



## I. FACTUAL BACKGROUND

The Plaintiff Jaburg and Wilk, P.C. in partnership with Plaintiff Xcentric Ventures, LLC. own and operate an online commercial extortion and racketeering enterprise known as: www.RipoffReport.com

Since September of 2004 and up until the date of the filing of this cause of action, Maria Crimi Speth and Ed Magedson have engaged in a conspiracy to tortuously interfere with Richeson's clients and both had attempted to extort monies from Richeson.

What Ed Magedson and Maria Crimi Speth do is author, manipulate and falsify postings on their web site: www.RipoffReport.com.

After creating substantial damage, they then direct you to their "Corporate Advocacy Program" aka "Commercial Extortion Program", whereas you are required to pay monies to them for altering the postings and minimizing the damage they themselves have caused.

If you don't pay them extortion demand, they deliberately interfere with your business relationships and attempt to destroy them until you do pay.

Maria Speth and Ed Magedson are criminals and nothing more and Shawn Richeson has had all he can take.

The Defendant Shawn Richeson now addresses and responds to the Plaintiff's 128 paragraph verified complaint:

Paragraph-1 (admit)

Paragraph-2 (admit)

Paragraph-3 (admit)

Paragraph-4 (deny)

Paragraph-5 (admit)

Paragraph-6 (deny)

Paragraph-7 (deny)

Paragraph-8 (admit)

Paragraph-9 (admit)

Paragraph-10 (admit)

Paragraph-11 (admit)

Paragraph-12 (admit)

Paragraph-13 (deny)

Paragraph-14 (admit)

Paragraph-15 (admit)

Paragraph-16 (deny)

Paragraph-17 (admit)

Paragraph-18 (admit)

Paragraph-19 (admit)

Paragraph-20 (admit)

Paragraph-21 (admit)

Paragraph-22 (admit)

Paragraph-23 (admit however prima facie evidence exists to support the fact that Ed Magedson and Maria Speth have both authored manipulated and submitted those reports to search engines to increase the damage they cause)

Paragraph-24 (admit)

Paragraph-25 (deny)

Paragraph-26 (deny)

Paragraph-27 (admit)

Paragraph-28 (deny)

Paragraph-29 (deny)

Paragraph-30 (admit)

Paragraph-31 (deny)

Paragraph-32 (admit)

Paragraph-33 (deny)

Paragraph-34 (admit)

Paragraph-35 (admit)

Paragraph-36 (admit)

Paragraph-36 (deny)

Paragraph-37 (deny)

Paragraph-38 (deny)

Paragraph-39 (admit)

Paragraph-40 (deny)

Paragraph-41 (deny)

Paragraph-42 (admit)

Paragraph-43 (admit)

Paragraph-44 (admit)

Paragraph-45 (deny)

Paragraph-46 (admit)

Paragraph-47 (deny)

Paragraph-48 (deny)

Paragraph-49 (Deny, the Defendant never attempted to extort anything from the Plaintiff's.)

Paragraph-50 (admit)

Paragraph-51 (admit)

Paragraph-52 (deny)

Paragraph-53 (deny)

Paragraph-54 (deny)

Paragraph-55 (deny)

Paragraph-56 (admit)

Paragraph-57 (admit)  
Paragraph-58 (admit)  
Paragraph-59 (admit)  
Paragraph-60 (admit)  
Paragraph-61 (admit)  
Paragraph-62 (admit)  
Paragraph-63 (admit)  
Paragraph-64 (deny)  
Paragraph-65 (deny)  
Paragraph-66 (admit)  
Paragraph-67 (admit)  
Paragraph-68 (can't admit or deny)  
Paragraph-69 (admit)  
Paragraph-70 (admit)  
Paragraph-71 (admit)  
Paragraph-72 (admit)  
Paragraph-73 (deny)  
Paragraph-74 (admit)  
Paragraph-75 (admit)  
Paragraph-76 (admit)  
Paragraph-77 (admit)  
Paragraph-78 (admit)  
Paragraph-79 (admit)  
Paragraph-80 (admit)

