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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 CHRISTOPHER J. CORDOVA,

12 Plaintiff,

13 vs.

14 JONATHAN HUDON-HUNEALD,
15 NNEKA OHIRI and 14693663 CANADA
16 INC.,

17 Defendants.
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Case No. 25-cv-04685-VKD

**FIRST AMENDED COMPLAINT
FOR:**

1. **Copyright Infringement, 17 U.S.C. §§ 101 et seq.;**
2. **Misrepresentation, 17 U.S.C. § 512(f);**
3. **Declaratory Relief, 28 U.S.C. § 2201 and 17 U.S.C. § 512(g);**
4. **Circumvention of Technological Measures, 17 U.S.C. §§ 1201, 1203**

1 Plaintiff, Christopher J. Cordova (“Plaintiff”), files this First Amended Complaint
2 (the “FAC”)¹ against Defendants Jonathan Hudon-Huneault (“Huneault”), Nneka Ohiri
3 (“Ohiri”) and 14693663 Canada Inc. (“Canada Inc.”) (Huneault, Ohiri and Canada Inc. are
4 collectively referred to as the “Defendants”) who operate the Frauditor Troll YouTube
5 channel located at www.youtube.com/@frauditortroll (the “Frauditor Troll Channel”) and
6 alleges as follows:

7 INTRODUCTION

8 1. This case arises from Defendants’ systematic theft and monetization of
9 Plaintiff’s copyrighted YouTube videos and their abuse of the Digital Millennium
10 Copyright Act’s (“DMCA”) counter-notice process, 17 U.S.C. § 512(g), to force those
11 stolen works back online.

12 2. Defendants built the Frauditor Troll Channel on wholesale misappropriation
13 of Plaintiff’s videos and the works of other First Amendment auditors (“Auditors”).

14 3. Instead of adding transformative commentary, critique, or analysis,
15 Defendants’ videos rely almost entirely on Plaintiff’s original footage, often playing for
16 extended durations, interspersed with brief derisive remarks, or unoriginal on-screen
17 memes. These token alterations serve no critical or educational purpose; they exist solely
18 to ridicule the subjects and harvest advertising revenue through YouTube’s Partner
19 Program.

20 4. Defendants obtained Plaintiff’s videos through unlawful circumvention of
21 YouTube’s rolling-cipher technology, software designed to prevent unauthorized
22 downloading, thereby violating both YouTube’s Terms of Service and the anti-
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27 ¹ Plaintiff previously filed an Amended Complaint before service of process (ECF No. 20). Because that
28 amendment was made as of right under Rule 15(a)(1) while the original complaint (ECF No. 1) had not
yet been served, the current pleading is properly styled as the First Amended Complaint to reflect that it
is the first amendment following service.

1 circumvention provisions of 17 U.S.C. § 1201(a).² The result was a monetized archive of
2 stolen content repackaged as so-called “fair use.”

3 5. Huneault has repeatedly bragged, both in Counter-Notices and on public
4 livestreams, that he has received over forty-eight copyright strikes and that every single
5 one has been overturned through the counter-notification process. His message is clear:
6 mass infringement pays, and the DMCA’s safeguards can be gamed indefinitely through
7 form responses, delay and the prohibitive cost of federal litigation.

8 6. Between July and October 2023, Huneault submitted at least nine Counter-
9 Notices to YouTube under § 512(g)(3), each signed under penalty of perjury, asserting that
10 the videos were protected by the non-existent “Fair Use Act of 1976” (the “Counter-
11 Notices”). Huneault also claimed to own the Frauditor Troll Channel when Google’s
12 records show the AdSense account belongs to Ohiri; later, Huneault asserted that the
13 Frauditor Troll Channel was owned by Canada Inc.

14 7. Defendants’ serial misrepresentations of ownership, combined with their use
15 of a fictitious U.S. service address, demonstrate deliberate deception intended to obstruct
16 enforcement and evade liability.

17 8. Every Counter-Notice contained the same boilerplate paragraph, copied
18 verbatim from prior counter-notices, asserting fair use without any reference to the actual
19 content, purpose, or substantiality of the copied works. This rote formula bears no
20 resemblance to a genuine fair-use analysis; it is merely a script crafted to exploit
21 YouTube’s automated reinstatement system.

22 9. Upon learning of this action, Huneault and Ohiri publicly admitted that they
23 permanently deleted more than 1,700 videos from the Frauditor Troll Channel in an effort
24 to conceal evidence and evade accountability for their mass infringement of Plaintiff’s and
25

26
27 ² Plaintiff does not assert any independent claim under YouTube’s Terms of Service. Those terms are
28 referenced solely to illustrate the technological and contractual framework governing user access to
YouTube’s platform. Defendants’ violations of those terms demonstrate their awareness that such conduct
was unauthorized and support the inference of willful circumvention under 17 U.S.C. § 1201(a).

1 other creators' works. The scope and timing of the deletion demonstrate willful destruction
2 of relevant evidence and a deliberate attempt to obstruct discovery in this case.

3 10. After service of the Complaint, Huneault and Ohiri appeared on YouTube to
4 mock the proceedings, publicly declaring that it was a one-in-a-billion chance Plaintiff
5 would have filed this lawsuit and boasting that they would never settle. Those statements
6 expose Defendants' mindset: profit from theft while daring Plaintiff or anyone else to stop
7 them.

8 11. Defendants' conduct, mass theft, repeated infringement, false Counter-
9 Notices, circumvention of technological protections, and public taunting, reveals not
10 misunderstanding of fair use but malice. This pattern of willful defiance threatens not only
11 Plaintiff's rights but the integrity of the DMCA itself.

