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PLAINTIFF IN PRO PER

DISTRICT COURT

CLARK COUNTY, NEVADA

DIINELE DINAALI, an Individual Plaintiff, vs. CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, A Delaware Partnership; CELLULAR SALES OF KNOXVILLE, INC., d/b/a CELLULAR SALES, A Tennessee Corporation; DION MORROW, an Individual; FRANKLIN JACKSON, an Individual; DOES 1 THROUGH 10; ROE CORPORATIONS 1 THROUGH 10, inclusive Defendants.	CASE NO: DEPT: **APPENDIX 2 TO PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION** **[Filed Concurrently with Plaintiff's Complaint, Plaintiff's Emergency Motion for temporary Restraining Order, and Plaintiff's Index of Exhibits]** HEARING DATE: HEARING TIME:

Plaintiff in Pro Per, DIINELE DINAALI (“Plaintiff”), hereby submits this Appendix in support of Plaintiff’s Emergency Motion for a Temporary Restraining Order and Preliminary Injunction.

This Appendix contains Plaintiff’s specific, itemized legal and statutory analysis detailing Defendants' systemic consumer fraud, deceptive trade practices, conversion of equipment, federal truth-in-billing violations, and explicit list of federal, state, and local regulatory violations. The specific table of contents, statutory breakdown, and accompanying evidence are set forth herein.

This Appendix is organized into sections below and is submitted to assist this Court in reviewing the clear documentary contradictions underlying Plaintiff's claims.

DATED this 22nd day of June, 2026.

Respectfully submitted,

/s/ Diinele Dinaali

Plaintiff in Pro Per, DIINELE DINAALI

I. DEFENDANTS COMMITTED DECEPTIVE TRADE PRACTICES BY KNOWINGLY WITHHOLDING THE CONTRACT AND PORTAL ACCESS TO CONCEAL MATERIAL DISCLOSURES

Under the Nevada Deceptive Trade Practices Act (NDTPA), a person engages in a deceptive trade practice when, in the course of their business, they knowingly "fail to disclose a material fact in connection with the sale or lease of goods or services." NRS § 598.0923(2). The Nevada Court of Appeals has expressly ruled that a "knowing" omission under the NDTPA does not require an explicit intent to deceive; rather, it simply requires that the defendant "is aware that the facts exist that constitute the act or omission." *Poole v. Nevada Auto Dealership Investments, LLC*, 135 Nev. 280, 449 P.3d 479, 483 (Nev. App. 2019). Furthermore, *Poole* establishes that a fact is legally "material" if "a reasonable person would attach importance to its existence or nonexistence in determining a choice of action." *Id.* at 484.

Here, Defendants Cellular Sales and Verizon knowingly executed a deceptive trade practice by intentionally withholding the physical contract of service and systematically locking Plaintiff out of the electronic consumer portal. The specific monthly rates, contract lengths, early termination parameters, and equipment return protocols are the very definition of "material facts" under *Poole*, as any reasonable consumer would attach primary importance to them. By suppressing these governing documents and blocking portal verification, Defendants knowingly maintained an informational monopoly to obscure their unauthorized, fraudulent retail upselling.

II. DEFENDANTS ENGAGED IN THE TORT OF CONVERSION AND REPRISAL BY MALICIOUSLY WITHHOLDING SURRENDERED EQUIPMENT TO MANUFACTURE FRAUDULENT DEBT

Under Nevada statutory law, a merchant is strictly prohibited from failing to promptly and properly process a transaction that has been rescinded, cancelled, or otherwise terminated. NRS § 598.092. At common law, the intentional and wrongful control over another's personal property to their detriment constitutes Conversion. The Nevada Supreme Court defines conversion as "a distinct act of dominion wrongfully exerted over another's personal property in denial of, or inconsistent with, his title or rights therein." *M.C. Multi-Family Development, LLC v. Crestdale Associates, Ltd.*, 124 Nev. 901, 910, 193 P.3d 536, 542 (2008).