Paragraph-81 (admit)  
Paragraph-82 (admit)  
Paragraph-83 (admit)  
Paragraph-84 (deny)  
Paragraph-85 (admit)  
Paragraph-86 (deny)  
Paragraph-87 (admit)  
Paragraph-88 (admit)  
Paragraph-89 (admit)  
Paragraph-90 (admit)  
Paragraph-91 (deny)  
Paragraph-92 - 97 (deny)  
Paragraph-98 - 109 (deny)  
Paragraph-110 - 115 (deny)  
Paragraph-116 - 128 (deny)

The Defendant affirmatively pleads that the Plaintiff's are barred from any and all of its claims under the doctrine of unclean hands.

One who seek equity must do equity and must come to court with clean hands. See *Dunnagan v. Watson*, 204 S.W.3d 30, 41 (Tex.App.- Fort Worth 2006, pet. denied); *Flores v. Flores*, 116 S.W.3d 870, 876 (Tex.App.- Corpus Christi 2003, no pet.). Whether equitable relief should be denied based on unclean hands is left to the discretion of the trial court. *Dunnagan*, 204 S.W.3d at 41; *Flores*, 116 S. W.3d at 876.

Mrs. Speth Obtained the criminal record of Shawn Richeson from Scott Lorenz a local private investigator and Bell County Texas resident.

Maria Speth authored a posting and put it on US NEWS a very public web site.

The URL of that posting may be found at:

<http://money.usnews.com/money/personal-finance/articles/2009/03/10/5-scams-you-might-be-falling-for.html>

The Defendant, Shawn Richeson had contacted Kimberly Palmer, US News Reporter and her Attorney and subsequently had Shawn Richeson's criminal record removed from the aforesaid posting.

As one would imagine, this caused a great deal of embarrassment and personal turmoil to the Defendant Shawn Richeson.

Shawn Richeson did then threaten Maria Speth that if she did not remove any and all postings from her web site [www.RipoffReport.com](http://www.RipoffReport.com), that Shawn Richeson would begin



finding criminal records of the Attorneys and clients of Jaburg and Wilk and begin posting those online.

These facts are not in dispute and will be the basis of the Defendant's motion for summary judgment.

The Defendant did then find a Maricopa county criminal record of David Gingras, a Jaburg and wilk Attorney and subsequently posted it online.

Then, Maria Speth pulled all of the Richeson postings off of her web site [www.RipoffReport.com](http://www.RipoffReport.com).

Days later, Mrs. Speth allowed her ego to interfere with logic and subsequently files a Federal law suit and develops a fraudulent damage assessment in an attempt to get over the \$75K threshold.

No provable damages will be possible to sustain the Plaintiff's burden of proof. The criminal record of Attorney, David Gingras was in fact true, thus the libel and slander claims are without merit as well.

Shawn Richeson is clearly guilty of being crazy enough to take on an enormous law firm in its own State and nothing more.

**II. DEFENDANT'S MOTION  
TO CONVERT PLAINTIFF'S TRO IN TO  
A JOINT TEMPORARY INJUNCTION**

The Defendant does hereby stipulate to the Plaintiff's pending application and motion for a temporary injunction during the advancement of this cause of action.

The Defendant respectfully makes his appearance for the scheduled hearing set for Tuesday September 21<sup>st</sup> 2010.

The Defendant respectfully asks that in compliance with FRCP 65(d) that this Court enter a temporary injunction prohibiting all parties, attorneys, associated entities and all those that act in concert with them from publishing, maintaining, displaying in live web form or Google cache content on any web site, blog, interactive BBS or any other digital forum; any information whatsoever about the Plaintiff and or the Plaintiff's businesses, The Defendant and or the Defendant's businesses and or any of either parties clients or customers.

An injunction with this type of restrictive nature is essential in this cause of action.

