



OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION

TO: Title Lock Corporation d/b/a Home Title Lock
12636 High Bluff Drive, Suite 400 *Via CMRRR#7016 3560 0000 8456 8777*
San Diego, CA 92130

CIVIL INVESTIGATIVE DEMAND

Pursuant to this office's specific authority under section 17.61 of the Texas Deceptive Trade Practices—Consumer Protection Act, Tex. Bus. & Com. Code §§ 17.41–17.63 (“DTPA”), Title Lock Corporation is hereby directed to produce the items listed in Exhibit “A” attached hereto. Such production is governed by the instructions and definitions on this page and subsequent pages.

You are to make available the documentary material described in Exhibit “A” to the undersigned Assistant Attorney General or other authorized agent identified by the Consumer Protection Division (“Division”). This documentary material shall be produced for inspection and copying during normal business hours at your principal office or place of business, or copies may be sent electronically or by certified mail to the Office of the Attorney General, 112 E. Pecan, Suite 735, San Antonio, Texas 78205. **The response is due on January 6, 2023.** Please contact one of the persons listed below upon receipt in order to discuss the logistics of producing the requested documents to the Division.

This Civil Investigative Demand is relevant to the subject matter of an investigation of possible violations of §§ 17.46(a) and (b) of the DTPA involving potentially false, misleading, or deceptive advertisements regarding home title monitoring and/ or home title resolution services.

TAKE NOTICE THAT pursuant to § 17.62, TEX. BUS. & COM. CODE, any person who attempts to avoid, evade, or prevent compliance, in whole or in part, with this directive by removing, concealing, withholding, destroying, mutilating, altering, or by any other means falsifying any documentary material may be guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$5,000.00 or by confinement in the county jail for not more than one year, or both.

ISSUED THIS 15th day of December, 2022.

/s/ Gabriella Gonzalez
Gabriella Gonzalez
Assistant Attorney General
Telephone: (210) 270-1110
Email: Gabriella.Gonzalez@oag.texas.gov

Authorized Agent:
Rozanne Lopez, Investigator
Telephone: (210) 225-4191
Email: Rozanne.Lopez@oag.texas.gov

DEFINITIONS

1. “**And**” and “**or**” are terms of inclusion and not of exclusion and shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this subpoena any document or information that might otherwise be construed to be outside its scope.
2. “**Document(s)**” means the original (or duplicate, identical copies when originals are not available), and any non-identical copies (whether different from the original because of notes made on such copies or otherwise) of writings or recordings of every kind and description whether written, mechanical, electronic or any other means, as well as phonic or visual reproductions of oral statements or conversations, and including, but not limited to, any manual, book, pamphlet, periodical, letter, report, memorandum, notation, message, telegram, cable, facsimile, record, study, working paper, accounting paper, telephone log, teletype message, chart, graph, index, tape, minutes, computer printout, contract, lease, invoice, record of purchase or sale, correspondence, electronic or other transcription of taping of telephone or personal conversations or conferences, or any and all other written, printed, typed, punched, taped, filmed or graphic matter however produced or reproduced and any electronic, mechanical, computer, e-mail, or Internet records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings, and computer and electronic memories). “**Document**” includes the file, folder tabs or containers and labels associated with each original or copy.
3. “**You,**” “**Your,**” or the “**Company**” means Title Lock Corporation d/b/a Home Title Lock and all of its past and present officers and employees, whether assigned to its principal offices or any of its fields or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of its headquarters, regional, zone and other offices and its employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (*e.g.*, employee of a consultant) by or under the control of Title Lock Corporation d/b/a Home Title Lock (including all business units and persons previously referred to).

INSTRUCTIONS

1. **Read These Instructions/Definitions.** Read these instructions and definitions carefully.
2. **Duty to Preserve Documents.** All documents and/or other data which relate to the subject matter or requests of this Civil Investigative Demand must be preserved. *Any ongoing, scheduled or other process of document or data destruction involving such documents or data must cease even if it is your normal or routine course of business for you to delete or destroy such documents or data and even if you believe such documents or data are protected from discovery by privilege or otherwise.* Failure to preserve such documents or data may result in legal action and may be regarded as spoliation of evidence under applicable law.
3. **Relevant Dates.** Unless otherwise noted, the requests in this Civil Investigative Demand require production of documents from January 1, 2017, to the date of the production of documents in response to this Civil Investigative Demand, herein called “the relevant time period.”
4. **Custody and Control.** In responding to this Civil Investigative Demand, you are required to produce not only all requested documents in your physical possession, but also all requested documents within your custody and control, including those within the possession of persons reasonably available to you or under your direction or control.
5. **Identification of Documents not in Custody or Control.** If any responsive document was, but no longer is, in your possession, custody or control, produce a description of each such document. The description shall include the following:
 - a. the name of each author, sender, creator, and initiator of such document;
 - b. the name of each recipient, addressee, or party for whom such document was intended;
 - c. the date the document was created;
 - d. the date(s) the document was in use;
 - e. a detailed description of the content of the document;
 - f. the reason it is no longer in your possession, custody or control; and
 - g. the document’s present whereabouts.

