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8 Attorneys for Plaintiffs

9
 10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF ARIZONA**

12
 13 XCENTRIC VENTURES, LLC, an
 Arizona limited liability corporation, and
 14 JABURG & WILK, P.C., a professional
 corporation,

15 Plaintiffs,

16 v.

17 SHAWN RICHESON,

18 Defendant.

Case No.: 2:10-cv-1931-PHX-NVW

**REPLY IN SUPPORT OF
 PLAINTIFFS' MOTION FOR ORDER
 TO SHOW CAUSE RE: CONTEMPT**

AND

**NOTICE OF ADDITIONAL ACTS OF
 CONTEMPT BY DEFENDANT
 RICHESON PRIOR TO OCTOBER 13,
 2010**

19
 20
 21 The emails provided to the Court in connection with Plaintiffs' Motion for Order to
 22 Show Cause re: Contempt clearly demonstrates that Defendant Richeson acted in
 23 violation of the Temporary Restraining Order that was in place at the time the emails were
 24 sent. In defense of his actions, Defendant Richeson asserts that the statements in his email
 25 are "absolutely fact (*See* Response, p. 1 (Doc. No. 34)¹);" but he cannot carry the burden

26
 27 ¹ It appears that Defendant Richeson may have actually filed two separate responses to Plaintiffs' Motion for Order to
 Show Cause. Document No. 34 is titled "Defendants Response to Plaintiff's 1st Motion to Show Cause Verified
 28 Pleading." Document No. 35 is titled "Defendants Response to Plaintiff's Motion to Show Cause." The two
 pleadings, while technically different, are substantively similar in content and need not be addressed separately.

1 to prove his statements are true, and does not present even a scintilla of evidence to
2 support his position. Defendant Richeson only makes additional false statements of fact.
3 Richeson’s violations occurred with the TRO was still in place, and thus constitute
4 contempt even though the Court has now dissolved the TRO.

5 Additionally, Defendant Richeson’s continuing actions in violation of the TRO,
6 even after Plaintiff filed a Motion for Order to Show Cause are further evidence to support
7 that the Court must find Defendant Richeson in contempt for six separate violations of the
8 TRO and sanction him.

9 **I. DEFENDANT RICHESON’S EMAILS VIOLATED THE TRO**

10 The underlying Motion sets out two separate emails sent by Defendant Richeson in
11 violation of the TRO. In the underlying Motion, Plaintiff explains how the statements
12 violate the TRO by harassing, by making unlawful threats, and by attempting to interfere
13 in the relationship between Plaintiffs’ and their clients through drawing publicity to false
14 and injurious statements.

15 In response, Defendant Richeson attempts to argue that the emails did not violate
16 the TRO, because the content of those emails are not false. (Document 34) In the context
17 of defamation, the burden of proving the truth of the statements is placed upon the person
18 asserting that defense – in this case, the burden is on Defendant Richeson to prove that the
19 statements he made in the emails were true. *McClinton v. Rice*, 76 Ariz. 358, 365, 265
20 P.2d 425, 430 (1953) (defendant is “burdened with going forth with evidence of truth.”).
21 It “makes no difference that [Defendant Richeson] thought that what he said was true.”
22 *Id.* at 366, 265 P.2d at 430. Defendant Richeson only argues that certain statements
23 within his Response are “fact” and that there is “massive prima facie evidence” to support
24 them. However, he provides no evidence but his opinion.

25 In making arguments in this fashion, Richeson is exploiting the Court. He knows
26 that the pleadings in this case have public visibility, and he thinks that he cannot be held
27 in contempt for anything he files in Court. Richeson’s scheme is to file pleadings with the
28 Court without a legitimate legal basis, for the purpose of making false and public

1 statements about Plaintiffs within the purview of the litigation privilege². Even if the
2 Court is helpless against such exploitation, the Court should not tolerate or condoned
3 Defendant Richeson making similar false statements to the public outside of the litigation
4 in violation of the Court’s order.