12 12. Plaintiff therefore brings this action under the Copyright Act for: (a) direct
13 infringement of his registered works, (b) knowing and material misrepresentations in
14 Counter-Notices submitted under 17 U.S.C. § 512(g), (c) declaratory relief, and (d)
15 circumvention of technological protection measures in violation of 17 U.S.C. § 1201(a).
16 Plaintiff seeks damages, declaratory and injunctive relief, and all remedies available under
17 the Act to halt Defendants' unlawful enterprise and restore the meaning of fair use.

18 **JURISDICTION AND VENUE**

19 13. This action arises under the Copyright Act, 17 U.S.C. § 101 *et seq.*, and
20 includes a claim for Declaratory Relief under 28 U.S.C. § 2201.

21 14. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and
22 1338(a), as this case involves federal questions arising under the Copyright Act and the
23 Digital Millennium Copyright Act.

24 15. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and 1400(a)
25 because a substantial part of the events giving rise to the claims occurred here and the
26 infringing content was published and distributed via YouTube, which maintains its
27 principal place of business in this District.
28

1 16. Defendants consented to jurisdiction in this District by submitting the
2 Counter-Notices under 17 U.S.C. § 512(g)(3).

3 **PARTIES**

4 17. Plaintiff is a resident of Colorado and the creator and operator of the YouTube
5 channel “Denver Metro Audits” (@DenverMetroAudits) (the “DMA Channel”).

6 18. Plaintiff is the author and original copyright owner of the audiovisual works
7 at issue. He retains all rights, title, and interest in the claims asserted in this action,
8 including those arising under 17 U.S.C. §§ 512(f) and 1201. Although Plaintiff later
9 assigned the copyrights in his broader catalog to Executive Lens LLC (“Executive Lens”),
10 his wholly-owned company, those assignments expressly excluded and reserved to
11 Plaintiff all accrued causes of action and claims relating to the infringements and DMCA
12 violations alleged herein.

13 19. Ohiri is an individual residing in Canada who co-owns and manages the
14 Frauditor Troll Channel.

15 20. Huneault is an individual residing in Canada who serves as the voice and
16 narrator for videos on the Frauditor Troll Channel and co-owns and manages the Frauditor
17 Troll Channel. Huneault and Ohiri are married.

18 21. Canada Inc. is a Canadian corporation owned and controlled by Huneault and
19 Ohiri, which acts as a co-owner or operating entity for the Frauditor Troll Channel.

20 22. Upon information and belief, Ohiri, Huneault, and Canada Inc. jointly operate
21 the Frauditor Troll Channel as a single business enterprise. They share access to the
22 Channel’s YouTube account, AdSense monetization, and related social media platforms,
23 and each Defendant participates in the selection, editing, publication, and monetization of
24 its videos. Defendants collectively profit from the unlawful conduct alleged herein and are
25 therefore jointly and severally liable to Plaintiff for all resulting damages and statutory
26 violations.

FACTUAL ALLEGATIONS

1
2 23. YouTube is the largest video-sharing platform in the world and operates under
3 the framework established by the DMCA.

4 24. The DMCA provides a process by which copyright owners may request the
5 removal of infringing content through a notice-and-takedown mechanism. If the platform
6 receives a valid takedown notice, it typically disables access to the allegedly infringing
7 material.

8 25. The statute also gives the alleged infringer a way to respond: a counter-
9 notification claiming the use is authorized, lawful, or otherwise non-infringing. If the
10 copyright owner does not file a federal lawsuit within 10 business days of receiving a
11 counter-notice, YouTube must restore access to the disputed content. 17 U.S.C. § 512(g).

12 26. This framework shifts the burden onto copyright owners, often small creators
13 or publishers, to file suit quickly or see their work reposted.

14 27. Defendants exploited this imbalance by filing boilerplate Counter-Notices
15 under § 512(g) designed to intimidate Plaintiff into dropping the matter and force
16 reinstatement of stolen videos.

17 28. This abuse allowed Defendants’ Frauditor Troll Channel, to continue
18 monetizing stolen infringing content while publicly claiming “fair use.” In truth,
19 Defendants’ uploads consist almost entirely of Plaintiff’s unaltered footage, supplemented
20 by trivial mockery, recycled memes, and other non-transformative filler.

21 29. In the context of this FAC, the term “Auditor” refers to Plaintiff and other
22 independent content creators who record interactions with government officials in public
23 spaces to promote transparency, document public conduct, and assert constitutional rights,
24 particularly those protected by the First Amendment. These creators act as citizen
25 journalists, watchdogs, and public advocates, often filming police encounters, public
26 meetings, and other matters of public interest, and then editing and publishing that original
27 footage online, most prominently on YouTube.

1 30. The Auditor movement has become a significant presence on social media,
2 drawing millions of subscribers and billions of views, and generating substantial
3 advertising revenue. Many Auditors operate under pseudonyms but have nonetheless
4 become well-known figures within the digital civil rights community.

5 31. Plaintiff is an Auditor, activist, and content creator who documents
6 interactions with public officials, government employees, and law enforcement officers in
7 the course of his advocacy work. He spends significant time filming, editing, and
8 publishing these encounters to the DMA Channel, where the resulting videos serve both as
9 a public record of official conduct and as a means of promoting government transparency
10 and accountability. Plaintiff's work is part of the broader Auditor movement and has
11 developed a dedicated audience focused on constitutional rights, public oversight, and civil
12 liberties.

13 32. In response to the growing popularity of Auditors like Plaintiff, Defendants
14 created the Frauditor Troll Channel, an operation that purports to critique Auditor content
15 but in reality exists to misappropriate, ridicule, and monetize Auditors' videos. Cloaked in
16 the appearance of commentary, Defendants' videos rely on insult, mockery, and distortion
17 rather than genuine critique or transformative discussion.