Ed Magedson and Maria Speth control the content that is published at [www.RipoffReport.com](http://www.RipoffReport.com).

Whenever a law suite is filed, Maria Speth and Ed Magedson begin posting, manipulating and spinning the facts of the case and use the power of their web site to harm.

In the recent months, Maria Speth and Ed Magedson paid a private investigator in Killeen Texas to obtain the criminal record of Shawn Richeson.

They then posted a blog on their web site about Shawn Richeson because Mr. Richeson would not testify in a case against John Brewington an Arizona resident that acquired a damaging video tape about the Plaintiff's.

Maria Speth indicates in the Plaintiff's Verified Complaint that her web Site [www.RipoffReport.com](http://www.RipoffReport.com) does in fact have over 635,000 reports and has tremendous ranking

power on Google and Yahoo with an alexa.com ranking of 1,131.

This sort of ranking power gives the Plaintiff a tremendous advantage to poison the jury pool.

Out of abundance of caution and to preserve the status quo, the Defendant respectfully asks that the Plaintiff be ordered to remove any and all reports, postings, comments etc. from [www.RipoffReport.com](http://www.RipoffReport.com) that contain the phrase Shawn Richeson, ClickaNerd, Click a Nerd and ClickaNerd.com.

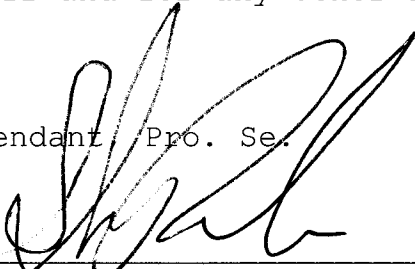
### **III. JURY DEMAND**

The Defendant respectfully asks for a trial by Jury and that this case is set for Jury Trial at the earliest possible date.

**IV. PRAYER**

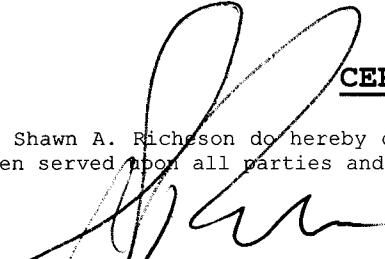
The Defendant prays that the Plaintiff take nothing by this suit and that all costs of Court, Attorneys fees, and reasonable and necessary expenses are taxed against the Plaintiff and for any other remedy both equitable and just.

Defendant Pro. Se.

  
\_\_\_\_\_  
Shawn A. Richeson  
1906 Twilight Drive  
Killeen, Texas 76543  
(254) 291-4696 - Cell

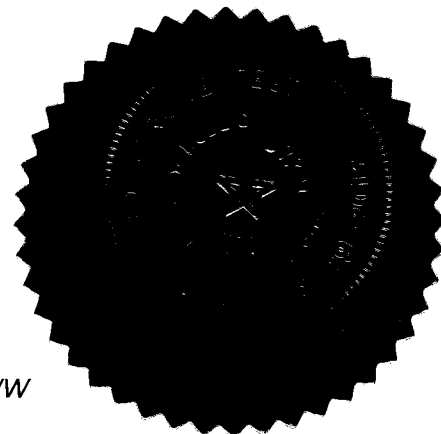
**CERTIFICATE OF SERVICE**

I, Shawn A. Richeson do hereby certify that a true and correct copy of this document has been served upon all parties and attorneys this Friday the 10<sup>th</sup> day of September 2010.


  
\_\_\_\_\_  
Shawn A. Richeson

TO: United States District Clerk  
Sandra Day O'Connor U.S. Courthouse  
401 West Washington Street  
Phoenix, AZ 85003

Please file this in cause of action 10931 PHX NVW



SUBSCRIBED AND SWORN TO BEFORE ME by the said SHAWN A. RICHESON on this 11<sup>th</sup> day of September 2010 certifies which witness my hand and seal of office.

  
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Notary Public, State of Texas  
County of Bell

Oct. 29, 2010