

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Robert Steinbuch	:	Index No.:
4855 Crescent St.	:	
Bethesda, MD 20816	:	
Plaintiff,	:	
	:	
-v-	:	
	:	
Jessica Cutler	:	
313 5th St., S.E.	:	
Washington, DC 20003	:	
Defendant.	:	

COMPLAINT

I. Introductory Statement

1. This civil action for invasion of privacy for public revelation of private facts arises from the dissemination, on the World Wide Web, of a “blog” compiled by the Defendant Jessica Cutler, describing in graphic detail the intimate amorous and sexual relationship between Cutler and the Plaintiff. Cutler’s outrageous actions, setting before anyone in the world with access to the Internet intimate and private facts regarding Plaintiff, constituted a gross invasion of his privacy, subjecting him to humiliation and anguish beyond that which any reasonable person should be expected to bear in a decent and civilized society.

II. The Identity of the Parties

2. The Plaintiff is a resident of Maryland and a lawyer. At all times germane to this litigation he was an attorney employed on the staff of United States Senator Michael DeWine as Senator DeWine’s Judiciary Committee Counsel to the United States Senate Committee on the Judiciary, with an office in the Dirksen



Senate Office Building in Washington, D.C. Plaintiff is single, has no children and has never been married.

3. The Defendant Jessica Cutler is a resident of Washington, D.C. Before her dismissal she was employed as a member of the staff of Senator Dewine, with an office in the Russell Senate Office Building in Washington, D.C.

III. Jury Trial

4. Plaintiff demands a jury trial.

IV. Jurisdiction and Venue

5. Jurisdiction is founded on diversity of citizenship and amount in controversy.
6. Plaintiff is a citizen of the state of Maryland.
7. Defendant is a citizen of the District of Columbia.
8. The matter in controversy exceeds, exclusive of interests and costs, the sum of \$75,000.
9. Venue is proper in this Court because acts giving rise to the claims and the residence of the Defendant are in the District of Columbia.

V. Factual Allegations

10. Cutler published a so-called "blog," also known as a "weblog" an Internet site on which she added periodic entries from her Senate computer. Such a blog may be "password protected," permitting only authorized users to have access. Cutler, however, declined the option of password protection, instead intentionally making her blog publicly available to anyone who hit upon the site on the Internet. In the public blog, Cutler maintains ongoing conversations with strangers, explicitly recognizing the public nature of her blog. In her blog, Cutler identified herself as

the “Washingtonienne.” The opening entry of this public blog was posted on the Internet on May 5, 2004. The last entry was posted on this public blog on May 18, 2004. A complete copy of the entire Cutler public blog is attached as Exhibit A.

11. Cutler’s public blog described in graphic detail her ongoing sexual relationships with six men, including Plaintiff. At the time of his relationship with Cutler, Plaintiff did not know that Cutler was simultaneously engaged in sexual relationships with another man, let alone with five other men, and let alone that she was prostituting herself to some of them; and Plaintiff did not know that Cutler was recording the details of her relationship with Plaintiff on a public weblog, making those details available to the public.
12. Plaintiff was clearly identifiable to a substantial segment of the community as one of the sexual partners of Cutler described in her public blog. Cutler used Plaintiff’s initials, “R.S.” and his first name to refer to him. Cutler also identified Plaintiff in her public blog through his religion, Jewish; his job, Committee Counsel to the Senate Committee on the Judiciary; his place of residence, Bethesda; the fact that he has a twin; his general appearance; and details of Cutler’s intimate relationship with Plaintiff that Cutler had previously disclosed to colleagues and co-workers.
13. Cutler’s public blog contained the following passages “of and concerning” Plaintiff, upon which this suit is:

THURSDAY, MAY 06, 2004

Item!

A new contender for my fair hand. He works in one of the Committee offices. We will call him RS.

RS had my boss ask me out for him! She actually came in here and said, "He thinks you're hot." How junior high! So all three of us are getting a drink at Union Station after work. Looking forward to an evening full of awkward moments.

POSTED BY THE WASHINGTONIENNE AT 5:54 PM

FRIDAY, MAY 07, 2004

To answer The Question, no, RS and I did not fuck. (It is my "week off," if you recall.)

BUT...

RS looks just like George Clooney when he takes off his glasses. I am serious.

Has a great ass.

Number of ejaculations: 2

He likes spanking. (Both giving and receiving.)