18 33. The Frauditor Troll Channel is one of the largest Auditor-focused reaction
19 channels and operates as a commercial enterprise built on satire, appropriation, and
20 systematic infringement. It offers no new message, insight, or purpose. Instead, it
21 repackages Plaintiff's original videos with intermittent ridicule to attract viewers and
22 generate advertising revenue while contributing virtually no original content of its own.
23 Although other channels have occasionally used Plaintiff's videos, none has engaged in the
24 scale, volume, or deliberate exploitation of Plaintiff's works that defines Defendants'
25 operation. This action targets that uniquely pervasive infringement, not the existence of
26 criticism or commentary itself. The Frauditor Troll channel stands alone as the principal
27 vehicle for mass theft and monetization of Plaintiff's copyrighted content.

28

1 34. The Frauditor Troll Channel has repeatedly used Plaintiff’s copyrighted works
2 without permission and without satisfying fair-use standards. Upon information and belief,
3 between 2022 and 2025, Defendants unlawfully obtained and reproduced dozens of
4 Plaintiff’s videos, estimated between fifty and one hundred distinct works, uploading them
5 to the Frauditor Troll Channel to derive advertising revenue and other commercial gain.³

6 35. Upon information and belief, Defendants obtained the videos used from the
7 DMA Channel by circumventing YouTube’s technological protection measures, including
8 its “rolling cipher” system, which encrypts and dynamically alters the video stream’s URL
9 signatures to prevent unauthorized downloads. YouTube’s player software uses a
10 decryption routine embedded in JavaScript code to authenticate requests and deliver
11 content only through approved interfaces.

12 36. Upon information and belief, Defendants used software applications, ripping
13 utilities, or browser extensions specifically designed to bypass that rolling cipher and other
14 technological measures controlling access to the audiovisual works hosted on YouTube.
15 These tools retrieve and decrypt the obfuscated streaming URLs, enabling Defendants to
16 make local copies of Plaintiff’s videos in violation of YouTube’s Terms of Service and 17
17 U.S.C. § 1201(a).

18 37. The rolling cipher is a “technological protection measure” (“TPM”) as defined
19 in 17 U.S.C. § 1201(a)(3) because it controls access to Plaintiff’s copyrighted works by
20 requiring authorized software to decrypt and stream them in real time. By using programs
21 that strip away this cipher, Defendants intentionally circumvented a technological measure
22 and knowingly obtained unauthorized copies of Plaintiff’s copyrighted works.

23 38. Defendants’ circumvention was not incidental but systematic. The Frauditor
24 Troll Channel’s production speed, volume, quality, and uniform editing style demonstrate
25

26 ³ Plaintiff estimates the number of stolen and infringed works based on the number of videos Plaintiff
27 published and Defendants’ pattern of serial theft and infringement of nearly every video Plaintiff posted
28 shortly after learning of this lawsuit. The precise number of stolen and infringed works cannot presently
be determined due to Defendants’ unilateral destruction of that evidence.

1 the routine use of decryption software as part of a deliberate business model to acquire,
2 republish, and monetize Plaintiff’s copyrighted videos, in violation of YouTube’s Terms
3 of Service and 17 U.S.C. § 1201(a).

4 39. When publicly discussing Plaintiff’s 17 U.S.C. § 1201(a) claim against
5 Defendants, Huneault did not deny the use of circumvention tools; instead, he suggested
6 that he had another “defense,” reinforcing the inference that Defendants used such software
7 to unlawfully obtain Plaintiff’s videos.

8 40. Federal courts have recognized that YouTube’s rolling cipher constitutes a
9 technological protection measure within the meaning of 17 U.S.C. § 1201(a)(3) and that it
10 “effectively controls access” to copyrighted works because it prevents users from
11 downloading video streams without first executing YouTube’s proprietary decryption
12 code.

13 *Plaintiff’s Copyrighted Works*

14 41. On or about March 16, 2022, Plaintiff published a video titled *ANOTHER*
15 *CHAD EXPOSED!!! Worthless Denver Cops...ASSAULTED!!!* (“*Another Chad*”), to the
16 DMA Channel.⁴

17 42. Plaintiff registered *Another Chad* with the U.S. Copyright Office under
18 Registration Number PA002457989 on February 6, 2024.

19 43. On or about October 1, 2023, Plaintiff published a video titled *ANGRY MOB*
20 *AT BELMAR LIBRARY!!! “CALL 911!” Cops don’t show up* to the DMA Channel
21 (“*Belmar Library*”).⁵

22 44. Plaintiff registered *Belmar Library* with the U.S. Copyright Office under
23 Registration Number PA0002549333 on June 3, 2025.

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28 ⁴ <https://youtu.be/bhgHsPl4Mr0?si=F-7EgMg0bBZiy-QY>.

⁵ <https://www.youtube.com/watch?v=86UKGVikxKQ&t=100s>.

1 45. On or about February 3, 2022, Plaintiff published a video titled *FEDERAL*
2 *COURTHOUSE FAIL!!! Threatened with arrest for recording and not one officer*
3 *identifies!* (“*Courthouse Fail*”) to the DMA Channel.⁶

4 **Defendants’ Infringing Videos**

5 46. On or about December 2, 2022, Defendants published a video titled *Frauditor*
6 *DMA Gets Confronted by Angry Citizen (Hilarious)* (“Infringing Video 1”) to the Frauditor
7 Troll Channel.⁷ Infringing Video 1 incorporates approximately twenty-five minutes and
8 fifty-four seconds of Plaintiff’s video *Another Chad* without authorization.

9 47. Infringing Video 1 reproduces Plaintiff’s footage in fifteen separate blocks
10 with no commentary, twelve of which exceed one minute, three of which exceed two
11 minutes, one exceeds three minutes, and one exceeds four minutes. This repeated use of
12 lengthy, uninterrupted segments underscores the absence of meaningful transformation or
13 interspersed analysis.