5 Unquestionably, Defendant Richeson’s emails containing false statements were
6 directed to the news media for the purpose of creating bad publicity and interfering with
7 Plaintiffs’ ability to conduct their business. There was no legitimate purpose for those
8 emails, and the emails contain false statements about Plaintiffs. The emails were sent in
9 contempt of the TRO.

10 **II. THE COURT CAN FIND DEFENDANT RICHESON IN CONTEMPT**
11 **EVEN AFTER DISSOLVING THE TRO, BECAUSE THE ACTIONS TOOK**
12 **PLACE WHILE THE TRO WAS STILL IN EFFECT**

13 “[A] person subject to an injunction must ordinarily obey it.” *Irwin v. Mascott*,
14 370 F.3d 924, 931 (9th Cir.2004) (discussing *Walker v. City of Birmingham*, 388 U.S.
15 307, 87 S.Ct. 1824, 18 L.Ed.2d 1210 (1967)). In *Howat v. Kansas*, 1922, 258 U.S. 181,
16 189, 190, 42 S.Ct. 277, 280, 281, 66 L.Ed. 550, the United States Supreme Court said:

17 An injunction duly issuing out of a court of general jurisdiction with equity
18 powers, upon pleadings properly invoking its action, and served upon
19 persons made parties therein and within the jurisdiction, must be obeyed by
20 them, however erroneous the action of the court may be, even if the error
21 be in the assumption of the validity of a seeming, but void law going to the
22 merits of the case. It is for the court of first instance to determine the
23 question of the validity of the law, and until its decision is reversed for
24 error by orderly review, either by itself or by a higher court, its orders
25 based on its decision are to be respected, and disobedience of them is
26 contempt of its lawful authority, to be punished.

27 *Id.*; see *United States v. United Mine Workers of Am.*, 330 U.S. 258, 293-94, 67 S. Ct.
28 677, 696, 91 L. Ed. 884 (1947) (explaining that an order by a court with subject matter
and personal jurisdiction must be obeyed by the parties until reversed by orderly and

² Although the application of the litigation privilege is not currently before the Court, Plaintiffs would be remiss not to point out that Defendant Richeson’s statements likely fall outside those statements contemplated to be covered by the litigation privilege. “In order to fall within the privilege, the defamatory publication must relate to, bear on or be connected with the proceeding.” *Green Acres Trust v. London*, 141 Ariz. 609, 613, 688 P.2d 617, 621 (1984). The vast majority of Defendant Richeson’s defamatory statements fall well outside the reasonable bounds of having “some reference to the subject matter of the proposed or pending litigation....” necessary to be covered by the litigation privilege. RESTATEMENT (SECOND) OF TORTS § 586, Comment c.

1 proper proceedings, “without regard for even the constitutionality of the Act under which
2 the order was issued.”). The Supreme Court clarified this further, explaining that “persons
3 subject to an injunctive order issued by a court with jurisdiction are expected to obey that
4 decree until it is modified or reversed, even if they have proper grounds to object to the
5 order.” *GTE Sylvania v. Consumers Union of United States*, 445 U.S. 375, 386, 100 S.Ct.
6 1194, 63 L.Ed.2d 467 (1980).

7 Here, the TRO was issued on September 9, 2010. (Doc. No. 11), and remained in
8 effect until dissolved *sua sponte* by the Court on October 13, 2010(Doc. No. 37).
9 Defendant Richeson’s improper emails were sent on September 10, 2010 and September
10 26, 2010, respectively,(Doc. No. 26), during the pendency of the TRO. The TRO was
11 fully in effect at the time of Defendant Richeson’s improper emails, and the actions taken
12 by Defendant Richeson in violation of the TRO were done in contempt of a direct order of
13 this Court.