If the document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the document was destroyed or otherwise disposed of, and the date and manner of the destruction or disposal.

6. **Privileged Documents.** If any responsive document is withheld, in whole or in part, under any claim of privilege, provide a detailed privilege log that contains at least the following information for each document or partial document that you have withheld:
 - a. the document’s control numbers;
 - b. all authors of the document;
 - c. all addressees of the document;

- d. all recipients of the document or of any copies of the document, to the extent not included among the document's addressees;
- e. the date of the document;
- f. a description of the subject matter of the document sufficient to determine the applicability of the privilege;
- g. the nature or type of the privilege that is being asserted for the document (e.g., "attorney-client privilege");
- h. the specification(s) of the Demand to which the document is responsive;
- i. the document control number(s) of any attachments to the document, regardless of whether any privilege is being asserted for such attachment(s); and
- j. whether the document has been produced in redacted form, and if so, the range of the control numbers for the document.

7. **Trade Secrets.** It is your responsibility to clearly designate which, if any, of the requested documents contain trade secrets, in accordance with Section 17.61(f) of the Texas Business & Commerce Code.

8. **Consult Before Producing Documents.** Before processing or making copies of hard copy documents or electronically stored information in response to this Civil Investigative Demand, you must consult with the designated representative(s) of the Office of the Attorney General ("OAG") identified above and reach agreement on the format and method of production.

Likewise, before producing any *original* documents, you are required to consult with one of the designated representatives of the OAG identified above to obtain approval. If you produce original documents, the OAG cannot guarantee their return.

9. **You May Produce Copies.** Subject to the consultation requirement noted above, you may submit photocopies (with color photocopies where necessary to interpret the document) in lieu of original hard-copy documents, provided that such copies are accompanied by an affidavit of an officer of the Company stating that the copies are true, correct, and complete copies of the original documents, were generated and maintained in the ordinary course of business, and provided that where the original contains colored text or images, a color copy must be provided.

10. **Non-identical Copies to be Produced.** Identical copies of responsive documents need not be produced. However, any copy of a document that differs in any manner, including but not limited to the presence of handwritten notations, different senders or recipients, etc. must be produced.

11. **No Redaction.** All materials or documents produced in response to this Civil Investigative Demand shall be produced, except as deemed privileged, in complete unabridged, unedited and unredacted form, even if portions may contain information not explicitly requested, or might include interim or final editions of a document.

12. **Documents to be Bates Numbered.** Mark each page or electronic medium (e.g., disk, tape, or CD) with individual or corporate identification and eight-digit consecutive

document control numbers (e.g., DOE-12345678; CORP-12345678). Hardcopy bound pamphlets or books may be marked with a single identification and control number. Documents as to which privilege is asserted are to also receive identification and control numbers.

If your production will be more than one box or piece of electronic media, number each box or electronic media, as well as the total number of boxes/media (e.g., box 1 of 13) and mark each with the name(s) of the person(s) whose files are contained therein, the requests(s) to which they are responsive, and the document control numbers contained therein.

13. **Document Organization.** Each document and other tangible thing produced shall be clearly designated as to which request, and each sub-part of a request, that it satisfies. The documents produced shall be identified and segregated to correspond with the number and subsection of the request.
14. **Production of Electronic Documents.** Unless otherwise agreed to in writing by the designated OAG representative, electronically stored information shall be produced in electronic form. Before you prepare documents or information for production in electronic form in order to comply with this Civil Investigative Demand (for example, before you attempt to process electronically stored information or image hard copy documents), you must consult with the designated representative(s) of the OAG identified above and reach agreement regarding the format and method of production.
15. **Questions.** Questions concerning this Civil Investigative Demand should be directed to Assistant Attorney General Gabriella Gonzalez at (210) 270-1110.

