Notification, Rayneisha Booth rbooth@twitter.com

Email Notification, Karen Colangelo kcolangelo@twitter.com

Email Notification, Luwam Kiros lkiros@twitter.com

Email Notification, Micah Rubbo mrubbo@twitter.com

Email Notification, Katie Sluss ksluss@twitter.com

Email Notification, Shishay Sebhata ssebhata@twitter.com

Email Notification, Raven Norris rnorris@twitter.com

Email Notification, Katherine Martin kmartin@twitter.com

Email Notification, Regina Schaffer Goldman reginas@twitter.com

Email Notification, Joshua Stein joshuastein@twitter.com

Email Notification, Betel Yimer byimer@twitter.com

REGISTERED AGENT CONTACT: C T Corporation System
1200 South Pine Island Road
Plantation, FL 33324
866-665-5799
SouthTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the



CT Corporation
Service of Process Notification

02/07/2023

CT Log Number 543174788

included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

PROCESS SERVER DELIVERY DETAILS

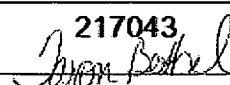
Date: Tue, Feb 7, 2023
Server Name: Charles Zirkle

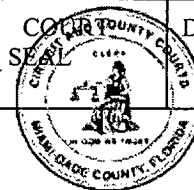
Entity Served	TWITTER, INC.
Case Number	2023-001009-CA01
Jurisdiction	FL

Inserts		



Filing # 165794638 E-Filed 01/31/2023 10:20:01 AM

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Luis G. Montaldo, CLERK AD INTERIM CLERK OF COURTS	BY: <u>217043</u> 	DATE 1/31/2023



12:16 PM
2/7/23

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Room 224
1130 Washington Avenue
Miami Beach, Florida 33139

Sweetwater Branch Office
500 S.W. 109th Avenue
Sweetwater, Florida 33174

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

IN THE CIRCUIT/COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Don't Tread on Us, LLC
Plaintiff

Case # _____
Judge _____

vs.
Twitter, Inc.
Defendant

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- ☐ \$8,000 or less
☐ \$8,001 - \$30,000
☐ \$30,001 - \$50,000
☐ \$50,001 - \$75,000
☐ \$75,001 - \$100,000
☒ over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- ☐ Condominium
- ☒ Contracts and indebtedness
- ☐ Eminent domain
- ☐ Auto negligence
- ☐ Negligence—other
 - ☐ Business governance
 - ☐ Business torts
 - ☐ Environmental/Toxic tort
 - ☐ Third party indemnification
 - ☐ Construction defect
 - ☐ Mass tort
 - ☐ Negligent security
 - ☐ Nursing home negligence
 - ☐ Premises liability—commercial
 - ☐ Premises liability—residential
- ☐ Products liability
- ☐ Real Property/Mortgage foreclosure
 - ☐ Commercial foreclosure
 - ☐ Homestead residential foreclosure
 - ☐ Non-homestead residential foreclosure
 - ☐ Other real property actions
- ☐ Professional malpractice
 - ☐ Malpractice—business
 - ☐ Malpractice—medical
 - ☐ Malpractice—other professional
- ☐ Other
 - ☐ Antitrust/Trade regulation
 - ☐ Business transactions
 - ☐ Constitutional challenge—statute or ordinance
 - ☐ Constitutional challenge—proposed amendment
 - ☐ Corporate trusts
 - ☐ Discrimination—employment or other
 - ☐ Insurance claims
 - ☐ Intellectual property
 - ☐ Libel/Slander
 - ☐ Shareholder derivative action
 - ☐ Securities litigation
 - ☐ Trade secrets
 - ☐ Trust litigation

COUNTY CIVIL

- ☐ Small Claims up to \$8,000
- ☐ Civil
- ☐ Real property/Mortgage foreclosure

- ☐ Replevins
- ☐ Evictions
 - ☐ Residential Evictions
 - ☐ Non-residential Evictions
- ☐ Other civil (non-monetary)

COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes ☐ No ☒

IV. REMEDIES SOUGHT (check all that apply):

- ☒ Monetary;
- ☒ Nonmonetary declaratory or injunctive relief;
- ☐ Punitive

V. NUMBER OF CAUSES OF ACTION: []
(Specify)

1

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- ☐ yes
- ☒ no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- ☒ no
- ☐ yes If "yes," list all related cases by name, case number, and court.