On July 5, 2025, Plaintiff entered the Cellular Sales retail outlet and physically surrendered the proprietary internet hardware box to finalize a total cancellation of services. Instead of processing the equipment return in good faith, Defendant Cellular Sales and its agent, Franklin Jackson, actively withheld the hardware from corporate routing and processing. Defendants purposefully left the billing contract active as an act of malicious retaliation for Plaintiff exposing their retail fraud. By retaining dominion over the return data and equipment while simultaneously manufacturing false post-termination debt trails, Defendants committed consumer conversion under *M.C. Multi-Family Development* to aggressively extort a consumer.

III. DEFENDANTS' RETALIATORY DEBT GENERATION AND PORTAL LOCKOUT VIOLATE FEDERAL TRUTH-IN-BILLING DISCLOSURE MANDATES

Common carriers and their authorized retail agents are bound by federal law to provide open, non-misleading, and strictly clear documentation regarding charges placed upon consumers. Under 47 U.S.C. § 201(b), any "unjust or unreasonable practice" in connection with communication services is expressly declared unlawful. The Federal Communications Commission (FCC), backed by federal court enforcement, mandates under federal "Truth-in-Billing" guidelines that telecommunications providers must clearly organize, disclose, and identify all service rates and changes so that consumers can easily verify charges. *In re Truth in Billing and Billing Format*, 15 FCC Rcd 7493 (2000); 47 CFR § 64.2401.

Defendants completely violated these federal disclosure baselines. By shutting off Plaintiff’s data access, denying the delivery of clear service agreements, and utilizing a proprietary internal network to issue unverified financial threats against a deactivated account, Defendants directly engaged in an "unjust and unreasonable practice" under Section 201(b). This total subversion of billing transparency was deliberately leveraged to inflict severe mental anguish, anxiety, and procedural duress upon a self-represented litigant.

VII. DEFENDANTS’ LIST OF FEDERAL, STATE, AND LOCAL CRIMINAL AND CIVIL VIOLATIONS

<u>FEDERAL STATUTES & REGULATIONS</u>

Criminal & Fraud Violations

- CONSPIRACY (18 U.S.C. § 371): Making an agreement between two or more people to commit a federal crime or defraud the United States, plus taking at least one physical action toward carrying it out.
- INTERSTATE WIRE FRAUD (18 U.S.C. § 1343): Using electronic communications (emails,

internet portals, or phone calls) that cross state lines to execute a scheme to defraud someone of money or property.

- EXTORTIONATE INTERSTATE COMMUNICATIONS (18 U.S.C. § 875(d)): Transmitting a communication across state lines containing a threat to injure the property or reputation of another with the intent to extort money or force an action (like demanding site deletion under a 24-hour ultimatum).
- FALSIFICATION OF RECORDS (18 U.S.C. § 1519): Knowingly altering, destroying, or fabricating any document or record with the intent to obstruct, impede, or influence a federal investigation or matter.
- OBSTRUCTION OF JUSTICE — DESTRUCTION OF EVIDENCE (18 U.S.C. § 1512(c)(1)): Corruptly altering, destroying, or concealing a record or document with the intent to impair its integrity or availability for use in an official proceeding.

Consumer Protection & Telecom Rules

- DECEPTIVE MARKETING AND BILLING (47 U.S.C. § 201(b)): A provision of the Communications Act stating that any unjust or unreasonable practice, charge, or classification by a telecommunications carrier is unlawful.
- FCC TRUTH-IN-BILLING RULES (47 CFR § 64.2401): Federal regulations requiring telephone bills to be brief, clear, non-misleading, and explicitly highlight any changes in service provider or new charges.
- FAIR CREDIT REPORTING ACT (15 U.S.C. § 1681s-2): Ban on companies reporting information to credit bureaus that they know—or have reasonable cause to believe—is inaccurate, and requiring them to investigate disputes promptly.
- FTC ACT SECTION 5 (15 U.S.C. § 45): The foundational federal law banning "unfair or deceptive acts or practices in or affecting commerce."

<u>STATE STATUTES</u>

Nevada Criminal & Evidence Codes

- CONSPIRACY (NRS 199.480): A state charge applied when two or more people conspire to commit any crime, or cheat/defraud another person of property by criminal means.
- OFFERING FALSE EVIDENCE (NRS 199.210): A Category D felony for knowingly offering false

or forged evidence in any trial, hearing, or legal investigation.