14 Defendant Richeson had no grounds to object to the TRO and in fact consented to
15 it. He consented to the TRO *three times*, first in his response to the Complaint (Doc. No.
16 15), and again at the hearing on the request for a preliminary injunction, and again when
17 he reaffirmed his consent in his response to this OSC proceeding, in Document 34, the
18 Defendants Response to Plaintiff’s 1st Motion to Show Cause Verified Pleading at page 4
19 of 5, where Defendant Richeson stated “On Tuesday, September 21st 2101 the Defendant
20 was physically present in Phoenix Arizona ***and agreed to the extension of the temporary***
21 ***restraining order hereinafter called (TRO) . . .***” (emphasis added). Because Richeson
22 consented to the extension of the TRO, he has no grounds to complain that it violated his
23 constitutional right to free speech. *C.f. Charter Comm. Inc. v. County of Santa Cruz*, 304
24 F.3d 927, 935 (9th Cir. 2002) (upholding the proposition that when a party voluntarily
25 enters agreement under which another must approve his actions he has waived his right to
26 claim that a denial violates his First Amendment rights).

1 **III. DEFENDANT RICHESON HAS ENGAGED IN ADDITIONAL**
2 **CONTEMPTUOUS ACTIONS SINCE PLAINTIFFS' SEPTEMBER 29, 2010**
3 **MOTION**

4 A. Defendant Richeson Sent An Email On October 6, 2010 In Violation Of The
5 TRO

6 On October 6, 2010, Defendant Richeson sent an email to Maria Speth. See Email
7 from Shawn Richeson to Maria Speth, attached hereto as Exhibit "A". While this email
8 appears to have been sent under the guise of a "personal" communication, Defendant
9 Richeson quickly segued into comments about the Ripoff Report website. The email
10 contains a number of statements from Defendant Richeson regarding his insistence to find
11 a link between Xcentric and Jaburg & Wilk separate and apart from that of a simple
12 attorney/client relationship. Even though Defendant Richeson acknowledges that there is
13 no evidence to support his theory that Jaburg & Wilk plays any role in the operation or
14 management of the Ripoff Report website, he continues to refer to Ed Magedson as a
15 "master criminal" and insist that Jaburg & Wilk will be "taken down with him." *Id.*

16 In sarcasm dripping with faux "concern" for Ms. Speth, Defendant Richeson
17 mentions her husband by his full given name, explaining "I don't know your husband
18 Raymond, but I have to imagine he has told you to stay away and dump this Magedson
19 guy." *See* Exhibit "A." Further, Defendant Richeson threatens that Ms. Speth "put your
20 Family's interest above your client's interest." *Id.* As the Court will note, in this same
21 email, Defendant Richeson actually mentions that the "Russian mob wants Magedson
22 [sic] physical address." *Id.* By explicitly referencing Ms. Speth's family and the Russian
23 mob, Defendant Richeson is making his harassing and threatening intentions crystal-clear
24 – if she continues to advocate on behalf of Plaintiffs, Ms. Speth should fear for her
25 family's safety.

26 As the Court will recall, Plaintiffs sought the TRO as a result of the multiple
27 statements made by Defendant Richeson to the effect that he would obliterate the business
28 of Jaburg & Wilk. In particular, Defendant Richeson made statements like he would
"make sure Jaburg and Wilk couldn't get a client if they stood on the corner with sign

1 saying ‘we sue for food;’” that his “operation ‘ass slam jaburg and wilk’ will be a huge
2 success;” and that he would “cause as much grief, public scrutiny and loss of revenue as
3 humanly possible to you and the firm of Jaburg and Wilk.” (Doc. No. 8). Defendant
4 Richeson’s email demonstrates Defendant Richeson’s intent to follow through with his
5 prior threats despite the injunction. The email was sent by Defendant Richeson for the
6 sole purpose of disrupting and otherwise destroying the business relationship between the
7 Plaintiffs. By sending this email, Defendant Richeson (1) knowingly published a false
8 and misleading communication about Plaintiffs; and (2) intentionally interfered with the
9 contractual relationship between Jaburg & Wilk and Xcentric Ventures, i.e. a Plaintiff and
10 its client. That is in direct violation of the TRO.