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- ☒ yes
- ☐ no

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?

- ☐ yes
- ☒ no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: s/ Jared Beck
Attorney or party

Fla. Bar # 20695
(Bar # if attorney)

Jared Beck
(type or print name)

01/20/2023
Date

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

CIVIL DIVISION

CASE NO.

DON'T TREAD ON US, LLC, a Florida
limited liability company,

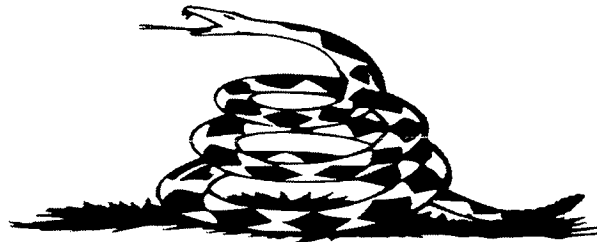
Plaintiff,

v.

TWITTER, INC., a Delaware corporation,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL



Plaintiff, DON'T TREAD ON US, LLC ("Plaintiff"), by and through undersigned counsel, hereby sues Defendant, TWITTER, INC. ("Defendant" or "Twitter"), and alleges the following:

GENERAL ALLEGATIONS OF FACT

1. On October 27, 2022, billionaire Elon Musk acquired social media service Twitter. Shortly thereafter, Musk explained his purchase of the "digital town square" was

motivated by concerns that Twitter was increasingly suppressing free speech. Upon naming himself CEO, Musk promptly restored several high-profile accounts that had been suspended, including former President Donald Trump, the Babylon Bee, Andrew Tate, and Project Veritas. On November 24, 2022, after conducting a user poll, Musk offered “**a general amnesty to suspended accounts, provided that they have not broken the law or engaged in egregious spam[.]**” Musk tweeted, “**The people have spoken. Amnesty begins next week. Vox Populi, Vox Dei.**”

2. In addition to unsuspending accounts and granting general amnesty, Musk’s agenda as owner and CEO of Twitter has revealed the extraordinary extent of censorship and speech suppression engaged in by the company’s prior management. To this end, on December 2, 2022, Musk, through various journalists, began releasing the Twitter Files. Published in installments, the Twitter Files have exposed intense coordination between Twitter and various government agencies including the FBI, CIA, and Department of Defense as well as the Democratic National Committee (“DNC”) to censor discourse on the platform around various public issues including the 2020 presidential election, the Hunter Biden laptop controversy, and Covid-19. As one of the Twitter Files journalists, Matt Taibbi, tweeted on January 3, 2023, in connection with a request by Democratic congressman Adam Schiff to ban journalist Paul Sperry, Twitter “received an astonishing variety of requests from officials asking for individuals they didn’t like to be banned.”

3. Bafflingly, however, while Twitter’s new policy has resulted in the restoration of numerous accounts, many of which, like Sperry’s, were targeted for censorship due to the expression of views critical of the Democratic Party or its candidates, two of the most obvious

victims of Twitter's censorship campaign on behalf of the DNC have yet to be restored: Jared H. Beck ("Mr. Beck") and Elizabeth Lee Beck ("Mrs. Beck").

4. Mr. and Mrs. Beck are married attorneys who have been practicing civil litigation in Miami, Florida through their law office, Beck & Lee Trial Lawyers ("Beck & Lee"), since 2007. They are graduates of Harvard and Yale Law Schools, respectively. Before starting Beck & Lee, Mr. Beck practiced at Quinn Emanuel in Los Angeles and Morgan Lewis & Bockius in Miami. Mrs. Beck worked for Quinn Emanuel in Los Angeles and Coffey Burlington in Miami. Beck & Lee's practice runs the gamut of civil matters, including complex business disputes, real estate litigation, medical malpractice lawsuits, and nationwide antitrust and consumer class actions.