14 48. Plaintiff’s *Another Chad* video is forty-eight minutes and fourteen seconds in
15 length, meaning Defendants reproduced more than fifty-four percent of Plaintiff’s work.
16 Excluding the introductory and concluding segments, eighty-seven percent of Defendants’
17 video consists of Plaintiff’s footage presented in long, unaltered blocks. The remaining
18 thirteen percent comprises brief interjections totaling less than four minutes, primarily
19 mocking Plaintiff rather than analyzing the subject matter or providing substantive
20 commentary.

21 49. On or about February 4, 2022, Defendants published a video titled *Frauditors*
22 *Ejected from Federal Courthouse (NEW)* (“Infringing Video 2”) to the Frauditor Troll
23
24
25

26 ⁶ https://www.youtube.com/watch?v=coiMQm_zzFE&t=1s. Registration of the *Courthouse Fail* video is
27 currently pending before the U.S. Copyright Office. Plaintiff intends to amend this FAC to include that
28 registration once it is issued.

⁷ The video was available at the URL <https://www.youtube.com/watch?v=I-J8sdKZ504>. The video was removed after the filing of this action.

1 Channel.⁸ Infringing Video 2 incorporates approximately eighteen minutes and forty-six
2 seconds of Plaintiff's *Courthouse Fail* video without authorization.

3 50. Plaintiff's *Courthouse Fail* video is thirty minutes and twenty-seven seconds
4 long, meaning Defendants misappropriated approximately sixty-two percent of Plaintiff's
5 work. Excluding the brief introduction and outro, eighty-seven percent of Defendants'
6 video consists of Plaintiff's footage, while Defendants' commentary accounts for only
7 thirteen percent, two minutes and forty-eight seconds in total. These brief interjections
8 provide no meaningful analysis or critique and do nothing to alter the expressive core of
9 Plaintiff's work, which dominates the viewing experience.

10 51. Plaintiff did not become aware of Infringing Video 2 until June 2023.

11 52. On or about October 1, 2023, Defendants published a video titled *Frauditor*
12 *DMA gets Camera Touched and CRIES A RIVER* ("Infringing Video 3") to the Frauditor
13 Troll Channel.⁹ Infringing Video 3 incorporates thirty-seven minutes and sixteen seconds
14 of Plaintiff's *Belmar Library* video without authorization. (Infringing Video 1, Infringing
15 Video 2 and Infringing Video 3 are collectively referred to as the "Infringing Videos").

16 53. Infringing Video 3 reproduces Plaintiff's footage in twelve separate blocks
17 with no commentary. Each block exceeds one minute; eight blocks exceed two minutes;
18 three blocks exceed four minutes; and the longest uninterrupted segment runs over six
19 minutes. This repeated use of extended, uninterrupted sequences underscores the absence
20 of meaningful transformation or interspersed analysis.

21 54. Plaintiff's *Belmar Library* video is forty-six minutes and fourteen seconds in
22 length, meaning Defendants misappropriated approximately eighty-one percent of
23 Plaintiff's work. Excluding the introductory and concluding segments, ninety-two percent
24 of Defendants' video consists of Plaintiff's footage presented in long, uninterrupted blocks.

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26
27 ⁸ <https://www.youtube.com/watch?v=eVe4eoOzPvc&t=700s>.

28 ⁹ <https://www.youtube.com/watch?v=rSUT6MDdfoo>. The video was removed after the filing of this action.

1 The remaining eight percent consists of brief interjections totaling under three and a half
2 minutes, primarily mocking Plaintiff rather than analyzing the subject matter or providing
3 any meaningful commentary.

4 **Defendants' Video - How to do Fair Use Properly and Avoid Copyright Strikes**

5 55. On or about May 24, 2022, the Frauditor Troll Channel (or a related channel
6 owned by Defendants) posted a video titled *How to do Fair Use Properly and Avoid*
7 *Copyright Strikes*. The video is narrated by Huneault.

8 56. In that video, Huneault claims to offer a formula for “100% safe fair use
9 commentary videos.” He instructs viewers that a “good amount of commentary is about 40
10 seconds to every minute so you say a little comment every minute that way you’ll be safe.”
11 He also advises creators to pad videos with lengthy intros and outros and to intersperse
12 other clips in order to “increase the proportion of time that is something else than one
13 specific video.” Finally, Huneault says that the goal is to use “less than fifty percent of a
14 specific video” and asserts that when you’re “only using 30% of someone’s video, you are
15 very unlikely to get a copyright strike.”

16 57. Although Plaintiff disagrees with Huneault’s oversimplistic take on fair use,
17 as discussed above, Huneault did not even follow his own purported “fair use” formula
18 when misappropriating Plaintiff’s Videos. This inconsistency demonstrates that Huneault
19 and Ohiri lacked a subjective good-faith belief that the Infringing Videos were protected
20 by fair use when submitting the Counter-Notices, satisfying the knowledge and bad-faith
21 elements of 17 U.S.C. § 512(f).

22 **Plaintiff’s DMCA Takedowns and Defendants’ Abuse of the Counter-Notice System**

23 58. In June and October 2023, Plaintiff submitted twelve DMCA takedown
24 notices to YouTube identifying videos uploaded by Defendants to the Frauditor Troll
25 Channel that infringed Plaintiff’s copyrighted works.