I put the moves on HIM. That is, I brought him back to MY place, I was the one who jumped on HIM.

I was drunk, but he was totally sober. (At least I have an excuse for my behavior!)

So I'm seeing ANOTHER person on the Hill. At least this one is counsel, and not an aide.

Going to lunch with coworkers today. Have a feeling I was invited as the new star of Hot Office Gossip, like a press conference.

POSTED BY THE WASHINGTONIENNE AT 9:35 AM

As per my IM discussion with my friend AS this morning, I resolve to:

Stop acting like I'm on Spring Break: I'm at work and I need to be more professional in my relations with coworkers.

But if that cute intern shows at the party tomorrow, I don't know if I can leave him alone.

Choices.

POSTED BY THE WASHINGTONIENNE AT 10:22 AM

OMG. RS just came in here to say hi.

But I got nervous and acted weird.

Shit!

POSTED BY THE WASHINGTONIENNE AT 11:03 AM

I told my coworkers about the spanking over lunch, but left out the nasty parts. (We were eating.)

So they were shocked. Not sure I should have told them. But they blame him for what happened: he is senior and should know better, esp since he was the sober

one.

One of them told me that RS wore a purple turtleneck with a bright blue fleece over it at a recent staff retreat. Now I wonder if he's crazy or what.

POSTED BY THE WASHINGTONIENNE AT 1:16 PM

The boss who pimped me out to RS just stopped by. She asked me what happened after she left us at the bar. I tried to be as vague as possible, but I implied that she should ask RS himself.

Then she mentioned that RS is very discrete, so I am taking that as a hint to keep quiet.

Finally, she asked me if I would say yes if he asked me out again. I told her that I would.

So it looks like I might have another boyfriend. I hope this does not end badly.

POSTED BY THE WASHINGTONIENNE AT 2:02 PM

RS just e-mailed me: Hey, had a nice time yesterday. going to NY tonight, but let's get some dinner or something next week. interested?

I said yes.

What am I getting myself into?

Yes, I like him, but am I attracted to him or the impending drama??

I really don't get myself sometimes.

POSTED BY THE WASHINGTONIENNE AT 2:25 PM

Three weeks. That's how long it took for J for start it up again.

He's getting better at this long-distance thing. One month was the standard wait. Now it's down to three weeks. We must be getting serious!

I got an e-mail from him this afternoon, and we had some back-and-forth.

Still with his crazy girlfriend in Springfield, IL. But I shouldn't talk.

This is the last thing I need in my life right now: another distraction at work! I am so behind...

If it wasn't for e-mail, J and I would have forgotten about each other long ago. So effortless to stay in touch this way. Must wonder about those people who never e-mail you: they TRULY do not care.

But I like knowing that J still wants me. What makes him decide to send an e-mail after all this time? And not just today, but all those times before? Talk about crazy!

POSTED BY THE WASHINGTONIENNE AT 5:24 PM

I take weekends off from this blog. So before I go, this is the plan:

Take cab over to W's place in Georgetown. Fuck. Get dinner someplace expensive.

W drives me home to Cap Hill.

Go to keg party at coworker's house. (RS will not be there. Maybe fuck somebody else?)

Get 8 hours sleep.

Get crabcake Bennifer at Eastern Market before they stop serving breakfast.

Run??

Call my friend AS. Will meet up w/ her before party.

Hope intern will show.

POSTED BY THE WASHINGTONIENNE AT 6:38 PM

MONDAY, MAY 10, 2004

Updates

Went to "lunch" (i.e. iced coffee) and on the way back, bumped into both MD and RS! (But not at the same time, TG.)

I told MD I had some news, so he sat down with me in the cafeteria and I told him about RS. (I left out the sex. Also, I tried to frame the story like, "Isn't this a totally fucked-up situation?", not like I'm trying to make him jealous.)

He could not get back to work fast enough. I really don't care if he hates me or what. He isn't into me anymore anyway. If he was, he would call me more often. Also, he said he's trying to get a job off the Hill asap, so I can stop worrying about bumping into him everywhere I go.

So I leave the cafeteria and start walking back to the office, and I see RS. We stopped and talked in the hall and he asked me out for a drink tonight. (Except he doesn't drink?) I look really good today, so I'm glad I hit two birds with one stone during my lunch hour.

POSTED BY THE WASHINGTONIENNE AT 2:08 PM

TUESDAY, MAY 11, 2004

I am so busted.

