



COMPLAINT REFERRAL FORM

Complaint ID: I1501301241468482

The following information was provided by the victim and may be forwarded to the appropriate law enforcement or regulatory agencies.

Date: 01/30/2015 12:41:46

Victim Information

Name: Peter O'Hanlon
Business Name: NetDivorce, LLC
Age: 50 - 59
Gender: M
Address: 1100 South Tenth Street
City: LAS VEGAS
Do you live within the city limits?: No
County:
State:
Country: United States
Zip Code/Route: 89104
Phone number: 8886383486
Email Address: info@netdivorce.com

Name of your local police or sheriff's office:
[left blank]

Is the complaint you are filing related to the Internet or an online service? Yes

Do you have pertinent documents in paper form? No

Information about the Individual/Business that victimized you

Business Name: Divorce Place, Inc.
Name: Jason McClain
Gender: M
Address: 92 Argonaut
Suite 200
City: Aliso Viejo
State: California
Country: United States
Zip Code/Route: 92656
Phone number: 8006042860
Email Address: support@mydivorcepapers.com

Other Identifiers

Web Site: mydivorcepapers.com
IP Address: 70.182.181.77
IRC Server:
Chat Room Name:
Usenet Newsgroup:
Other:

Monetary Loss

If you lost money from the incident you are reporting, please specify the total dollar amount of your loss.
0

Please indicate the means of payment (select all that apply)

- Cash
- Cashier's Check
- Check/Debit Card
- Credit Card
- Money Order
- Wire Transfer
- Other (Specify)

Did you use a third party online payment service such as PayPal, BidPay, Escrow? [left blank]

Description of the Incident

Describe in your own words how you have been victimized.

SUBJECT MATTER OF THE COMPLAINT: MyDivorcepapers.com (hereinafter MDP) and iDivorceforms.com (IDF) are websites offering online uncontested divorce form preparation services to residents of all states.

MDP and IDF share at least partial ownership and control. Please see the domain registration details for both sites, which I had to remove from below to meet the 12000 character limitation on this form.

Further, IDF's Business Consumer Alliance account page at <http://www.businessconsumeralliance.org/report/idivorceformscom-100247316> lists Jason McClain as the only contact for IDF. The parent company of IDF, DIY Institute, has its own Business Consumer Alliance page at <http://www.businessconsumeralliance.org/Reviews/DIY-Institute-Inc-100103083>. It also lists Jason McClain as the current CEO of DIY Institute. DIY Institute's Better Business Bureau page at <http://www.bbb.org/sdoc/business-reviews/legal-document-assistance/diy-institute-inc-in-laguna-niguel-ca-1> lists Jason McClain as the owner of DIY Institute, Inc. Furthermore, the personal website of Jason McClain, <http://jasonmcclain.com>, lists McClain as an investor in and CEO of DIY Institute, Inc. MDP and IDF share at least partial common ownership/management/control by virtue of Jason McClain's position at each company/website.

SUMMARY OF COMPLAINT: MDP and IDF seek to persuade on-line consumers to hire them by representing on their websites, that (1) MDP and IDF each has a high number of existent testimonials from actual customers of MDP and IDF; that (2) those testimonials have been certified/verified by another entity; that (3) said entity is an independent third party; and that (4) said third party is in the regular and ongoing business of verifying or certifying such testimonials, by and through the use of appropriate technology and due diligence. At least the 2nd, 3rd and 4th listed representations by MDP and IDF are false and misleading to the extent that any such testimonials that do exist have not been certified or verified by any third party that is independent from MDP and IDF and that said third party, claimed by MDP and IDF to have certified/verified their testimonials, is not in the regular and ongoing business of certifying or verifying such testimonials.

PARTICULARS OF COMPLAINT: Commencing in approximately July 2013, MDP began to display on the top page of its website statements, certifications, seals and other content that purports to be provided by an independent certified customer testimonials service offered by the website, <http://certifiedcomments.com> (hereinafter CC).