11 B. Defendant Richeson Sent An Email On October 10, 2010 In Violation Of
12 The TRO

13 On Sunday, October 10, 2010, Defendant Richeson sent an email to all attorneys at
14 Jaburg & Wilk, a number of email addresses associated with the Arizona Republic and
15 www.azcentral.com, as well as nearly thirty email addresses connected to the Phoenix
16 Chamber of Commerce. See Email from Shawn Richeson to numerous recipients,
17 attached hereto as **Exhibit “B”**. This email purported to request that Jaburg & Wilk
18 review comments from the website www.jaburgwilksucks.com “for accuracy.” *Id.* The
19 website itself contained numerous false and otherwise harassing statements regarding
20 Plaintiffs, including:

- 21 (a) “Ed Magedson’s Address For Sale (\$35.00)”
22 (b) “I spent a bunch of time and my own money tracking this ass clown down.”
23 (c) “I would Imagine that Ed Magedson sleeps with one eye open.”
24 (d) “Maria Speth is his attorney and I believe his partner in crime as well.”
25 (e) “I have been over to her house at [address given by Defendant Richeson, but
26 redacted for the purpose of this pleading].”
27 (f) “Her direct line is [home phone number given by Defendant Richeson, but
28 redacted for the purpose of this pleading].”

- 1 (g) “She is married to Raymond Speth and they have a black Ford F150 in the
- 2 driveway.”
- 3 (h) “My Phoenix home is located less than 5 miels from her house.”
- 4 (i) “My experts have found [Magedson’s] personal cell phone at [phone
- 5 number given by Defendant Richeson, but redacted for the purpose of this
- 6 pleading].”
- 7 (j) “David Gingras was able to get the charges of 12 counts of sexual indecency
- 8 with a minor dropped, but we all know what really went down.”

9 *See* Exhibit “B.”

10 Plaintiffs sought the TRO as a result of the multiple statements made by Defendant
11 Richeson to the effect that he would obliterate the business of Jaburg & Wilk. In
12 particular, Defendant Richeson made statements like he would “make sure Jaburg and
13 Wilk couldn’t get a client if they stood on the corner with sign saying ‘we sue for food;’”
14 that his “operation ‘ass slam jaburg and wilk’ will be a huge success;” and that he would
15 “cause as much grief, public scrutiny and loss of revenue as humanly possible to you and
16 the firm of Jaburg and Wilk.” (Doc. No. 8). Defendant Richeson’s email demonstrates
17 Defendant Richeson’s intent to follow through with his prior threats despite the
18 injunction. The email was sent by Defendant Richeson for the purpose of disrupting and
19 otherwise destroying the business of Plaintiffs by attempting to malign the reputations of
20 Plaintiffs. By sending this email, Defendant Richeson (1) knowingly published a false
21 and misleading communication about Plaintiffs; and (2) intentionally interfered with the
22 contractual relationship between Plaintiffs and their clients, each of which is in direct
23 violation of the TRO. This form of communication – making false statements to a news
24 agency and to members of the Phoenix Chamber of Commerce – is a continuation of
25 Defendant Richeson’s harassment of Plaintiffs.

26 Additionally, by attempting to publicize information purporting to be personal
27 contact information and residential address information, Richeson is both attempting to
28

1 intimidate Plaintiffs, and inviting further harassment of the Plaintiffs by people who are
2 already hostile to the Ripoff Report.