26 59. Each Counter-Notice submitted by Defendants under penalty of perjury
27 contained substantially identical boilerplate language, including the following:
28

1 I am once again asking you to forward this counter notification to the plaintiff,
2 according to the fair use act of 1976 I am legally allowed to make these types
3 of videos. I am once again asking you to forward my counter notification to
4 the plaintiff so I can have a chance to defend myself in a court of Law. I have
5 a commentary channel where I provide review videos of 1st amendment
6 auditors, I provide commentary, I add memes and sound effects to completely
7 transform the original work into a Fair use video. On my channel I have
8 received 48 copyright strikes and every single one of my videos have been
9 reinstated through the counter notification system. I am willing to defend
10 myself in a court of law. I have already hired an attorney to defend my fair
11 use videos in court and I am asking you to forward my counter notification to
12 the plaintiff so he can decided for himself if he chooses to go that route. I am
13 the original creator of the Fair use videos on my channel and I know that my
14 videos were taken down by mistake because they fall under the Fair use act.
15 Please forward my counter notification so I can defend myself in a court of
16 Law. Thank you, Jonathan Huneault

17 60. The results were mixed. Defendants accepted two strikes without filing
18 counter-notices, YouTube declined to remove one video, and Defendants filed the nine
19 Counter-Notices under §512(g)(3) seeking reinstatement of the remaining works.¹⁰

20 61. Each of the Counter-Notices contained substantially identical boilerplate
21 language and multiple false statements, including that the uploads were protected by “fair
22 use,” that Huneault was “the original creator of the Fair Use videos on my channel,” and
23 that Defendants had retained legal counsel prepared to litigate the matter. These statements
24 were materially false. Upon information and belief, Defendants made inconsistent and
25 misleading representations about the ownership and monetization of the Frauditor Troll
26 Channel, at times claiming it was owned by Huneault personally, at other times by Ohiri,

27 _____
28 ¹⁰ Defendants filed eight counter-notices on or about July 5, 2023 and one counter-notice on or about October 20, 2023.

1 and elsewhere by their Canadian corporation. Regardless of the claimed ownership, no
2 counsel had been retained, and the Counter-Notices were knowingly false when submitted.

3 62. Defendants further misrepresented their location by providing “99 Wall
4 Street, New York, NY” without a suite number, as their service address in each Counter-
5 Notice. In reality, Defendants are residents of Canada. This fictitious U.S. address
6 obstructed Plaintiff’s ability to effect service of process and constitutes an additional
7 knowing misrepresentation to support the inference that Defendants’ Counter-Notices were
8 not filed in good faith.

9 63. Defendants recently publicly admitted that they knew suite number 5892 was
10 assigned to their bogus 99 Wall Street address, further demonstrating that the omission of
11 the suite number was intentional and that the Counter-Notices were filed in bad faith.

12 64. Relying on Huneault’s misrepresentations regarding fair use, YouTube
13 reinstated nine videos, resulting in financial benefit to all Defendants. After Plaintiff
14 commenced this action on June 3, 2025, Defendants deleted nine of the ten videos,¹¹
15 including eight of the nine that had been reinstated by the Counter-Notices. One infringing
16 video remains live on the Frauditor Troll Channel as of the filing of this FAC.

17 65. Defendants’ repeated use of false claims of fair use, a sham address, and
18 fabricated assertions of ownership and legal representation demonstrate that the Counter-
19 Notices were not merely mistaken but knowingly false and submitted in bad faith.

20 66. On July 5, 2023, the same day Defendants submitted eight Counter-Notices
21 under 17 U.S.C. § 512(g), Huneault emailed Plaintiff, stating: “If I counter every strike and
22 they all get reinstated eventually it could penalize your channel. I’m going to keep making
23 fair use videos, I’m legally allowed to do so.”

24 67. That evening, Huneault emailed again, identifying himself as “Josh,” claiming
25 he had “talked to a lawyer,” demanding \$9,000, and asserting: “You already know the
26 videos will be reinstated in 3 weeks through the counter notification system.”
27

28 ¹¹ As alleged above, YouTube refused to remove one of the ten videos.

1 68. These contemporaneous emails confirm Defendants used the counter-notice
2 mechanism as a tactic to force automatic reinstatement, not to correct any mistake or
3 misidentification, and that Huneault deployed a false identity while doing so.

4 69. On July 6, 2023, Huneault posted a video titled *DMA disabled Frauditor Troll*
5 *for 3 Weeks, Big Mistake*, describing the counter-notice process and his expectation of
6 reinstatement. He stated, among other things: “Obviously all the counter notifications are
7 sent... I already filed the counter notifications... [Plaintiff] has 10 days to reply... then it
8 gets reinstated... I beat 35 copyright strikes.”

9 70. That video also directly contradicted the July 2023 Counter-Notices, which
10 stated: “I have already hired an attorney to defend my fair use videos in court.” In the July
11 6 video, Huneault admitted he had not retained counsel, saying: “A paralegal can take care
12 of that. I don’t need to hire an expensive lawyer... I’m not a lawyer... I’m going to talk to
13 a paralegal tomorrow.”

14 71. These contemporaneous statements constitute admissions of state of mind:
15 Defendants viewed counter-notices as an automatic reinstatement mechanism and had not
16 retained counsel despite swearing otherwise. They corroborate that Defendants’ Counter-
17 Notices were knowingly false and submitted in bad faith to force reinstatement, continue
18 monetization, and intimidate Plaintiff into abandoning the infringement claims against
19 them.

20 ***The Market for Plaintiff and other Auditors’ Footage***

21 72. Defendants’ dozens of stolen and uploaded videos serve as market substitutes
22 for Plaintiff’s original footage. For example, a legitimate commentary channel, Really Cool
23 News¹², discusses Auditors’ videos and conduct without reproducing a single frame of their
24 copyrighted footage. Its view counts are a fraction of those on the Frauditor Troll Channel.
25 This disparity demonstrates that audience demand for Defendants’ content is driven not by
26 any transformative commentary, but by the unauthorized display of Plaintiff’s original
27

28 ¹² www.youtube.com/@ReallyCoolNews

1 works. Defendants’ reproductions therefore serve as market substitutes for the originals,
2 directly diminishing the market for authorized distribution and derivative works.

