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REFERENCE 5.4
(Rule Number/Section)

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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XCENTRIC VENTURES, LLC, an
Arizona Limited Liability Corporation
And JABURG & WILK, P.C., a
Professional Corporation
(Plaintiffs)

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CASE NO: CIV' 10-1931 PHX NVW

v.

RESPONSE TO PLAINTIFF'S
MEMORANDUM FOR 75K
DAMAGES

Shawn Richeson
(Defendant, Pro. Se.)

**RESPONSE TO PLAINTIFF'S MEMORANDUM
FOR 75K IN DAMAGES**

Come now the Defendant in this cause of action does humbly
and respectfully show this Court as follows:

On Tuesday, 21 September 2010 during this Courts hearing of
the Plaintiff's application for a temporary injunction, this
Court asked that the Plaintiff prove up \$75,000.00 in actual,
nominal or presumed damages.

This Court further referenced a 9th Circuit Court of Appeals
decision that resulted in a trial verdict that was in fact
reversed on appeal over the identical 75K issue.

Although in this particular case it is obviously going to be impossible to prove up any damages let alone \$75K in damages; what strikes me as even more important is the Plaintiff's interpretation of the alleged defamation.

Based upon the Defendants conduct and all of the evidence, emails and other exhibits currently before this Court, there is no actionable tort.

Maria Speth has already acknowledged the truthfulness of David Gingras being charged with 12 Counts of a sexual offense.

Should this matter progress to trial on the merits, every Jury member will obviously conclude that David Gingras was in fact charged with a crime that most people believe or characterize as child molesting.

And because Jaburg and Wilk P.C. hired Attorney David Gingras knowing he had been charged with such a crime, the Defendant's assertions that Jaburg and Wilk P.C. hires Attorneys that have been charged with such a crime is in fact also true.

Assuming the Defendants statements were false, the Plaintiff would still be burdened with proving that these false statements caused any damages and rose to a level of 75K in order to assert this Courts jurisdiction.

The Defendant did send threatening emails to Maria Crimi Speth that he would publish the criminal records and any other truthful but unflattering material he could find against the Plaintiff, the Plaintiff's Attorneys and or the Plaintiff's clients.

This conduct if it were carried out, would also be non actionable.

This case is simply about a law firm that has survived for a number of years without being attacked on the internet with negative postings and blogs and having the power to eliminate them immediately when they appeared on web sites that they own, control or can exert enormous influence over.

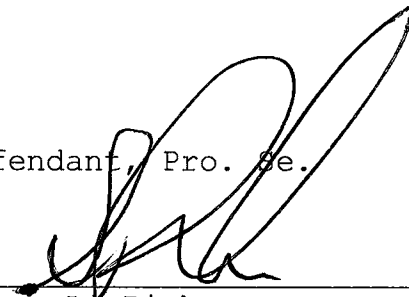
Suddenly - some crazy - Pro. Se. Texas litigant has analyzed the Plaintiff's Scam and subsequently decided to take one for the team and ~~given~~ ^{give} the Plaintiff a dose of their own medicine.

This Plaintiff just happens to be a law firm and believes that some how the Plaintiff can play cyber bully and a 1st amendment warrior when it suits them and a pretend to be a victim when it does not.

In the end, an Arizona Jury will conclude that a law firm is not above the law nor is it entitled to any more protection than the rest of us.

Respectfully submitted to this honorable Court this
Wednesday the 6th day of October 2010.

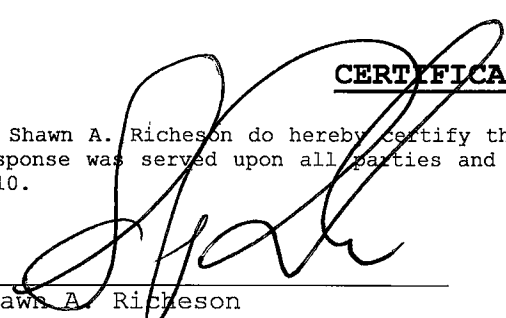
Defendant, Pro. Se.



Shawn A. Richeson
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CERTIFICATE OF SERVICE

I, Shawn A. Richeson do hereby certify that a true and correct copy of this Defendant's response was served upon all parties and attorneys this Wednesday the 6th day of October 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 **10-1931 PHX NVW**