3 C. Defendant Richeson Sent An Email On October 9, 2010 In Violation Of The
4 TRO

5 On Saturday, October 9, 2010, Defendant Richeson sent an email to Ms. Speth
6 titled “www.JaburgandWilkSucks.com - Settlement Offer.” See Email from Shawn
7 Richeson to Maria Speth, attached hereto as **Exhibit “C”**. By this email, Defendant
8 Richeson proposed what he referred to as a “settlement offer.” *Id.* The proposal was
9 simple on its face – Defendant Richeson suggested that Jaburg & Wilk purchase the
10 domain name www.jaburgandwilksucks.com from him. *Id.* The email does not include
11 what the suggested purchase price for this domain name should be. *Id.* The proposal was
12 prefaced by the statement “I never go away.” *Id.* However, the email does contain an
13 implied threat – that if Plaintiffs don’t purchase the domain name, it, and its defamatory
14 content, would be made public. That threat is bolstered by various statements of
15 Defendant Richeson, including that “[m]ost of your usual tactics and leverage points are
16 completely neutralized” and that “who cares” about Plaintiffs pleadings (including the
17 underlying Motion for Order to Show Cause). *Id.* By sending this email, Defendant
18 Richeson (1) knowingly published a false and misleading communication about Plaintiffs;
19 and (2) intentionally interfered with the contractual relationship between Plaintiffs and
20 their clients, each of which is in direct violation of the TRO. Defendant Richeson did not
21 send this email for any legitimate legal purpose or to further settlement in this litigation,
22 but instead, to harass or otherwise intimidate Plaintiffs into dropping the present lawsuit.
23 That is not a legitimate settlement position to take, but instead, is an action in direct
24 violation of the TRO.

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26
27
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1 D. Defendant Richeson Posted An Article On October 9, 2010 In Violation Of
2 The TRO

3 Also on October 9, 2010, Defendant Richeson published an article on the website
4 www.pissedconsumer.com³. See Article, attached hereto as **Exhibit ‘D’**. This article
5 contains a number of accusations that have been made only by Defendant Richeson,
6 including certain information which Defendant Richeson has not made public in his
7 pleadings, but only exist in his emails to Plaintiffs. The false allegations made in the
8 article include statements that typically permeate Defendant Richeson’s emails, including
9 the statement “Jaburg and Wilk P.C. is in fact an owner partner and controlling force in
10 the management of the famous or should I say infamous web site:
11 www.RipoffReport.com.” *Id.*

12 In his recently filed Third Party Complaint (Doc. No. 39), Defendant Richeson
13 references the “recorded testimony” of a “former employee” of Ed Magedson, a “Mr.
14 Rogers.” Similar statements are made in the article published by Defendant Richeson,
15 which includes the name, address, and telephone number of this individual. See Exhibit
16 “D.” The article purports to include certain information provided to Defendant Richeson
17 by Mr. Rogers; however, no such information has been conveyed, and, even if it were,
18 Defendant Richeson had no legitimate basis to believe the substance of that information.

19 Of equal importance to note is that this article also contains what Defendant
20 Richeson has previously claimed to be the home address of Mr. Magedson. See Exhibit
21 “D.” In Defendant Richeson’s previous emails and other publications, he stated (1) that
22 the Russian mob wanted Mr. Magedson’s address, and (2) that he would sell Mr.
23 Magedson’s address to anyone who wanted to pay him \$35.00. See Exhibits “A” and “B”
24 (showing content of the website www.jaburgandwilksucks.com). Defendant Richeson
25 also claimed that he was the only individual who knew Mr. Magedson’s home address.
26 Yet, as indicated in the article, Defendant Richeson is now providing that information for
27 free to the public. See Exhibit “D.” Defendant Richeson made the information about Mr.

28 ³ The specific URL for the posting at issue is <http://jaburg-and-wilk.pissedconsumer.com/jaburg-and-wilk-adam-kunz-intimidates-witness0201010092>

1 Magedson’s purported home address publicly available just a few days after mentioning
2 that the Russian mob wanted Mr. Magedson’s address and implying that the information
3 was wanted so that they could cause physical harm to Mr. Magedson.

4 Defendant Richeson makes further statements in the article that are directly aligned
5 with his prior correspondence with Plaintiffs. Those statements include numerous
6 references to the “criminal enterprise” of Ed Magedson, which is the theme of Defendant
7 Richeson’s Third-Party Complaint. *See* Exhibit “D”; *see also* Doc. No. 39 (submitted to
8 the Court just two days after the publication of the article).