5. Beck & Lee initially built its reputation by successfully litigating hundreds of claims on behalf of real estate investors arising out of the Great Recession of 2007-09 and the associated real estate market crash. Several of those claims involved the abandoned Trump International Hotel & Tower project in Fort Lauderdale, which resulted in a jury trial in Broward County state court against Donald Trump in 2014. Beck & Lee's litigation against Trump later garnered intense national and international media attention during his 2016 presidential campaign due to an angry sexist tirade by Trump against Mrs. Beck at his 2011 deposition, whereupon a red-faced Trump stormed out of the room. *See* Jeremy Diamond, *Lawyer: Donald Trump called me 'disgusting' for request to pump breast milk*, CNN (July 29, 2015), available at <https://www.cnn.com/2015/07/29/politics/trump-breast-pump-statement/index.html> (last visited Jan. 1, 2023).

6. Mrs. Beck was interviewed regarding Trump's conduct by, among others, the New York Times, CNN, and MSNBC. Portions of her CNN interview were replayed by the

DNC at its July 2016 national convention as part of a video presentation titled “Trump in His Own Words: Women in the Workplace.” (The presentation is available on YouTube at <https://www.youtube.com/watch?v=9dQyauLUGQs> (last visited Jan. 1, 2023)). (Trump swiftly lashed out against Mrs. Beck, maligning her in the press as a “tough killer in Miami,” “whack-job,” “crazy,” “vicious, horrible person,” and falsely asserting that “she wanted to breast-pump in front of me.”).¹

7. In an ironic twist, at the very moment the DNC was projecting Mrs. Beck’s personal experience with Trump at its national convention in Philadelphia to persuade voters to elect Hillary Clinton, Beck & Lee was battling the DNC in a federal courtroom in Fort Lauderdale on behalf of supporters of Clinton’s principal challenger for the Democratic nomination, Bernie Sanders. At the time, Mr. and Mrs. Beck were ardent supporters of Sanders and donors to his campaign. On June 28, 2016, just under a month before the convention, Beck & Lee filed a class action on behalf of 120 named Sanders supporters. The lawsuit, which named as defendants the DNC’s body corporate and chairwoman Deborah Wasserman Schultz, asserted that the DNC and Wasserman Schultz had violated the DNC’s charter obligation to “maintain impartiality and evenhandedness during the Democratic Party nominating process.” Art. 5, § 4 of the Charter of the Democratic Party of the United States. The legal claims were based on the DNC’s internal documents – the authenticity of which the DNC has never contested, and which were released into the public domain by Guccifer 2.0 and later Wikileaks –

¹ See David Martosko, *EXCLUSIVE: Donald Trump hammers ‘whack-job’ attorney who once tried to pump breast milk while he gave a legal deposition, saying he ‘knocked her out of the box’ on Twitter*, DailyMail.com (July 29, 2015), available at <https://www.dailymail.co.uk/news/article-3179223/Donald-Trump-hammers-whack-job-attorney-tried-pump-breast-milk-gave-legal-deposition-saying-knocked-box-Twitter.html> (last visited Aug. 5, 2021); *Donald Trump: Elizabeth Beck is a ‘horrible person,’* CNN.com (July 29, 2015), available at <https://www.cnn.com/videos/politics/2015/07/29/donald-trump-elizabeth-beck-dana-bash-interview.cnn> (last visited Jan. 3, 2023).

that show, beyond dispute, that the DNC favored and devoted considerable resources to Clinton's campaign for the Democratic presidential nomination while undermining Sanders. In the immediate aftermath of the WikiLeaks release, Wasserman Schultz and three additional DNC officers resigned.

8. The "DNC Fraud Lawsuit," as it became known on social media and in mainstream and alternative news publications, was ultimately dismissed based on lack of standing, a decision upheld by the Eleventh Circuit in a 29-page published opinion from which the U.S. Supreme Court denied certiorari relief. *See Wilding v. DNC Servs. Corp.*, 941 F.3d 1116 (11th Cir. 2019), *cert. denied by Wilding v. DNC Servs. Corp.*, 140 S.Ct. (2020). While it did not result in a positive judgment for the plaintiffs, the case did achieve a large measure of success in other respects. First, during the district court proceedings, the plaintiffs obtained a critical admission from the DNC in open court when the defendants' lead counsel acknowledged under questioning from Judge William Zloch that his clients believed they had the legal right to rig the primary elections. *See Wilding v. DNC Servs. Corp.*, Transcript of Motion Hearing (Apr. 25, 2017) at 36:21-25 (Counsel for DNC: "[W]e could have voluntarily decided that, Look, we're gonna go into back rooms like they used to and smoke cigars and pick the candidate that way. That's not the way it was done. But they could have. **And that would have also been their right.**" (emphasis added)). Judge Zloch took note of this shocking admission in his opinion dismissing the case. *See Wilding v. DNC Servs. Corp.*, 2017 WL 6345492, *5 (S.D. Fla. Aug. 25, 2017) ("The Court does not accept this trivialization of the DNC's governing principles. While it may be true in the abstract that the DNC has the right to have its delegates 'go into back rooms like they used to and smoke cigars and pick the candidate that way,' [] the DNC, through its charter, has committed itself to a higher principle." (citation omitted)).

