

I. JURISDICTION OVER ALL PARTIES & SUBJECT MATTER

This Court has already established jurisdiction over all parties. A federal court has supplemental jurisdiction "of the subject matter of a counterclaim if it arises out of the transaction or occurrence that is the subject matter of an opposing party's claim of which the court has jurisdiction." *Great Lakes Rubber Corp. v. Herbert Cooper Co.*, 286 F.2d 631, 633 (3d Cir. 1961)

The Plaintiff Xcentric Ventures LLC had originally pleaded that Richeson had engaged in various internet libel, tortious business interference and other similar acts against Xcentric Ventures LLC. The subject matter claims made by Richeson against Xcentric Ventures LLC are similar but require an extraordinary remedy to prevent future occurrences.

II. CAUSE OF ACTION RICO 18 U.S.C.A § 1961 ET SEQ.

Xcentric Ventures LLC has engaged in wire fraud, racketeering and an extortion scheme in violation of the *federal Racketeer Influenced and Corruption Organizations Act (RICO)*, (18 U.S.C.A. § 1961 et seq. [1970]).

The damages caused by this racketeering scheme exceed \$75,000 and are within the jurisdictional limits of this Court.

Congress enacted the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961-1968 ("RICO") in 1970 to eradicate organized crime in the United States. To that end, RICO imposes severe criminal penalties on any individual or entity that engages in "racketeering

activity," which is broadly defined to include an extensive list of actionable predicate acts, including mail and wire fraud. 18 U.S.C. § 1961(1).

RICO also provides a private right of action for treble damages in favor of any person "injured in his business or property by reason of" a RICO violation. 18 U.S.C. § 1964(c).

Upon information and belief, Ed Magedson and Xcentric Ventures LLC are one in the same and Xcentric Ventures LLC is simply an alter ego of Ed Magedson.

Ed Magedson uses an internet web site to post false or inflated consumer complaints posing as a legitimate consumer hiding among real consumers. This is an actionable RICO predicate under a theory of wire fraud.

Ed Magedson then utilizes surrogates to enter responses to the complaints to entice Google, Yahoo and Bing to heighten the relevance of the search results. This is an actionable RICO predicate under a theory of wire fraud.

Wire fraud is codified at 18 U.S.C. § 1343

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both.

Prima facie evidence exists that Ed Magedson is engaging in wire Fraud as it is defined under 18 USC § 1343.

James P. Rogers, a former (10) year employee of Ed Magedson has testified in a recorded conversation that He was ordered by Ed Magedson to engage in acts constituting wire fraud as it is defined under 18 USC § 1343.

Countless victims throughout North America are expected to give testimony at trial that Ed Magedson is collecting extortion payments from them as a result of multiple counts of wire fraud committed against their business and person by Magedson.

Ed Magedson uses a web site as an extortion device and is guilty of the criminal offence of wire fraud as it is defined under 18 U.S.C. §§ 1961-1968 ("RICO").

III. RELIEF REQUESTED AND PRAYER

Wherefore, premises considered, the Counter Plaintiff respectfully prays that upon final trial the Counter Plaintiff have:

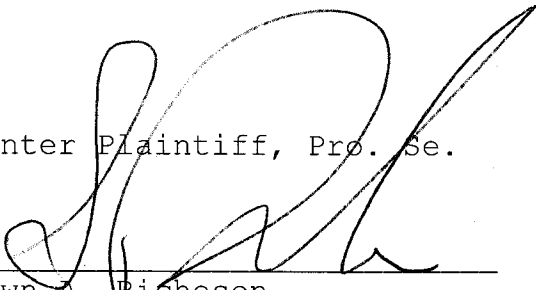
A court order mandating that the domain registrar, DNS hosting companies and all relevant parties disable the domain RipoffReport.com.

A court order mandating that Ripoffreport.com forever permanently resolve to a 404 error and the aforesaid domain remain locked by the Internet Corporation For Assigned Names and Numbers (ICANN), indefinitely.

Respectfully submitted to this honorable Court this

Wednesday the 20th Day of October 2010.

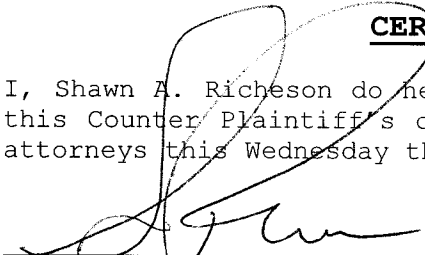
Counter Plaintiff, Pro. Se.



Shawn A. Richeson
1906 Twilight Drive
Killeen, Texas 76543
Shawn@ClickaNerd.com

CERTIFICATE OF SERVICE

I, Shawn A. Richeson do hereby certify that a true and correct copy of this Counter Plaintiff's counter claim was served upon all parties and attorneys this Wednesday the 20th day of October, 2010.



Shawn A. Richeson

Ed Magedson - US MAIL
15821 East Jericho
Fountain Hills Arizona
85268

Maria Speth - US MAIL
3105 East Claire Drive
Phoenix Arizona
85032

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

PLEASE FILE THIS COUNTER CLAIM
IN CAUSE OF ACTION: 10-1931 PHX NVW

Shawn - Field Manager

From: Maria Crimi Speth [mcs@jaburgwilk.com]
Sent: Thursday, October 21, 2010 12:04 PM
To: Shawn - Field Manager
Subject: RE: Counter Claim - Withdraw motion for sanctions

Thanks Shawn. I will be sending you the settlement docs shortly. Also, I will accept service of this counter claim by email once it is filed with the court.

Maria Crimi Speth, Esq.
Jaburg & Wilk, P.C.
3200 N. Central Ave., Suite 2000
Phoenix, AZ 85012

602-248-1089
602-248-0522 (fax)

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From: Shawn - Field Manager [mailto:Shawn@ClickaNerd.com]
Sent: Wednesday, October 20, 2010 10:35 PM
To: Maria Crimi Speth
Subject: FW: Counter Claim - Withdraw motion for sanctions

From: Shawn - Field Manager [mailto:Shawn@ClickaNerd.com]
Sent: Thursday, October 21, 2010 12:34:AM
To: 'Maria Crimi Speth'
Subject: Counter Claim - Withdraw motion for sanctions

Dear Maria,

In light of our recent agreement to stipulate to an agreed injunction in favor of Jaburg and Wilk P.C. and jointly stipulate to a dismissal of Jaburg and Wilks Claims, I hereby immediately stipulate to the following:

- 1) I hereby withdraw my motion for sanctions against Maria Crimi Speth
- 2) I hereby withdraw my cross claim against Maria Speth and Ed Magedson
- 3) I hereby tender a copy of my counter claim against Xcentric Ventures & dba RipoffReport.com

I will send a copy of my pleading via US mail to you as agreed.

10/21/2010

Shawn Richeson and Xcentric Ventures LLC are properly before this Court as of the day of the Counter Plaintiffs permissive counterclaim.

Please find a courtesy copy attached as a .pdf file.

Respectfully,
Shawn A. Richeson
Counter Plaintiff

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