9 By publishing the article on the Pissed Consumer website, Defendant Richeson
10 acted in violation of the TRO. Defendant Richeson (1) knowingly published a false and
11 misleading communication about Plaintiffs; and (2) intentionally interfered with the
12 contractual relationship between Plaintiffs and their clients, each of which is in direct
13 violation of the TRO. By publishing information regarding Mr. Magedson’s purported
14 home address, which he has taken great care to keep private, Defendant Richeson clearly
15 made these statements for the sole purpose of harassing and otherwise intimidating
16 Plaintiffs into stopping the pursuit of this litigation and providing Mr. Richeson the
17 services he is demanding from the Ripoff Report. Unquestionably, this article is in
18 violation of the TRO.

19 **IV. CONCLUSION**

20 Defendant Richeson has admitted to making each of the statements identified in the
21 original Motion for Order to Show Cause. The sole defense to his actions is his mistaken
22 belief that those statements are true, and therefore are not in violation of the TRO.
23 However, the statements made by Defendant Richeson were the very statements which
24 gave rise to the TRO in the first place, and are false and defamatory. Defendant
25 Richeson’s unsupported opinion of the truth of those statements – mistaken or otherwise –
26 is not a defense to his actions taken in contempt of a direct and specific order of this
27 Court. Moreover, the additional four actions taken by Defendant Richeson in violation of
28

1 the TRO makes it clear that he has no regard for the order of this Court, and is willing to
2 act in contempt with reckless abandon, until forced to act otherwise.

3 Based on the foregoing, it is requested that the Court issue an Order requiring that
4 Defendant Richeson appear and show cause why he not be found in contempt for the six
5 separate communications made by Defendant Richeson in violation of the TRO.

6 DATED this 18th day of October, 2010.

7
8 **JABURG & WILK, P.C.**

9
10 s/Maria Crimi Speth
11 Maria Crimi Speth
12 David S. Gingras
13 Attorneys for Plaintiffs

14 *Certificate of Service*

15 I hereby certify that on the 18th day of October, 2010, I electronically transmitted the
16 attached document to the Clerk's Office using the CM/ECF System for filing.

17 I have also caused to be delivered to Defendant, who is not registered with the CM/ECF
18 System, a copy of the attached document by First Class Mail and E-Mail:

19 Shawn Richeson
20 1906 Twilight Drive
21 Killeen, Texas 76543
22 Shawn@ClickaNerd.com
23 Defendant Pro Per

24 s/Debra Gower
25
26
27
28

EXHIBIT A

Maria Crimi Speth

From: Shawn - Field Manager [Shawn@ClickaNerd.com]
Sent: Wednesday, October 06, 2010 11:04 AM
To: Maria Crimi Speth; Legal@DanCorbin.com
Subject: Emailing: Microsoft Word - 1-DEFENDANTS-RESPONSE-75K-DAMAGES

Attachments: Microsoft Word - 1-DEFENDANTS-RESPONSE-75K-DAMAGES.pdf



Microsoft Word -
1-DEFENDANTS-...

Dear Maria,

Annette, Stephanie and I were all impressed by your graciousness - given our current litigation status.

I know you have a daughter and no mom or dad can see their child this way.

Justin is still 80% machine and 20% Justin and he will be on an ECMO for quite a while.

I have drafted a response to your 75K in damages concept.

I am not sure I really needed to, but I did it anyways to sort of get my 2 cents in from a legal and factual perspective.

Out of courtesy, I think you should know more about a guy by the name of :
James P. Rogers
923 South Ashland Street
Mesa, Arizona 85204
(480) 626-3750

He struck me as sort of a meth head - but I can't help to think that the allegations made by him were pretty serious.

I gave a copy of those .mp3 recording to John Brewington and he has put them on his web site along with his own comments.

As you know I have been trying to establish the link between you and Magedson and Jaburg and Wilk P.C. because no one believes that the relationship stops at a simple Attorney Client relationship.

You may remember that the Government eventually indicted a few Attorneys that got to close to John Gotti in order to bring down his criminal enterprise.

I am seeing something similar develop with you and Ed and Jaburg and Wilk P.C.

Laundering money, hiding assets and what have you are not that big of crime but I can easily see Magedson taken you down with him.

I really think if you stayed tied to the hip with Magedson, his master criminal skills will tie you in so close that you won't be able to break out.

