

Statement of Gloria Allred

I am attorney Gloria Allred. Along with my co-counsels Larry Taylor and Blake Beckham. I represent Tim and Claire Gautreaux.

Today, a lawsuit was filed in Dallas District Court on behalf of Mr. and Mrs. Gautreaux against Texas Toyota of Grapevine and other defendants as set forth in the Petition which we filed on their behalf.

On January 27, 2015 Tim and Claire went to a Toyota Dealership in Grapevine to buy a car.

They went to the Toyota dealership because they were advertising sales. They chose the car that they wanted and began discussing financing with the sales person who had been helping them. Tim had downloaded an application onto his cell phone for pre-approved financing. The sales person asked to see the application on the phone and then told Tim and Claire that he needed to show the phone to his manager to get the financing approved. Tim thought nothing of it. He thought that this was just part of the sales transaction and handed his phone to the salespersons.

A few minutes later the salesman handed the phone back to Tim. When Tim opened his phone he immediately noticed that a private picture of his wife that he had taken more than a year earlier appeared on the screen. It was a private, spontaneous photograph at their home of his wife just about to step into the bathtub. It was intended just for the two of them and had never been seen by anyone else.

Tim had an application on his phone that tracks and saves deleted emails. He was able to ascertain that two photos of his wife, both taken on other same day, one while she was stepping into the bathtub and the other when she was getting

out, were sent to a website associated with swingers. He was also able to determine the name of the individual who had sent the photos. When Tim inquired about this individual he was told that no such person worked there. That was not true. That individual, who is currently facing criminal charges, was one of Grapevine Toyota's New Car Sales Directors.

Tim is a pastor in charge of the Music Ministry at his Church. Claire is in retail management. They have been married for eight years. They are expecting their first child. They met when Claire was 15 years old and Tim was 17 years old. Tim was her first boyfriend. They were married when Claire was 19 years old and Tim was 21 years old. No one had seen Claire without her clothes on other than her husband.

This invasion of the Gautreaux's privacy could have happened to anyone. It happened within five minutes of them turning their phone over to someone they trusted at an established car dealership. In that short period of time their private photographs were rifled through and intimate and private photographs were sent to a website associated with swingers for the viewing pleasure of an unknown number of individuals. The dealership should have had a policy in place to preclude this from happening. There is no reason that people going to buy a car need to turn over their phones to the dealership as part of a sales transaction. Instead of preventing this from occurring, the dealership attempted to protect the perpetrator by denying that anyone with his name was employed there, an outrageous lie.

Our phones are much more than an instrument to communicate with our friends, business associates and family. It contains all kinds of private information about us and pictures that can be easily accessed by anyone. Businesses have an

obligation not only to sell us their products, but to make sure that our privacy is protected. We turn over a great deal of private information to car dealerships in order to secure financing. They must have policies and procedures in place to ensure that this information does not fall into the wrong hands. They should have policies and procedures to make sure that salespeople do not gain access to the phone of a customer under the guise that it is just part of a financing transaction.

The Gautreauxs were victimized by a phone predator. Undoubtedly this is not the first time that this has happened, but we hope that public awareness will help put a stop to this. The individual that committed this outrage took a private photograph which was never intended to be seen by anyone other than a husband and wife and turned it into something entirely different. These actions have caused the Gautreauxs to suffer humiliation and mental anguish, particularly because they do not know who has seen these photographs or whose hands they may have wound up in. They have come forward today, with great courage, because they wanted to make sure that what happened to them does not happen to anyone else and to teach Toyota that it cannot treat their customers that way.

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Gloria Allred
Attorney at Law
Representing Tim and Claire Gautreaux