EXHIBIT A
DOCUMENTS TO BE PRODUCED

1. Documents sufficient to show the Company's authority to do business in Texas, including, but not limited to, franchise tax filings and registration documents filed with the Texas Secretary of State.
2. Documents sufficient to show the names, titles, dates of employment, addresses, and phone numbers of the Company's current and former owners, directors, members, and officers.
3. Company organization charts. Include in Your response the location of various departments, divisions, and employees.
4. Company advertisements, including, but not limited to, print advertisements, social media advertisements, radio advertisements, and/or television advertisements. Multiple copies of the same advertisement need not be produced.
5. Documents or agreements identifying the Texas markets where the advertisements produced in response to Request No. 4 aired or were placed.
6. Documents reflecting subscriptions to the Company's services from Texas customers since January 1, 2014. This request includes all customer information (name, address, email address, phone number, date of birth, the amount paid, and the date(s) of purchase) and order information, such as the subscription plan purchased. In lieu of providing the actual Documents, the Company may provide a list with the information requested.
7. Documents reflecting any home title theft resolution services provided to Texas customers since January 1, 2014, including, but not limited to, alerts or notices to customers, customer claims, requests for assistance or legal fees and expenses coverage, and the assistance provided.
8. Representative samples of customer contracts or agreements for the Company's services.
9. Documents substantiating the claim on www.hometitlelock.com/faq that the Company "monitor(s) the title of [consumers'] property 24/7."
10. Documents substantiating the claim on www.hometitlelock.com/faq that the Company provides "nationwide monitoring."
11. Documents substantiating the claim on www.hometitlelock.com/faq that "like other white-collar crimes, title fraud remains under reported with losses totaling more than \$5 billion in 2015."
12. Documents substantiating the claim on www.hometitlelock.com/property-fraud that a victim is responsible for payments incurred due to a fraudulent home equity loan. ("Now thieves take out massive loans using your home's equity - leaving you with the payments and a mountain of legal bills.")

13. Documents substantiating the claim on www.hometitlelock.com that “65% of Home Title Claims are Fraud Related.”
14. Documents substantiating the following claim on www.hometitlelock.com/how-it-works:
 - (a) “FBI Internal Report – Title and Mortgage Fraud are the fastest growing white collar crimes in America.”
15. Documents substantiating the claim on the Company’s television advertisement that the “FBI calls home title theft ‘one of the fastest growing white-collar cyber crimes in America.’”¹
16. Documents substantiating the claim that the Company offers or offered “complete protection - including up to \$250,000 in legal fees and expense coverage.”
17. Documents that refer or relate to the Company’s change in coverage of legal fees and expense coverage. In response to this request, provide representative samples of notifications regarding this change that the Company sent to consumers.
18. Documents sufficient to support the claim that the Company’s four-year subscription is its “Best Offer.” In response to this request, provide Documents reflecting the difference between the annual monitoring subscription and the four-year subscription, if any.
19. Documents that refer or relate to the Company’s policies, practices, and/or standard operating procedures in connection with home title monitoring or title resolution. This request specifically includes, but is not limited to, Documents relating to the Company’s “Title Resolution Team Support” and the role of a “Dedicated Title Resolution Agent.”
20. Manuals, training materials, guidelines, memoranda, statements, scripts, and other Documents used to train employees, subcontractors, or third-party agents.
21. Internal correspondence, email, memoranda, and other communications sent or received by Company officers, managers, employees, contractors, and/or agents that refer or relate to the frequency with which home title theft occurs or the frequency with which a customer requires “Title Resolution Team Support.”
22. Complaints the Company has received regarding its advertisements or services and the Company’s response to each complaint.
23. White papers, presentations, memoranda, or Documents that refer or relate to the Company’s target audience or demographic.
24. Documents sufficient to show the Company’s annual net profits since 2014.

¹ A copy of the television advertisement referenced in this request is located at www.ispot.tv/ad/qYqw/home-title-lock-home-title-theft-featuring-newt-gingrich.

25. Documents that refer or relate to the databases or software programs, either proprietary or licensed, that the Company uses or has used to access or monitor title records in Texas and nationwide.
26. Documents that refer or relate to any lawsuits filed against the Company or any settlement to which the Company has been a party involving the Company's advertisements, home title monitoring, or title support resolution services.
27. Documents that refer or relate to any investigation involving the Company's advertisements, home title monitoring, or title support resolution services by any judicial, administrative, government, or law enforcement agency to which the Company has been the subject.