He is a master at blurring the grey areas and getting you to cross those lines.

I don't know your husband Raymond, but I have to imagine he has told you to stay away and dump this Magedson guy.

The Russian mob wants Magedson physical address, so what does that tell you?

I beg you to put your Family's interest above your client's interest and figure out an exit strategy from this!

No amount of Attorneys fees are worth this!

Take Care
Shawn

EXHIBIT B

Maria Crimi Speth

From: Shawn - Field Manager [Shawn@ClickaNerd.com]
Sent: Sunday, October 10, 2010 9:51 AM
To: Maria Crimi Speth; attorney@clickanerd.com
Cc: Maria Crimi Speth; David L. Allen; Mervyn T. Braude; Beth S. Cohn; Laurence B. Hirsch; Jonathan P. Ibsen; Adam S. Kunz; Kraig J. Marton; Laura A. Rogal; Sharon R. Sprague; Nikki A. Wilk; Mark D. Bogard; Kelly A. Brown; David N. Farren; David N. Farren; Amy M. Horwitz; Gary J. Jaburg; Michelle C. Lombino; Mitch Reichman; Kathi M. Sandweiss; Susan E. Wells; Neal H. Bookspan; Roger L. Cohen; Lauren L. Garner; Valerie L. Marciano; Larry E. Wilk; paladin@paladinpi.com; editor@ripoffreport.com; azrepubliccustomerservice@gannett.com; classified@arizonarepublic.com; newstips@arizonarepublic.com; comments@azcentral.com; tsanders@phoenixchamber.com; mbourassa@phoenixchamber.com; rmcelhaney@phoenixchamber.com; ccasaus@phoenixchamber.com; jmahinthorathep@phoenixchamber.com; dayala@phoenixchamber.com; shuff@phoenixchamber.com; jmellor@phoenixchamber.com; kcampana@phoenixchamber.com; cdickemper@phoenixchamber.com; vbarrera@phoenixchamber.com; nmacias@phoenixchamber.com; nostrofe@phoenixchamber.com; llamorder@phoenixchamber.com; aback@phoenixchamber.com; jryan@phoenixchamber.com; ktomasch@phoenixchamber.com; mmcmullin@phoenixchamber.com; acook@phoenixchamber.com; jmarschall@phoenixchamber.com; mmrocek@phoenixchamber.com; ddrotar@phoenixchamber.com; jpetty@phoenixchamber.com; hdarin@phoenixchamber.com; sglueck@phoenixchamber.com; jdurbin@phoenixchamber.com; mbolton@phoenixchamber.com; abratt@phoenixchamber.com; kclarkson@phoenixchamber.com

Subject: <http://www.jaburgandwilksucks.com/> - Please review for accuracy

Dear Maria Crimi Speth & Jaburg and Wilk,

Please look at this URL and let me know if there are any facts on this web site that are not 100% accurate?

<http://www.jaburgandwilksucks.com/>

The Chamber of Commerce in your area does appear to operate in an ethical manner and it is my sincere hope they look into your business practices and validate the accusations alleged by hundreds of victims across North America and those that I have alleged in your hiring of child molesters and other similar type conduct.

Respectfully,
Shawn A. Richeson
Defendant, Pro. Se.
10/10/2010 11:30:AM

Cc:

Main Office
4201 N. 24th Street, Suite 200
Phoenix, Arizona 85016-6288
Phone: 602-252-4804 (from within Maricopa County)
866-482-9227 (toll-free outside Maricopa County)
Fax: 602-271-4930
[MapQuest directions](#)

Southern Regional Office/Tucson
270 N Church Ave., Ste. 100
Tucson, AZ 85701
Phone: 520-623-9944
Fax: 520-623-9974
[MapQuest directions](#)

10/18/2010

Todd Sanders Mary Bourassa
President & CEO Executive Assistant
602.495.6460 602.495.6494 tsanders@phoenixchamber.com

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EXHIBIT C

Maria Crimi Speth

From: Shawn - Field Manager [Shawn@ClickaNerd.com]
Sent: Saturday, October 09, 2010 8:35 PM
To: Maria Crimi Speth
Subject: www.JaburgandWilkSucks.com - Settlement Offer

Dear Maria,

I had an interesting settlement Idea.