CC has a private domain registration. CC displays no address, phone number or email address on its website. It might seem strange for the type of company CC purports to be - one that deals in public trust and transparency - to have a paid private domain registration and to conceal its points of contact from the public. Further, CC claims to offer its services to businesses solely on the basis of an invitation from CC.

Based on information contained on its very thin website, CC claims to offer a service that contacts a subscribing company's existing customers, confirms that they are/were actual customers of the subscribing company and obtains from them testimonials, presumably mostly positive, about the company's performance, as experienced by those customers. Such testimonials are then certified by the testimonial service to be bona fide testimonials from actual customers, aggregated, displayed in small numbers on the subscribing company's (MDP's and IDF's) website and displayed in their entirety on the subscribing company's page on the website of the testimonial service (CC). CC states, in its website description, CertifiedComments.com is today's leading trust seal.

The legitimate commercial purpose of an actual Internet testimonial certification service is to enable the

subscribing website to obtain more business honestly by featuring several certified testimonials on its site and providing a clickable link to all such certified testimonials on its page on the website of the certified testimonial service. American on-line consumers respond positively to the legitimate testimonials of other consumers about their experiences with on-line companies, providing they are convinced of the bona fides of both the testimonials themselves and the certifying entity. The use of an on-line certified testimonials service is a powerful and effective form of advertising about the value and efficacy of the product or service being sold by the subscribing company. However, the confidence placed by the consumer in the legitimacy, integrity and independence of the certifying entity is fundamental to the process of the consumer's decision to buy.

It cannot be said any better than in a featured statement on the site of CC describing the service it claims to provide to subscribing companies like MDF: "We validate each testimonial from your site with our Patent pending technology. Your clients can rest assured that when they read a testimonial on your site that it is 100% real. Our system will not only take the time to validate and certify that the comments on your site are real, but also offer you a validated logo and certificate for each testimonial we display on your website."

REPRESENTATIONS MADE TO ON-LINE CONSUMERS BY MDP AND IDF: The clear and natural purpose and intent of the several CC-certified testimonials displayed on MDP, the 1600+ certified testimonials of MDP displayed at the behest of MDP on CC (but also referenced on MDP) and the statements allegedly made by CC about MDP on both MDP's site and CC's site (see above) are to cause on-line consumers visiting MDP to hire MDP because of the following representations of fact made, expressly or impliedly, by MDP:

- (1) MDP has over 1600 legitimate testimonials from current and past actual customers;
- (2) Said testimonials have been confirmed as such and certified by CC as being bona fide and provided by real customers of MDP by and through the use of patent pending technology and appropriate due diligence of CC;
- (3) CC is an independent third party beyond the control or influence of MDP; and
- (4) CC is in the regular and ongoing business of providing such certification services to multiple subscribing companies like MDP.

In fact, how could CC state accurately (and with at least the tacit approval of MDP) that its choice for the best online divorce forms and preparation service is MDP if CC (today's leading trust seal) did not have at least one other subscribing online divorce forms and preparation service to compare with MDP?

IDF also began to display similar content from CC circa September 2013. Claimed certified testimonials for IDF are over 200. IDF makes similar representations regarding the legitimacy of its testimonials and their certification by CC.

EVIDENCE THAT MDP'S REPRESENTATIONS CONCERNING ITS 1600+ TESTIMONIALS ARE FALSE AND MISLEADING:

1. No evidence is offered that MDP does not have 1600+ legitimate existent testimonials. I have no knowledge or evidence that either confirms or contradicts the existence of such testimonials. There is some evidence that 1600+ putative testimonials exist, but there is no evidence, one way or the other, that any or all of them are legitimate testimonials provided by actual customers of MDP. They may all be entirely legitimate. They may all have been written by the staff of MDP or by friends or relatives of ownership/management of MDP. This lack of corroborating evidence illustrates precisely why certification by a legitimate independent verification service is a valuable service.

2. It may be mere coincidence that MDF, IDF and CC ALL have Wild West Domains as their domain registrar. Of the three domains, only CC has a private registration.