3 73. Upon information and belief, the Frauditor Troll Channel unlawfully obtained
4 and infringed between fifty and one hundred of Plaintiff’s copyrighted works. A serial
5 misappropriation of Plaintiff’s works on that scale functions as a market substitute: a
6 YouTube viewer can watch virtually all of Plaintiff’s copyrighted material on the Frauditor
7 Troll Channel instead of on Plaintiff’s own channel.

8 74. Indeed, many of Defendants’ followers have publicly admitted that they watch
9 Plaintiff’s copyrighted footage on Defendants’ channel instead of viewing the originals,
10 often bragging that doing so “deprives the auditors of views and revenue.” These
11 admissions confirm that Defendants’ uploads displace legitimate consumption of
12 Plaintiff’s content and usurp the economic incentive underlying copyright protection.

13 75. Plaintiff, through Executive Lens, is in the process of developing a licensing
14 program under which authorized YouTube channels may license and monetize Plaintiff’s
15 footage in exchange for royalties. Plaintiff has already engaged in discussions with multiple
16 channels regarding such licensing. However, Defendants’ ongoing theft, monetization, and
17 public rationalization of infringement have undermined this effort by fostering a belief
18 among anti-Auditor content creators that Plaintiff’s videos are free for the taking under the
19 guise of “fair use.” Until Defendants are held accountable, Plaintiff’s ability to establish a
20 lawful licensing market remains severely impaired.

21 76. Defendants’ wholesale reproduction and monetization of Plaintiff’s videos
22 directly substitute for the originals, divert traffic, and poison the emerging licensing market
23 for Plaintiff’s footage. By saturating YouTube with unauthorized copies of Plaintiff’s
24 works, Defendants have not merely harmed the potential market—they have sought to
25 destroy it, ensuring that theft and infringement, not creativity, determine who profits from
26 Plaintiff’s works.

1 **Defendants' Conduct After this Action was Initiated**

2 77. Plaintiff commenced this action on June 3, 2025.

3 78. Defendants were informed of this action via email on June 6, 2025.

4 79. On the same day that Defendants received notice of this action, they began a
5 campaign to mass-delete evidence in an effort to conceal their wrongdoing and avoid
6 accountability.

7 80. In total, Defendants deleted more than 1,700 videos from the Frauditor Troll
8 Channel which amounted to nearly ninety percent of the channel's video library.

9 81. After Huneault and Ohiri were formally served in this action, they publicly
10 admitted that the 1,700 videos were not just merely removed from YouTube but were
11 permanently destroyed because they were concerned about being held accountable for their
12 mass infringement scheme.

13 82. Huneault also publicly admitted that he knew Plaintiff was "broke" meaning
14 that he believed Plaintiff could not afford an attorney to pursue federal litigation, and that
15 it was a one-in-a-billion chance that Plaintiff would find counsel willing to hold Defendants
16 liable for their blatant copyright infringement scheme given the relatively modest monetary
17 damages.

18 83. Huneault admitted that he paid Patrick J. D'Arcy, Esq. \$2,800 before D'Arcy
19 filed an amicus brief in this matter, even though D'Arcy falsely represented to the Court
20 that he had not been compensated. The amicus filing was a bad-faith effort to inflate
21 Plaintiff's litigation costs and discourage Plaintiff and his counsel from pursuing legitimate
22 claims against Defendants. This conduct further demonstrates Defendants' bad faith
23 regarding the theft and monetization of Plaintiff's videos on the Frauditor Troll Channel.

24 84. Lastly, Huneault publicly admitted that the Frauditor Troll Channel was a
25 satire channel, further confirming Plaintiff's allegation that the Infringing Videos are not
26 fair use.

1 **FIRST CAUSE OF ACTION**

2 **Copyright Infringement**

3 **(17 U.S.C. § 501)**

4 ***(Infringement of Another Chad and Belmar Library)***

5 85. Plaintiff incorporates by reference the allegations set forth in Paragraphs 1
6 through 84.

7 86. Plaintiff is the creator and original author of the copyrighted audiovisual
8 works titled *Another Chad* (U.S. Copyright Reg. No. PA0002457989) and *Belmar Library*
9 (U.S. Copyright Reg. No. PA0002549333).

10 87. Cordova subsequently assigned to Executive Lens LLC all rights, title, and
11 interest in and to *Another Chad* and *Belmar Library*, including the exclusive rights under
12 17 U.S.C. § 106, while expressly reserving and retaining all causes of action and claims
13 for infringement, violations of 17 U.S.C. § 512(f), and circumvention under 17 U.S.C. §
14 1201 arising prior to the effective date of the assignment.

15 88. Accordingly, Executive Lens is the current owner of the copyrights, and
16 Plaintiff retains standing to pursue the pre-assignment infringement and DMCA-related
17 claims asserted herein.

18 89. Defendants copied, displayed, and distributed substantial portions of *Another*
19 *Chad* and *Belmar Library* without authorization, including through the publication of two
20 infringing videos on YouTube (“Infringing Video 1” and “Infringing Video 3”). Infringing
21 Video 1 incorporated approximately 56% of *Another Chad* (Infringing Video 1 is
22 approximately 87% of Plaintiff’s *Another Chad* footage excluding intro and outro
23 material), and Infringing Video 3 incorporated approximately 81% of *Belmar Library*
24 (Infringing Video 3 is approximately 92% of Plaintiff’s *Belmar Library* footage excluding
25 intro and outro material).

26 90. Defendants’ use of *Another Chad* and *Belmar Library* was for commercial
27 purposes, including monetization through advertisements and the promotion of
28 merchandise and channel memberships.

1 91. Defendants’ use was not transformative and does not qualify as fair use under
2 17 U.S.C. § 107. As alleged herein, Defendants’ reproductions served as market substitutes
3 for Plaintiff’s original works, diverting viewership and advertising revenue from the DMA
4 Channel.