Went out w/ RS after work yesterday. He took me out for drinks, took me back to my place, and we fucked every which way. THEN he tells me that he heard I've been spreading the spanking rumor around the office! He's not mad, but I am so ashamed of my behavior: I have such a big mouth. It got around and now EVERYBODY knows. Even our LD (who is sleeping with somebody in our office, too, BTW.)

But last night was fun. He's very up-front about sex. He likes talking dirty and stuff, and he told me that he likes submissive women. Good, now I can take it easy in bed. Just lay back and watch him do freaky shit.

We went to Tune Inn and ate some shit there because it was the only place open at I am. He walked me home and kissed me at my door. I was like, "Aww, this is so adorable!" He called me "jaded" and told me to call him tomorrow (i.e. today).

Jaded? Moi?

POSTED BY THE WASHINGTONIENNE AT 9:19 AM

By popular demand, I have finally created a key to keeping my sex life straight.

In alpha order:

AJ=The intern in my office whom I want to fuck.

F=Married man who pays me for sex. Chief of Staff at one of the gov agencies, appointed by Bush.

J=Lost my virginity to him and fell in love. Dude who has been driving me crazy since 1999. Lives in Springfield, IL. Flies halfway across the country to fuck me, then I don't hear from him for weeks.

MD=Dude from the Senate office I interned in Jan. thru Feb. Hired me as an intern. Broke up my relationship w/ MK (see below).

MK=Serious, long-term boyfriend whom I lived with since 2001. Disastrous break up in March, but still seeing each other.

R=AKA "Threesome Dude." Somebody I would rather forget about.

RS=My new office bf with whom I am embroiled in an office sex scandal. The current favorite.

W=A sugar daddy who wants nothing but anal. Keep trying to end it with him, but the money is too good.

Shit. I'm fucking six guys. Ewww.

POSTED BY THE WASHINGTONIENNE AT 2:21 PM

Oooh, RS just called me. He asked me out again tonight, but I have plans w/ MK @ 9pm. (We're watching the ANTM special together.)

Two nights in a row. I like him, but WTF?

POSTED BY THE WASHINGTONIENNE AT 2:42 PM

RS just called again. Bad news: the rumor has spread to other offices. This is bad.

POSTED BY THE WASHINGTONIENNE AT 5:57 PM

WEDNESDAY, MAY 12, 2004

So I went to dinner w/ RS at Lebanese Taverna. He's really not mad about the gossip at all: he's actually joking around the office about it. Like, when he walks

out of a room, he'll slap himself on the ass! Me, I'm just hiding in my office until this blows over.

We went to his house after dinner, a four bedroom in Bethesda. Needs work, but v. cute.

So it turns out that RS cannot finish with a condom on. He can barely stay hard. So he ends up taking it off and humping away at me. Maybe I forgot to tell him that I'm on the Pill. Note to self...

I also learned that he was a cop, so he has scary police shit like handcuffs in his closet. He implied that we would be using them next time, which is intriguing, but I know I'm going to get scared and panicky. (Which would probably turn him on.)

So 9pm comes and goes, and I missed my date with MK. And I was missing ANTM! So I just watched it with RS. Meanwhile, MK is trying to call me on my cell (which is turned off inside my handbag.) MK left a very irrate message on my voicemail. He basically hates me now.

But when you're crushing on somebody new, that stuff doesn't affect you as much as it should. I slept over at RS's and he drove me home this morning to change. I'm supposed to call him again today. I'm afraid I really like him. I like this crazy hair-pulling, ass-smacking dude who wants to use handcuffs on me. Shit.

POSTED BY THE WASHINGTONIENNE AT 9:28 AM

THURSDAY, MAY 13, 2004

So my friend AS met up with me at RR and I had two genius ideas:

- 1. We should go to Saki.*
- 2. AS should meet RS.*

So I called RS and told him to come over so AS could get a look at him. This morning she says (via IM), "He does look like George Clooney, but he's totally

Woody Allen."

She also said, "He will do anything to make you happy."

Isn't that sweet? And it's true: he stood in line with us at Saki for 1 1/2 hours!

BTW, Saki has gotten really hard to get into. But I don't know of any other place that is more action-packed on a Wednesday night in Washington. However, AS and I have decided not to go back there for a few months: we actually recognized people from the last time we were there! Which is a v. bad sign.

Also, we will go home and change before we go to Saki. Next time, we will not wear our work clothes.