3. A Google search for certifiedcomments.com on January 22 2015 revealed on the top page of the search results 4 pages that are part of the CC website (They are apparently the entirety of the website that pertains only to CC.) and the two pages of MDP and IDF on CC. No other pages of other subscribing companies or websites are revealed anywhere in the search engine results for certifiedcomments.com. Only the two Jason McClain websites, MDP and IDF, are listed as subscribing companies. I went 5 pages deep into the search engine results and found not one other search entry for any website that referenced certifiedcomments.com or that referenced certifiedcomments.com and any other client of certifiedcomments.com, other than mydivorcepapers.com and idivorceforms.com.

4. If you go to <http://certifiedcomments.com>, hover your cursor over the words, [Trust Seal](#) in the left column and you will see at the bottom of your browser that the link will take you to the IDF page on CC. If you move your cursor to hover over the words, [Real Customer Reviews](#), you will see that said link connects to the MDP page on CC. No other subscribing customers of CC are featured or mentioned anywhere on the CC website.

5. It is clear from <http://certifiedcomments.com> that CC purports to [accept](#) new customers by its invitation only. One may request an invitation, but CC states that it will contact you, [as soon as we are ready](#). During December 2014, I forwarded three such requests on behalf of my own business. I received no response. While such a business model could be valid, all established legitimate testimonial certifiers actively seek business. CC would say that it is quality selective, which is the only logical explanation for that particular business model, but a scenario that also explains such a model is that CC doesn't want any customers because it's only purpose is to provide MDP and IDF with a fraudulent front for bogus testimonials. Having other customers would be a hindrance to that purpose.

6. The CC sitemap at <http://www.certifiedcomments.com/sitemap.xml> reveals 4 pages on the CC site that reference the putative certification business of CC, plus 182 pages that are the testimonial pages of MDP on certifiedcomments.com. No other subscribing company or website, other than MDP is listed on CC's sitemap, despite the fact that CC claims to be, [today's leading trust seal](#).

7. If you use any of the IP address tracking utilities readily available online, you find that MDP is hosted at 70.182.181.77 and that CC is hosted at 70.182.181.84. Other McClain websites (mydivorcenews.com, createawill.com, bankruptcypapers.com, divorceforher.com and mcclainconcepts.com are all hosted on the same Cox Communications subnet, 70.182.181.*, located in Irvine, CA. A screen shot of my search results for all domains hosted on that subnet is at <https://california.netdivorce.com/images/mdp5.jpg>.

8. If you go to CC, it is fairly easy to figure out the url pagination for the MDP pages. Once you do that, you can navigate to the page that holds the purportedly oldest of the 1600+ testimonials re MDP on CC, <http://www.certifiedcomments.com/review/mydivorcepapers.php?view=240#pagination>. As Jason McClain adds about 3-4 testimonials a day, the [240](#) page number in that url will constantly increase. So the reader of this complaint may need to adjust that number to something like 250 or 260 by the time this complaint is read. When you find the last page in the sequence, you will see that the oldest comment about MDP allegedly certified by CC is dated June 7, 2012 and is from someone in Bethesda, Maryland. However, the certifiedcomments.com domain name was only registered for the very first time on July 3 2013. CC has [certified](#) testimonials from one year before its present domain name was registered.

Please indicate any medium used by the individual/business in the course of the incident.

- Bulletin board
- Chat room
- Email
- Fax
- In person
- Internet messaging
- Mail
- Newsgroup
- Telephone
- Web site
- Wire
- Other

Please indicate the initial means of contact with the individual/business that victimized you.

Website

Was this initial means of contact unsolicited/uninvited?

Yes

What was your relationship with the individual/business you are complaining about prior to the incident you are reporting?

no prior relationship

Did you conduct any research on the individual/business prior to the incident?

No

How much time has passed since you determined you were victimized?

2 - 3 months

Contact Information

Are there witnesses or other victims to this crime?

[left blank]

Have you reported this crime to any law enforcement or government agencies?

- Better Business Bureau
- Consumer protection agency
- Individual/business that victimized you
- Police/other law enforcement
- Private attorney

Provide the specific name of each organization, contact name, contact phone number, email address, date reported, and report number (if known).

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