5 92. As a direct and proximate result of Defendants’ infringement, Plaintiff has
6 suffered actual damages including lost viewership, lost advertising revenue, and
7 diminution of the market and licensing value of *Another Chad* and *Belmar Library*.

8 93. Pursuant to 17 U.S.C. § 504(b), Plaintiff is entitled to recover actual damages
9 and any profits of Defendants attributable to the infringement.

10 **SECOND CAUSE OF ACTION**

11 **Misrepresentation in Counter-Notifications under the DMCA**

12 **(17 U.S.C. § 512(f))**

13 94. Plaintiff incorporates by reference the allegations set forth in Paragraphs 1
14 through 93.

15 95. Section 512(f)(2) of the Copyright Act provides, in relevant part, that “any
16 person who knowingly materially misrepresents under this section . . . that material was
17 removed or disabled by mistake or misidentification, shall be liable for any damages,
18 including costs and attorneys’ fees, incurred by...any copyright owner...who is injured by
19 such misrepresentation.”

20 96. In the Counter-Notices submitted to YouTube under penalty of perjury,
21 Defendants represented, among other things, that: (a) the removals were the result of
22 “mistake or misidentification” and the Infringing Videos were protected by “fair use,”
23 citing a nonexistent “fair use act of 1976”; (b) Huneault owned the Frauditor Troll Channel
24 and the videos at issue; (c) Defendants had already hired an attorney and were prepared to
25 litigate; and (d) Defendants could be served at 99 Wall Street, New York, New York.

26 97. Those statements were false, and, critically, were made without a good-faith
27 belief at the time of each Counter-Notice that the videos were not infringing or the removals
28 were by mistake or misidentification. As alleged above, the Infringing Videos reproduce

1 the bulk of Plaintiff’s works in long, uninterrupted blocks with only token, non-
2 transformative interjections. Moreover, in or about May 2022, Defendants published a
3 video titled *How to Do Fair Use Properly and Avoid Copyright Strikes*, in which Huneault
4 instructed viewers to (a) insert commentary at least every 40 seconds, (b) limit use to less
5 than 50% of another’s work, and (c) pad videos with intros/outros to dilute the proportion
6 of infringing content. Defendants’ own infringing videos ignored each of those purported
7 safeguards. This objective contradiction between Huneault’s professed “fair use formula”
8 and his conduct demonstrates that he knew the videos were not fair use and nonetheless
9 represented otherwise under penalty of perjury in the Counter-Notices.¹³ On July 5–6,
10 2023, Huneault further admitted that he filed counter-notices to “penalize” Plaintiff’s
11 channel, expected automatic reinstatement within three weeks, and had not retained
12 counsel. YouTube relied on these misrepresentations to reinstate the removed videos,
13 causing Plaintiff to incur litigation costs and other damages that would not have occurred
14 but for Defendants’ fraudulent Counter-Notices. These contemporaneous admissions show
15 the Counter-Notices were tactical rather than truthful.

16 98. After being served, Huneault and Ohiri publicly admitted in a YouTube video
17 that there was a one-in-a-billion chance Plaintiff would actually hold Defendants
18 accountable for copyright infringement because they knew Plaintiff lacked the financial
19 resources to pursue federal litigation.

20 99. Huneault misrepresented facts essential to the statutory process under
21 §512(g)(3) which further demonstrates Defendants’ pattern of knowingly false statements.

22 100. The “already hired an attorney” assertion was false. As alleged above, the day
23 after submitting the July 2023 Counter-Notices Huneault publicly admitted he had not
24 hired a lawyer and would “talk to a paralegal” instead. Huneault made that statement
25

26
27 ¹³ Plaintiff does not concede that Huneault’s statements regarding fair use are correct—they are reproduced
28 solely to demonstrate that Huneault understood the principles he articulated and that his representations
in the Counter-Notices were knowingly false.

1 merely to mislead Plaintiff into believing that an attorney determined that Defendants'
2 dozens of infringing videos were fair use.

3 101. After being notified of this lawsuit, Defendants took no steps to appear or
4 defend; instead, they engaged in evasive tactics, refusing to accept service of process and
5 permanently destroying over 1,700 videos. These facts underscore that Defendants'
6 Counter-Notices were not only legally baseless but knowingly false.

7 102. Defendants publicly admitted that they destroyed the 1,700 videos to avoid
8 being held accountable for the massive copyright infringement claims Plaintiff and others
9 could have brought.

10 103. The New York service address was false and materially misleading. As
11 alleged above, Defendants are residents of Canada; listing "99 Wall Street, New York,
12 NY" impeded service and misrepresented their true location. Defendants knowingly
13 omitted suite number 5892 from the Counter-Notices to evade service and increase
14 Plaintiff's litigation costs.

15 104. Defendants' conduct epitomizes the systemic abuse Congress sought to
16 prevent in § 512(f). Having publicly instructed others on the requirements of fair use,
17 Huneault later admitted that Defendants simply file counter-notices without regard to the
18 law because they believe no one will enforce it. This is not a mistake or misidentification,
19 it is a deliberate exploitation of a flawed process, undertaken with knowledge that false
20 assertions of lawful use would go unchallenged unless Plaintiff shouldered the cost of
21 federal litigation Defendants believed he could not afford.

22 105. As a direct result of Defendants' material misrepresentations regarding fair
23 use, Plaintiff was forced to initiate this action to have the Infringing Videos removed from
24 the Frauditor Troll Channel, and to prevent their re-upload. Plaintiff is entitled to recover
25 damages, costs, and attorneys' fees under 17 U.S.C. § 512(f).

26 106. Plaintiff is further entitled to injunctive relief requiring YouTube or its agents
27 to remove the Infringing Videos from the Frauditor Troll Channel and to prevent their re-
28 upload.