When Saki closed, we got some nasty Pizza Mart slices that tasted really good at the time. Then AS went home and RS took me back to his place for the second night in a row. I passed out as soon as I lay down, so we didn't do anything.

I woke up with an awful hangover and barfed up my Pizza Mart. (I'm losing weight!) Then RS drove me home and made me promise to call him again today.

POSTED BY THE WASHINGTONIENNE AT 10:17 AM

FRIDAY, MAY 14, 2004

So I called RS after MK left in a huff. I ended up sleeping over in Bethesda for the third night in a row.

He wants us to get tested together so we can stop using condoms. Isn't that sweet? Hope I don't have anything!

So I don't know if it's getting serious or what. We're seeing each other every day now. I like him very much and he likes me. But can it go anywhere, i.e. marriage? I don't know. He's Jewish, I'm not. And we have nasty sex like animals, not man and wife. But we work together, so there is an incentive to stay together and avoid an awkward breakup. And after a few months, people around the office will start

"hearing wedding bells."

I really just want to be a Jewish housewife with a big rock on my finger.

POSTED BY THE WASHINGTONIENNE AT 9:53 AM

Going to see the movie Troy tonight. RS told me to call him afterwards. Wants sex. We've only been dating a week, and we already have a routine.

POSTED BY THE WASHINGTONIENNE AT 3:48 PM

MONDAY, MAY 17, 2004

On Saturday, I went to Eastern Market with RS and we walked around holding hands. (Who cares?)

Oh, I forgot: I learned that RS has a twin! (Unf, nobody finds this as fascinating as I do.)

Getting involved in a new relationship really just means ruining your nightlife. I resolve not to let this happen to me: I got bored and restless in my last relationship, and look what happened. Call it Madame Bovary Syndrome. Going out and getting trashed at least three times a week is the only cure.

POSTED BY THE WASHINGTONIENNE AT 8:56 AM

RS called last night. He had a visitor flying in from NYC who was stuck in a holding pattern over DC for an hour. (Who flies from NY to DC anymore? Take the train! Or the \$10 Chinatown bus.)

He was bored, so he picked me up and took me back to his house. His friend arrived around 11:30pm, and was exhausted from his hellish plan ride. So Rob

and I went upstairs and got ready for bed.

Warning: the following passage is extremely corny. Get ready to vom.

So I get into bed and by then, it's midnight.

"What time is it?" RS asks.

"Midnight," I reply.

"Do you know what that means?"

"Uh...no."

"That means it's your birthday." And he pulls out this pink and green package, and I just know it's a new Lilly dress.

And it was. Then we fucked missionary. And he came. With a condom on.

Then he was like, "Who the hell comes missionary anymore?!"

Is that the quote of the day or what?

POSTED BY THE WASHINGTONIENNE AT 10:59 AM

-
14. In addition, at the same time that Cutler was posting her public blog, she was also writing on her Senate computer a journal on how to exploit men for financial and materialistic gain. She did not post this on the Internet.
 15. Plaintiff's intimate relationship began with Cutler on May 6, 2004, and lasted until May 18, 2004.

16. Cutler admiringly referenced in her public blog a popular Internet gossip site known as the “Wonkette,” by Anna Marie Cox.
17. On May 18, 2004, the Wonkette described the Cutler blog’s contents, republished numerous excerpts on the Wonkette web site, and linked to the public blog, beginning the media “feeding frenzy” that followed.
18. Cutler’s “Washintonienne” public blog became notorious throughout Washington, D.C. and the nation.
19. The contents of the Cutler public blog, including the identification of Plaintiff by his full name, was repeated through other internet sites, through numerous mainstream newspapers and tabloid publications published in the United States and abroad, and through various broadcast and cable television media. The dissemination including stories published or broadcast by such mass media outlets at *The Washington Post*, *The New York Times*, the Cable News Network, Fox Television News, *The Scotsman*, *The Guardian*, *The India Times*, *The New York Post*, *The National Enquirer*, and *The Star*.
20. Cutler immediately contacted Cox and identified herself for Cox’s website (Wonkette) as the source of the Washintonienne public blog.
21. Cox published Cutler’s identity – giving her the notoriety she coveted. Cutler went out on a late-night drinking spree with Cox, posed for suggestive photos with Cox that Cox put on -- and later removed from -- her website, and spent the night at Cox’s house in Arlington, Virginia.
22. Cox hired Cutler to write for her website.
23. Cox and Cutler went on Washington, DC Fox television together.