9. Second, at least in part due to its success in revealing the depth of the DNC's disregard for its own charter obligation, the DNC Fraud Lawsuit inspired a vigorous social media discourse surrounding the issue of election integrity, including on Facebook and Twitter, frequently centered on the hashtag #DNCFraudLawsuit, and anticipating, by several years, the now-notorious issues arising out of the 2020 presidential election. One of the United Kingdom's newspapers of record, The Guardian, took note of Beck & Lee's deployment of social media in aid of their David v. Goliath battle, including the divulgement of threats to the safety of plaintiffs' counsel and other participants in the DNC Fraud Lawsuit. *See* James Williams, *Oath Keepers militia will attend Portland 'free speech' rally, says leader*, The Guardian (June 4, 2017) ("A Miami law firm, Beck and Lee, is suing the DNC over its treatment of Bernie Sanders during the Democratic primary last year. The firm is run by a husband and wife team, Jared and Elizabeth Lee Beck. Jared Beck has used his Twitter account to demand closer investigation of the murder of a DNC staffer, Seth Rich, which has become the subject of rightwing conspiracy theories. Elizabeth Beck recently complained about death threats on Twitter.") *available at* <https://www.theguardian.com/us-news/2017/jun/03/oath-keepers-militia-portland-free-speech-rally> (last visited Jan. 10, 2023).

10. Beck & Lee's use of social media was especially vital to the advocacy of their clients' cause, given the extraordinary extent to which coverage of the DNC Fraud Lawsuit was suppressed by the mainstream news. *See* Paul Rosenberg, *What You Don't Know Can Hurt You: The 10 News Stories Most Ignored By the Mainstream Media*, Willamette Week (Oct. 11, 2017), *available at* <https://www.wweek.com/news/2017/10/11/what-you-dont-know-can-hurt-you-the-10-news-stories-most-ignored-by-the-mainstream-media/> (last visited Jan. 10, 2023) ("A key story about 2016 election has mostly been ignored by the media—a class action lawsuit alleging

that the Democratic National Committee broke legally binding neutrality agreements in the Democratic primaries by strategizing to make Hillary Clinton the nominee before a single vote was cast.”).

11. However, in January 2019, a vital component of Beck & Lee’s social media advocacy on behalf of its clients, Mr. and Mrs. Beck’s Twitter accounts (Twitter handles @jaredbeck and @eleebeck, respectively) – which at the time had over 30,000 followers combined – were permanently suspended. As reported in Disobedient Media, at the time of Mr. Beck’s suspension, he had recently “openly mocked the presidential bid of Kamala Harris. He has been far from the only voice to raise concerns regarding Harris’s candidacy.” Elizabeth Vos, *Twitter Suspends Jared Beck, Attorney For Plaintiffs In DNC Lawsuit*, Disobedient Media (Jan. 30, 2019) available at <https://web.archive.org/web/20190130221942/https://disobedientmedia.com/2019/01/twitter-suspends-jared-beck-attorney-for-plaintiffs-in-dnc-fraud-lawsuit/>

12. It is hardly surprising that criticism of Kamala Harris’s candidacy was the trigger that ultimately brought down the censorious wrath of the DNC on Beck & Lee. At the time of Mr. Beck’s suspension, Harris’s former press secretary, Nick Pacilio, was a senior communications manager at Twitter. See Joseph Wulfsohn, *Former Kamala Harris press secretary is top Twitter communications official, announced removal of Trump clip*, Fox News (Aug. 12, 2020) available at <https://www.foxnews.com/media/kamala-harris-nick-pacilio-twitter-communications-officer>.