THIRD CAUSE OF ACTION

Declaratory Relief

(28 U.S.C. § 2201 and 17 U.S.C. § 512(g))

(Courthouse Fail)

107. Plaintiff incorporates by reference the allegations set forth in Paragraphs 1 through 106.

108. On or about February 4, 2022, Defendants published Infringing Video 2 to the Frauditor Troll Channel.¹⁴ Infringing Video 2 incorporates approximately eighteen minutes and forty-six seconds of Plaintiff's *Courthouse Fail* video without authorization.

109. Plaintiff's *Courthouse Fail* video is thirty minutes and twenty-seven seconds long, meaning Defendants misappropriated approximately sixty-two percent of Plaintiff's work. Excluding the brief introduction and outro, eighty-seven percent of Defendants' video consists of Plaintiff's footage, while Defendants' commentary accounts for only thirteen percent, two minutes and forty-eight seconds in total. These brief interjections provide no meaningful analysis or critique and do nothing to alter the expressive core of Plaintiff's work, which dominates the viewing experience.

110. An actual and justiciable controversy exists concerning Defendants' use of Plaintiff's *Courthouse Fail* video as that video remains live on the Frauditor Troll Channel and was subject to a DMCA Takedown and Counter-Notice under 17 U.S.C. § 512(g)(3), each claiming that the removed material was lawful and protected by fair use.

111. YouTube reinstated Infringing Video 2 following a Counter-Notice submitted by Defendants under § 512(g)(3), creating an actual, live controversy as to whether the continued display of Infringing Video 2 is lawful.

112. Plaintiff seeks a judicial declaration that Defendants' use of *Courthouse Fail* does not qualify as fair use under 17 U.S.C. § 107 and an injunction requiring YouTube to remove the video from its platform and prevent its re-upload.

¹⁴ <https://www.youtube.com/watch?v=eVe4eoOzPvc&t=700s>.

FOURTH CAUSE OF ACTION

Unlawful Circumvention of Technological Measures

(17 U.S.C. §§ 1201, 1203)

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2
3
4 113. Plaintiff incorporates by reference the allegations set forth in Paragraphs 1
5 through 112.

6 114. Plaintiff is the author of the original audiovisual works published on his
7 YouTube channels.

8 115. Plaintiff owns all rights, title, and interest in and to the claims asserted in this
9 action, including all claims for violations of 17 U.S.C. § 1201.

10 116. Each of Plaintiff’s works was uploaded to YouTube through the platform’s
11 standard publishing system. When published, YouTube automatically applied TPMs that
12 control access to and prevent unauthorized copying or downloading of Plaintiff’s
13 audiovisual files, consistent with 17 U.S.C. § 1201.

14 117. Upon information and belief, Defendants intentionally circumvented these
15 TPMs by employing software tools commonly known as “rippers” or “downloaders” to
16 download native-quality copies of Plaintiff’s YouTube videos.

17 118. Upon information and belief, Defendants unlawfully obtained between fifty
18 and one hundred of Plaintiff’s videos using these tools, often on the same day that the
19 videos were posted to Plaintiff’s YouTube channels so that Defendants could post the
20 unlawfully obtained videos on the Frauditor Troll Channel.

21 119. Defendants used those unlawfully obtained copies to create monetized videos
22 for the Frauditor Troll Channel, reproducing extensive, unaltered portions of Plaintiff’s
23 works without license or authorization.

24 120. By using circumvention software and disabling or bypassing YouTube’s
25 copy-protection systems, Defendants violated 17 U.S.C. § 1201(a), which prohibits the
26 circumvention of a technological measure that effectively controls access to a copyrighted
27 work.
28

1 121. Defendants' conduct was willful, knowing, and undertaken for commercial
2 advantage, including the generation of advertising revenue through YouTube's AdSense
3 program.

4 122. As a direct and proximate result of Defendants' circumvention, Plaintiff has
5 suffered actual damages, including loss of control over his copyrighted works, impairment
6 of market value, and costs incurred to identify, remove, and prevent further distribution of
7 infringing content.

8 123. Plaintiff is entitled to recover actual or statutory damages under 17 U.S.C. §
9 1203(c), together with attorney's fees and costs, and to obtain injunctive relief restraining
10 Defendants from further circumvention or trafficking in circumvention technology.

11 **PRAYER FOR RELIEF**

12 **WHEREFORE**, Plaintiff prays for judgment against Defendants as follows:

- 13 A. That judgment be entered in favor of Plaintiff and against Defendants for
14 monetary damages caused by their infringement of Plaintiff's *Another Chad*
15 and *Belmar Library* copyrights;
- 16 B. That judgment be entered in favor of Plaintiff and against Defendants for
17 monetary damages caused by their knowing material misrepresentations in the
18 Counter-Notices pursuant to 17 U.S.C. § 512(f);
- 19 C. That the Court enter a declaratory judgment that Defendants' use of
20 *Courthouse Fail* is not protected by 17 U.S.C. § 107;
- 21 D. That judgment be entered in favor of Plaintiff and against Defendants for their
22 unlawful circumvention of technological protection measures in violation of
23 17 U.S.C. § 1201(a), including statutory damages of \$2,500 per act of
24 circumvention, actual damages, attorneys' fees, and a permanent injunction
25 prohibiting further circumvention or distribution of works obtained through
26 circumvention;
- 27
28

- 1 E. That the Court enter a permanent injunction enjoining Defendants from further
2 use of *Another Chad*, *Courthouse Fail* and *Belmar Library* and requiring
3 YouTube and any third-party platforms to remove the Infringing Videos and
4 prevent further dissemination;
- 5 F. That the Court award Plaintiff costs and attorneys' fees pursuant to 17 U.S.C.
6 § 512(f);
- 7 G. Any other relief the Court deems just and proper.
- 8

9 Dated: November 3, 2025

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