24. Cutler and Cox discussed posing jointly for *Playboy Magazine*.
25. Cutler sought widespread public attention and publicity for herself; she further disseminated the contents of the public blog through the channels of mass media; she granted print, broadcast, and Internet interviews, capitalizing on her newfound fame and attention.
26. Cutler signed a deal with *Playboy Magazine* which included a nude photo spread of Cutler posted on Playboy's Internet site, capitalizing on the publicity generated by her public blog and her relationship with Plaintiff.
27. Cutler signed a book contract, receiving a \$300,000 advance, with Hyperion Press, a division of the Disney Corporation, to write a thinly disguised novel, of the roman a clef genre, in which the contents of her public blog, including her relationship with Plaintiff, are described in graphic detail. According to Hyperion, the publisher of the book, Cutler writes an "utterly unrepentant roman a clef exposing the scandalous truth. . . . [she] uses her 'real life experience. . . for a sexy, semi-autographical novel that is sure to initiate a . . . game of Who's Who.'"
28. Cutler commented in the press that she feels sorry for those people that write public blogs for years and never obtain a book deal.

VI. Cause of Action for Invasion of Privacy

29. Plaintiff repeats the previous paragraphs here.
30. Cutler's action constituted an invasion of Plaintiff's privacy, satisfying the elements of the tort of publication of private facts. Cutler caused widespread publication of private intimate facts concerning Plaintiff in a manner that would be deemed outrageous and highly offensive to an ordinary reasonable person of

average sensibilities, subjecting Plaintiff to severe emotional distress, humiliation, embarrassment, and anguish. The private facts revealed include such facts as the number of times he ejaculated, his difficulty in maintaining an erection while wearing a particular condom provided by Cutler, spanking and hair pulling during their sexual activity (but conveniently leaving out Cutler's request of both), his intimate personal conversations with Cutler during sexual activity and during the course of their relationship, physical descriptions of his naked body, the physical details of the sexual positions assumed by Cutler and Plaintiff during sexual activity, Plaintiff's suggestion that he and Cutler be tested for sexually transmitted diseases so that they would not have to make use of a condom, statements made by Plaintiff regarding sexual positions. Illustrative of these statements are passages in the Cutler public blog such as:

Has a great ass.

Number of ejaculations: 2

He likes spanking. (Both giving and receiving.)

I put the moves on HIM. That is, I brought him back to MY place, I was the one who jumped on HIM.

RS just e-mailed me: Hey, had a nice time yesterday. going to NY tonight, but let's get some dinner or something next week. interested?

I said yes.

What am I getting myself into?

Went out w/ RS after work yesterday. He took me out for drinks, took me back to my place, and we fucked every which way. THEN he tells me that he heard I've been spreading the spanking rumor around the office! He's not mad, but I am so ashamed of my behavior: I have such a big mouth. It got around and now EVERYBODY knows. Even our LD (who is sleeping with somebody in our office,

too, BTW.)

But last night was fun. He's very up-front about sex. He likes talking dirty and stuff, and he told me that he likes submissive women. Good, now I can take it easy in bed. Just lay back and watch him do freaky shit.

We went to Tune Inn and ate some shit there because it was the only place open at 1am. He walked me home and kissed me at my door. I was like, "Aww, this is so adorable!" He called me "jaded" and told me to call him tomorrow (i.e. today).

Jaded? Moi?

So I went to dinner w/ RS at Lebanese Taverna. He's really not mad about the gossip at all: he's actually joking around the office about it. Like, when he walks out of a room, he'll slap himself on the ass! Me, I'm just hiding in my office until this blows over.

We went to his house after dinner, a four bedroom in Bethesda. Needs work, but v. cute.

So it turns out that RS cannot finish with a condom on. He can barely stay hard. So he ends up taking it off and humping away at me. Maybe I forgot to tell him that I'm on the Pill. Note to self...

I also learned that he was a cop, so he has scary police shit like handcuffs in his closet. He implied that we would be using them next time, which is intriguing, but I know I'm going to get scared and panicky. (Which would probably turn him on.)

So 9pm comes and goes, and I missed my date with MK. And I was missing ANTM! So I just watched it with RS. Meanwhile, MK is trying to call me on my cell (which is turned off inside my handbag.) MK left a very irrate message on my voicemail. He basically hates me now.