13. Several days later, Mrs. Beck’s Twitter account was permanently suspended. Mr. and Mrs. Beck’s accounts have remained permanently suspended continuously until the present.

14. Regardless of whether Twitter had the contractual and/or statutory right to suspend Mr. and Mrs. Beck's Twitter accounts at the time, the general amnesty announced by Twitter's CEO on November 24, 2022, applies to them because Mr. and Mrs. Beck have never broken the law or engaged in egregious spam with their Twitter accounts, nor have they even been alleged to have done so. Instead, they were suspended for engaging in political speech antagonistic to the establishment Democratic Party interests that largely directed Twitter's censorship policies prior to Musk's takeover, as Musk's own actions as CFO have revealed.

15. Nonetheless, despite several requests for the reinstatement of their accounts made to Twitter's outside counsel, Mr. and Mrs. Beck have remained suspended. As a result, they continue to be excluded from the digital town square, subjected to unwarranted attacks on their reputation and character with no ability to respond, and have been and continue to be significantly damaged in the ability to advocate for their clients in their chosen profession. Moreover, the public sphere has been deprived of the voices of two tenacious advocates on a range of important political and social issues, of which election integrity is just one example. There is no legitimate reason for why Mr. and Mrs. Beck's accounts should not be restored under Twitter's general amnesty policy, and no rationale has ever been supplied.

JURISDICTION AND VENUE

16. This is an action for damages and injunctive relief that exceed the value of \$50,000.00, exclusive of interest, court costs, and attorneys' fees.

17. Venue is proper in this County, where a substantial part of the events relevant to this action took place and where Defendant has targeted its conduct. Furthermore, Plaintiff is a resident of this County.

PARTIES

18. Plaintiff, Don't Tread On Us, LLC is a Florida limited liability company based in Miami, Florida. Plaintiff is the assignee of all rights held by Jared H. Beck and Elizabeth Lee Beck pursuant to their respective contractual relationships with Twitter.

19. Defendant, Twitter Inc. is a Delaware corporation headquartered in San Francisco, California.

CAUSE OF ACTION

(Breach of Contract)

20. Plaintiff re-alleges paragraphs 1 through 19 above as if fully set forth herein.

21. Both Jared Beck and Elizabeth Lee Beck have valid and enforceable contracts with Twitter.

22. The contracts with Twitter allow Twitter the right to revise or modify their terms.

23. On November 24, 2022, Twitter modified the terms of its contracts with Jared Beck and Elizabeth Lee Beck when it provided, through its CEO, "a general amnesty to suspended accounts, provided that they have not broken the law or engaged in egregious spam[.]"

24. Despite the fact neither Mr. Beck nor Mrs. Beck have ever broken the law or engaged in egregious spam with their Twitter accounts, Twitter has failed to unsuspend Mr. Beck's account or Mrs. Beck's account, thus materially breaching its contracts with them.

25. Twitter's breach is the proximate cause of damages to Mr. and Mrs. Beck.

26. As the assignee of Mr. and Mrs. Beck's contractual rights with Twitter, Plaintiff has standing to sue Twitter for damages and injunctive relief.

WHEREFORE, Plaintiff Don't Tread On Us, LLC prays for judgment against Defendant Twitter, Inc. for damages, injunctive relief, prejudgment and post-judgment interest, court costs, and all other relief as may be necessary and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury in this action on all issues so triable.

DATED: January 20, 2023

RESPECTFULLY SUBMITTED,

/s/ Jared H. Beck

By: Jared H. Beck

BECK & LEE TRIAL LAWYERS

JARED H. BECK

Florida Bar No. 20695

ELIZABETH LEE BECK

Florida Bar No. 20697

8306 Mills Drive #248

Miami, Florida 33183

Telephone: (305) 234-2060

Facsimile: (786) 664-3334

jared@beckandlee.com

elizabeth@beckandlee.com

Counsel for Plaintiff



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
DON'T TREAD ON US, LLC

Filing Information

Document Number L23000030342
FEI/EIN Number NONE
Date Filed 01/17/2023
Effective Date 01/17/2023
State FL
Status ACTIVE