- FABRICATING EVIDENCE (NRS 199.220): A gross misdemeanor for preparing false book entries, papers, or documents with the intent to use them deceptively in a legal proceeding.
- DESTROYING OR CONCEALING EVIDENCE (NRS 199.220): A gross misdemeanor for destroying, erasing, or hiding physical records to prevent them from being produced in court.
- THEFT BY DECEPTION (NRS 205.0832): Knowingly obtaining control over another person's property or money by using material misrepresentations, false pretenses, or unapproved hidden fees.

Nevada Consumer Fraud Codes

- FALSE AFFILIATION & REPRESENTATION (NRS 598.0915): A deceptive trade practice involving passing off goods/services as those of another, or misrepresenting sponsorship, approval, or affiliations.
- FAILURE TO DISCLOSE MATERIAL FACTS (NRS 598.0923): A deceptive trade practice where a business intentionally fails to disclose a major fact, fails to obtain required local licenses, or conducts business under an unauthorized name.
- CIVIL ACTIONS FOR CONSUMER FRAUD VICTIMS (NRS 41.600): The specific law that grants an individual consumer the right to bring a civil lawsuit to recover damages, court costs, and attorney's fees if they are a victim of deceptive trade practices.

Out-of-State Context

- ILLINOIS CONSUMER FRAUD ACT (815 ILCS 505/): The standard Illinois statute protecting consumers against unfair, deceptive, or coercive business practices, including misrepresentation or concealment of material facts.

<u>LOCAL CODES (CLARK COUNTY / LAS VEGAS)</u>

- DECEPTIVE FICTITIOUS NAME (Clark County Code Chapter 6.04): Regulations making it unlawful to operate a business using an unapproved, deceptive, or unregistered fictitious "doing business as" (DBA) name.
- DECEPTIVE ADVERTISING (Las Vegas Municipal Code Chapter 6.02): Local municipal rules banning businesses within city limits from using false, misleading, or deceptive representations in local commercial operations.

ADMINISTRATIVE & REGULATORY POLICY

- UNJUST UTILITY PRACTICES (NRS 704.040): Public Utilities Commission of Nevada standards mandating that public utilities provide safe, continuous, just, and reasonably priced services without arbitrary billing.
- ILLINOIS CONSUMER UTILITIES UNIT (15 ILCS 205/6.5): An administrative mandate empowering state authorities to intervene and advocate against predatory billing or unfair practices by utility and telecom operations.
- BBB CODE OF BUSINESS PRACTICES: Private operational standards set by the Better Business Bureau requiring accredited businesses to build trust, advertise honestly, remain transparent, and act with integrity.

IV-CONCLUSION

Immediate injunctive relief is required to protect the integrity of the judicial process and safeguard the public interest. Allowing corporate giants like Verizon and its authorized agents to operate with total impunity—systematically cooking financial books, manipulating consumer data, and manufacturing fraudulent debt trails—constitutes a profound and direct detriment to society as a whole. When corporate actors weaponize an informational monopoly to exploit everyday citizens, accountability cannot be confined to the shadows.

Because Defendants have chosen to operate behind a veil of deceptive practices and proprietary lockout mechanics, Plaintiff has taken the extraordinary step of creating a public website compiling all verified operational data, evidence, and records associated with this dispute. This platform has been established to ensure complete transparency and is actively prepared for distribution to local and national media outlets. This is not a mere private grievance; it is a matter of critical public interest.

If corporate defendants believe they can escape accountability by fabricating evidence or hiding behind procedural duress, they should be proven mistaken. This Court must step in to halt these predatory practices. Granting this injunction is necessary not only to protect the pending investigations of law enforcement and regulatory bodies but to signal that institutional consumer fraud will no longer be tolerated under the law.

DATED this 22nd day of June, 2026.

Respectfully submitted,

/s/ Diinele Dinaali

Plaintiff in Pro Per, DIINELE DINAALI