But when you're crushing on somebody new, that stuff doesn't affect you as much as it should. I slept over at RS's and he drove me home this morning to change. I'm supposed to call him again today. I'm afraid I really like him. I like this crazy hair-pulling, ass-smacking dude who wants to use handcuffs on me. Shit.

So I called RS and told him to come over so AS could get a look at him. This morning she says (via IM), "He does look like George Clooney, but he's totally Woody Allen."

She also said, "He will do anything to make you happy."

Isn't that sweet? And it's true: he stood in line with us at Saki for 1 1/2 hours!

When Saki closed, we got some nasty Pizza Mart slices that tasted really good at

the time. Then AS went home and RS took me back to his place for the second night in a row. I passed out as soon as I lay down, so we didn't do anything.

I woke up with an awful hangover and barfed up my Pizza Mart. (I'm losing weight!) Then RS drove me home and made me promise to call him again today. I need to take it easy tonight, which means I might not go out, and I am sitting out the taco contest for sure.

Going to see the movie Troy tonight. RS told me to call him afterwards. Wants sex. We've only been dating a week, and we already have a routine.

posted by The Washingtonienne at 3:48 PM

So I called RS after MK left in a huff. I ended up sleeping over in Bethesda for the third night in a row.

He wants us to get tested together so we can stop using condoms. Isn't that sweet? Hope I don't have anything!

So I don't know if it's getting serious or what. We're seeing each other every day now. I like him very much and he likes me. But can it go anywhere, i.e. marriage? I don't know. He's Jewish, I'm not. And we have nasty sex like animals, not man and wife. But we work together, so there is an incentive to stay together and avoid an awkward breakup. And after a few months, people around the office will start "hearing wedding bells."

I really just want to be a Jewish housewife with a big rock on my finger.

RS called last night. He had a visitor flying in from NYC who was stuck in a holding pattern over DC for an hour. (Who flies from NY to DC anymore? Take the train! Or the \$10 Chinatown bus.)

He was bored, so he picked me up and took me back to his house. His friend arrived around 11:30pm, and was exhausted from his hellish plane ride. So Rob and I went upstairs and got ready for bed.

Warning: the following passage is extremely corny. Get ready to vom.

So I get into bed and by then, it's midnight.

"What time is it?" RS asks.

"Midnight," I reply.

"Do you know what that means?"

"Uh...no."

"That means it's your birthday." And he pulls out this pink and green package, and I just know it's a new Lilly dress.

And it was. Then we fucked missionary. And he came. With a condom on. Then he was like, "Who the hell comes missionary anymore?!" Is that the quote of the day or what?

On Saturday, I went to Eastern Market with RS and we walked around holding hands. (Who cares?)

Oh, I forgot: I learned that RS has a twin! (Unf, nobody finds this as fascinating as I do.)

31. Other private and personal facts were scandalized to attract more attention; For example, Plaintiff's response to Cutler's question "am I too lazy in bed?" of "I don't mind passive" was presented as "*he told me that he likes submissive women.*" And, finally, Cutler added apocryphal events.
32. These disclosures were not made for any purposes relating to the dissemination of news or material published in the public interest. These disclosures were instead cruel and malicious exposures of the most intimate details of Plaintiff's life to a world-wide audience.
33. The disclosures of private facts would be highly offensive to any reasonable person. No reasonable person would want the intimate physical, verbal, emotional, and psychological details of his or her sexual life and romantic relationships life exposed against his or her will on the Internet for the entire world to read. It is one thing to be manipulated and used by a lover, it is another thing to be cruelly exposed to the world.

34. The widespread public dissemination of private facts have caused Plaintiff to suffer severe emotional distress, humiliation, embarrassment, and anguish.

VII. Cause of Action for Intentional Infliction of Emotional Distress

35. Plaintiff repeats the previous paragraphs here.

36. Defendant's actions constitute outrageous conduct.

37. Plaintiff suffered severe emotional distress.

38. Defendants acted intentionally.

39. Defendant was reckless.

40. Defendant intended to cause Plaintiff to suffer damages.

41. Defendant's actions caused Plaintiff to suffer damages.

VIII. Prayer for Relief

Wherefore Plaintiff seeks compensatory and punitive damages, such other declaratory and injunctive relief as the court shall deem appropriate, attorneys fees, costs and disbursements.

Dated: May 18, 2005

/Jonathan Rosen/
Jonathan Rosen (NY0046)
1200 Gulf Blvd., #1506
Clearwater, FL 33767
(908) 759-1116
Attorney for plaintiff