Principal Address

19450 SW 167 AVE.
MIAMI, FL 33187

Mailing Address

19450 SW 167 AVE.
MIAMI, FL 33187

Registered Agent Name & Address

BECK, ELIZABETH
19450 SW 167 AVE.
MIAMI, FL 33187

Authorized Person(s) Detail

Name & Address

Title MGR

BECK, ELIZABETH
19450 SW 167 AVE.
MIAMI, FL 33187

Title MGR

BECK, JARED
19450 SW 167 AVE.
MIAMI, FL 33187

Annual Reports

No Annual Reports Filed

Document Images

01/17/2023 -- Florida Limited Liability

[View image in PDF format](#)

Florida Department of State, Division of Corporations

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L230000
FILED 8:
January
Sec. Of s
oisimmons

Article I

The name of the Limited Liability Company is:

DON'T TREAD ON US, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

19450 SW 167 AVE.
MIAMI, FL. US 33187

The mailing address of the Limited Liability Company is:

19450 SW 167 AVE.
MIAMI, FL. US 33187

Article III

The name and Florida street address of the registered agent is:

ELIZABETH BECK
19450 SW 167 AVE.
MIAMI, FL. 33187

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: ELIZABETH BECK

Article IV

**L230000
FILED 8:
January
Sec. Of s
oisimmons**

The name and address of person(s) authorized to manage LLC:

Title: MGR
ELIZABETH BECK
19450 SW 167 AVE.
MIAMI, FL. 33187 US

Title: MGR
JARED BECK
19450 SW 167 AVE.
MIAMI, FL. 33187 US

Article V

The effective date for this Limited Liability Company shall be:

01/17/2023

Signature of member or an authorized representative

Electronic Signature: ELIZABETH LEE BECK

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.



Address	Owner Name	Subdivision Name	Folio
SEARCH:			
19450 sw 167 avenue	Suite	<input type="text" value="Q"/>	Back to Search Results

PROPERTY INFORMATION

Folio: 30-6906-000-0270

Sub-Division:

Property Address
19450 SW 167 AVE

Owner
JARED H BECK
ELIZABETH L BECK

Mailing Address
19450 SW 167 AVE
MIAMI, FL 33187

PA Primary Zone
9000 AGRICULTURE

Primary Land Use
5001 IMPR AGRI : RESIDENTIAL - SINGLE FAMILY

Beds / Baths / Half	3 / 2 / 0
Floors	2
Living Units	1
Actual Area	3,062 Sq.Ft
Living Area	2,336 Sq.Ft
Adjusted Area	2,580 Sq.Ft
Lot Size	324,957.6 Sq.Ft
Year Built	1980



Featured Online Tools		
Comparable Sales	Glossary	PA Additional Online Tools
Property Record Cards	Property Search Help	Property Taxes
Report Discrepancies	Report Homestead Fraud	Special Taxing Districts and Other Non-Ad valorem Assessments
Tax Comparison	Tax Estimator	TRIM Notice
Value Adjustment Board		

ASSESSMENT INFORMATION

Year	2022	2021	2020	
Land Value	\$447,600	\$373,000	\$373,000	
Building Value	\$223,794	\$172,757	\$174,916	
Extra Feature Value	\$27,268	\$27,646	\$28,023	
Market Value	\$698,662	\$573,403	\$575,939	
Assessed Value	\$203,008	\$197,624	\$195,146	
TAXABLE VALUE INFORMATION				
	2022	2021	2020	
COUNTY				
Exemption Value	\$50,000	\$50,000	\$50,000	
Taxable Value	\$153,008	\$147,624	\$145,146	
SCHOOL BOARD				
Exemption Value	\$25,000	\$25,000	\$25,000	
Taxable Value	\$178,008	\$172,624	\$170,146	
CITY				
Exemption Value	\$0	\$0	\$0	
Taxable Value	\$0	\$0	\$0	
REGIONAL				
Exemption Value	\$50,000	\$50,000	\$50,000	
Taxable Value	\$153,008	\$147,624	\$145,146	
BENEFITS INFORMATION				
Benefit	Type	2022	2021	2020
Agriculture	Classified Value	\$416,875	\$344,375	\$344,375
Save Our Homes Cap	Assessment Reduction	\$78,779	\$31,404	\$36,418
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				