Purchase this domain from me: www.JaburgandWilkSucks.com

I know you guys are brain storming and doing damage control while your enemies come out of the woodwork.

So lets recap:

- 1) I never go away. I have a son in intensive care at Scott and White hospital, yet here it is on a Saturday night at 10:16PM and I am working on this case.
- 2) When we get into discovery, you will have to make the choice of pleading properly and claiming actual damages and we all know what's going to happen in the months to follow.
- 3) 18 Months from now, when we are all in front of several Arizona jurors and we are going through the trial, I really think they will zero in on you all's scam and tell their friends and so on and you will have more damage control than you can shake a stick at.
- 4) I am pro se and have family in Phoenix so coming to your town is fun.
- 5) Most of your usual tactics and leverage points are completely neutralized.

You can keep assembling emails and other useless exhibits and crank out some documents just to bill Magedson and run up fees and that's ok, but who cares.

I mean really, do you really think the Judge hasn't figured you guys out?

You cannot win; you only have various degrees of losing.

So why not lose with a little dignity and the appearance of winning?

Buy my domain and draw up some cool paperwork that makes it look like you kicked my ass.

Just a thought.

Take Care
Shawn

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JABURG AND WILK - ADAM KUNZ - INTIMIDATES WITNESS

Jaburg And Wilk Complaint by Phoenixnewsr

Jaburg and Wilk P.C. is a law firm located in Scottsdale Arizona not to far from the Federal Courthouse.

In Jaburg and Wilk P.C. v Richeson, Richeson contends Jaburg and Wilk P.C. is in fact an owner partner and controlling force in the management of the famous or should I say infamous web site: www.RipoffReport.com.

In the past week, former employee and insider divulged Ed Magedson physical address and made some startling comments about his sexual relationship with Ed Magedson.

The person mentioned below is the former Jaburg and Wilk P.C. / Xcentric Ventures LLC., insider:

Review #: 201948 Posted by: Phoenixn... Posted On: 2010-10-09 Total hits: 26 Comments: 0 Comment

James P. Rogers 923 South Ashland Street Mesa, Arizona 85204

(480) 626-3750

Mr. Rogers claims he was performing sexual favors for Ed Magedson for about \$150.00 a BJ according to his recorded testimony.

This fact, although a bit disgusting, is important for this reason.

Most sociopaths like Magedson are very exploitative.

This personality characteristic gives a deeper insight in to the world of Jaburg and Wilk P.C. and Ed Magedson.

Many believe Ed Magedson to be a master criminal.

Many believe Ed Magedson is controlling David Gingras - Maria Crimi Speth and Adam Kunz.

According to James Rogers, Ed Magedson is laundering approximately 30-40K per month through Jaburg and Wilk. I am sure it has been classified as Attorney Fees on the surface, but when Jaburg and Wilk P.C. through a holding company took control of the following real estate, we have to pause and analyze:

Parcel #: 176-16-520 Subdivision Name: FOUNTAIN HILLS AZ FP 602C LOT 1-15,19-32 BLK 1 MCR #: 16633 Lot #: 5 Property Address: 15821 E JERICHO DR

FOUNTAIN HILLS 85268 School Dist: FOUNTAIN HILLS SCHOOL DISTRICT

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Property Description: FOUNTAIN HILLS PLAT 602-C Local Jurisdiction: FOUNTAIN HILLS.

That property is titled to: DESERT PROPERTIES LLC, a Jaburg and Wilk P.C. associated entity.

Why does this matter?

Answer:

Ed Magedson - resides

15821 East Jericho

Fountain Hills Arizona

85268

This is where Ed Magedson resides

and runs his criminal enterprise.

Why would a law firm launder money and then help a felon run a criminal enterprise using a corporation they setup for him?

I am certain the DOJ will be asking the same thing.

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