FULL LEGAL DESCRIPTION
6 56 39 7.46 AC M/L
N1/2 OF S1/2 OF NE1/4 OF SE1/4
LESS E40FT FOR R/W ALL LYG N
OF C 102 1 CANAL R/W
OR 18852- 4634 1099 1
COC 23788-4933 26243-0269 0805 1

SALES INFORMATION				
Previous Sale	Price	OR Book-Page	Qualification Description	Previous Owner 1
07/20/2012	\$600,000	28242-1501	Qual by exam of deed	MICHAEL A CARRICARTE
07/20/2012	\$100	28242-1499	Corrective, tax or QCD; min consideration	ANDREW L CARRICARTE
01/05/2012	\$100	27990-4006	Corrective, tax or QCD; min consideration	ANDREW L CARRICARTE
08/01/2006	\$100	24814-1945	Sales which are disqualified as a result of examination of the deed	ALCA MIAMI GROVES CORP

08/01/2005	\$830,000	23788-4933	Sales which are qualified
10/01/1999	\$450,000	18852-4634	Sales which are qualified
03/01/1979	\$139,500	10335-2392	Sales which are qualified
For more information about the Department of Revenue's Sales Qualification Codes.			

2022	2021	2020
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LAND INFORMATION					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	AU	9000 - AGRICULTURE	Acres	0.21	\$12,600
FRUITS/GROVES	AU	9000 - AGRICULTURE	Acres	5.72	\$14,300
FRUITS/GROVES	AU	9000 - AGRICULTURE	Acres	1.53	\$3,825

BUILDING INFORMATION						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1980	3,062	2,336	2,580	\$223,794
 Current Building Sketches Available						

EXTRA FEATURES			
Description	Year Built	Units	Calc Value
Chain-link Fence 6-7 ft high	2014	125	\$1,663
Wood Fence	2006	170	\$2,366
Patio - Concrete Slab	1991	505	\$1,414
Pool 6' res BETTER 3-8' dpth, tile 250-649 sf	1991	1	\$21,000
Chain-link Fence 4-5 ft high	1985	125	\$825

ADDITIONAL INFORMATION

* The information listed below is not derived from the Property Appraiser's Office records. It is provided for convenience and is derived from other government agencies.

LAND USE AND RESTRICTIONS			
Community Development District:	NONE	Community Redevelopment Area:	NONE
Empowerment Zone:	NONE	Enterprise Zone:	NONE
Urban Development:	OUTSIDE URBAN DEVELOPMENT BOUNDARY	Zoning Code:	AU - AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS
Existing Land Use:	710 - GROVES.	Government Agencies and Community Services	

OTHER GOVERNMENTAL JURISDICTIONS		
Business Incentives	Childrens Trust	Environmental Considerations
Florida Inland Navigation District	Miami-Dade County	PA Bulletin Board
Special Taxing District and Other Non-Ad valorem Assessment	School Board	South Florida Water Mgmt District
	Tax Collector	

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

For inquiries and suggestions email us at <http://www.miamidade.gov/PAPortal/ContactForm/ContactFormMain.aspx>.

Version: 2.0.3

EXEMPTIONS & BENEFITS

Deployed Military
Disability Exemptions
Homestead
Institutional
Senior Citizens

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REAL ESTATE

40 Yr Building
Re-Certification
Appealing Your Assessment
Defective Drywall
Folio Numbers
Mortgage Fraud

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TANGIBLE PERSONAL PROPERTY

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PUBLIC RECORDS

Address Blocking
Change of Name
Change of Address
Change of Ownership & Title
Declaration of Condominium

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ONLINE TOOLS

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INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked. Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Refiled (3) Attach copy of Order for Dismissal of Previous case. Also complete VI.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

Remanded from Appellate Court. (8) Check this box if remanded from Appellate Court.

VI. Related/Refiled Cases. This section of the JS 44 is used to reference related pending cases or re-filed cases. Insert the docket numbers and the corresponding judges name for such cases.

VII. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553

Brief Description: Unauthorized reception of cable service

VIII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

Date and Attorney Signature. Date and sign the civil cover sheet.