

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MAY 31 2011
JAMES W. HATTEN, Clerk
By: [Signature] Deputy Clerk

**REGINA MARIE PREETORIUS,
MARIE CHAMPAGNE, and
CHARLES GREGORY PREETORIUS,**

Plaintiffs,

vs.

**MORRIS PUBLISHING GROUP, LLC, a
Georgia limited liability company,
MORRIS COMMUNICATIONS
COMPANY, LLC, a Georgia limited liability
company,
MORRIS COMMUNICATIONS
HOLDING COMPANY, LLC, a Georgia
limited liability company,
MORRIS COMMUNICATIONS MEDIA
GROUP, INC., a Georgia corporation,
MORRIS COMMUNICATIONS
CORPORATION, a Georgia corporation,
AUTOMATTIC, INC., a Delaware
corporation,
FINDLAW ACQUISITION CORP., a
Delaware corporation,
SANDY HODSON,
JOHNNY EDWARDS,
DUNCAN WIERMAN,
STEVEN TANNER,
RORY MCNAUGHTON,
LATISHA BELL,
JACK LONG,**

CAP

**PLAINTIFFS'
COMPLAINT**

1:11-cv-1757
Civil Action No. _____

**JIM OVERSTREET,
JOSEPH MITCHELL,
JOE INGRAM,
TRAVIS HOWARD,
BARBARA RING,
LILLIAN SMITH,
ERNESTINE EVANS,
LAKENYA BARTHELEMY,
ERNIE BARTHELEMY,
ANDREW SUMPTER,
ALESTER SUMPTER,
GANGA RAO,
DENNIS MALONE,
DAVID MALONE,
JUAN VALENCIA,
DECIA BOSTIC-VALENCIA,
ARTHUR KENT,
MR. AND MRS. MICHAEL ROLLINS,
and
DOES 1-100,**

Defendants.

Michael R. Bascom, Esq. (GA Bar No. 041024)
Michael R. Bascom, P.C.
2450 Atlanta Highway, Suite 1302
Cumming, Georgia 30040-1277
Telephone: (770) 889-3911
Facsimile: (770) 889-3929
E-mail: Mike@IntegratedEstate.com
Attorneys for Plaintiffs

COME NOW Plaintiffs, by and through their undersigned counsel, and hereby bring this Complaint against the Defendants named herein and allege as follows:

GENERAL ALLEGATIONS

Plaintiffs

1. At all times material hereto, Plaintiff Regina Marie Preetorius (hereinafter also "*Mrs. Preetorius*") was a United States citizen, and she is for jurisdictional purposes a resident of the State of Arizona, residing in Maricopa County, Arizona.

2. At all times material hereto, Plaintiff Marie Champagne (hereinafter also "*Mrs. Champagne*") was a United States citizen, and she is for jurisdictional purposes a resident of the State of Arizona, residing in Maricopa County, Arizona.

3. At all times material hereto, Plaintiff Charles Gregory Preetorius (hereinafter also "*Mr. Preetorius*" and together with Mrs. Preetorius and Mrs. Champagne "*Plaintiffs*") was a United States citizen and is for jurisdictional purposes a resident of the State of Arizona, residing in Maricopa County, Arizona.

Brief Overview

4. In this civil action, Plaintiffs bring claims against Defendants including for defamation in the specific forms of libel and slander, for tortious

interference with business relations, and for intentional infliction of emotional distress.

5. Plaintiffs had called Georgia their home for many, many years until their personal and professional reputations were so sullied – and damage to their property and threats to their person became so severe – that they could no longer live in Georgia.

6. Mrs. Champagne lived in Georgia for some forty years, beginning in 1970, until she moved to Arizona sometime in the summer of 2010.

7. Mrs. Preetorius also lived in Georgia for some forty years.

8. Mr. Preetorius lived in Georgia for over 20 years.

9. For several years, Plaintiffs were significantly involved in lawful business activities relating to real estate in Georgia.

10. Mrs. Preetorius had been a successful real estate investor in the greater Augusta, Georgia, area since 2001 (with substantial activity also in the greater Atlanta area), until the real estate market started to decline rapidly in 2007 and certain ill-willed influences including and especially by Defendants contributed to the final demise of her company, S.D.A. & Associates, Inc.

11. Beginning in or about 2008 and continuing until even the time of the filing of this lawsuit, Defendants, and each of them, have engaged and continue to

engage in a pattern and practice of wrongful conduct which has given rise to significant injury to all and each of Plaintiffs.

12. By Defendants' and each of their conduct, Plaintiffs have lost their good name and personal and professional reputation in the Atlanta (and also the Augusta) area (and other areas in Georgia).

13. Defendants' and each of their conduct has effectively and egregiously precluded Plaintiffs from any ability to continue in the Atlanta (and also the Augusta) area (and other areas in Georgia) to do business as Plaintiffs previously had been successful in doing or else to secure other lawful and gainful employment in Georgia.

14. Plaintiffs herein allege that their damages were a direct and proximate result of Defendants' and each of their wrongful acts of defamation, slander, libel, breaches, misrepresentations, intentional infliction of emotional distress, tortious interference with business relations, and intentional, reckless, malicious, and willful and wanton conduct and/or other fault.

Defendant Corporate Publishers

15. Upon information and belief, the Augusta Chronicle is not itself a separate legal entity. Instead, it is a part of one or more of the affiliated or related Morris Companies (as defined herein).

16. “Morris Communications of Augusta, Georgia is a privately held media company with diversified holdings that include newspaper and magazine publishing, outdoor advertising, radio broadcasting, book publishing and distribution, visitor publications and online services. Newspapers are the foundation and core business of the company owned by the Morris family since 1945. Today the Georgia-based enterprise reaches across the nation, has holdings in Europe and employs 6,000 people. The company publishes 13 daily newspapers and a number of nondaily newspapers with a combined circulation in the range of 700,000. They include the Augusta Chronicle in Augusta, Georgia” http://en.wikipedia.org/wiki/Morris_Communications (last visited May 25, 2011).

17. “Morris Publishing Group is a wholly owned subsidiary of Morris Communications Co. and publishes 13 daily newspapers as well as nondaily newspapers, city magazines and free community publications in the Southeast, Midwest, Southwest and Alaska.” <http://www.morris.com/> (last visited May 25, 2011).

18. Morris Publishing Group’s “Daily Newspapers” include “the Augusta (Ga.) Chronicle.” http://www.morris.com/divisions/morris_publishing_group/daily_newspapers/index.shtml (last visited May 25, 2011).

19. Defendant Morris Publishing Group, LLC, is a Georgia limited liability company.

20. Defendant Morris Publishing Group, LLC, has its principal office address located at 725 Broad Street, Augusta, Georgia 30901-1336.

21. The registered agent for Defendant Morris Publishing Group, LLC, is Corporation Service Company, 40 Technology Pkwy South, Suite 300, Norcross, Georgia 30092.

22. Defendant Morris Communications Company, LLC, is a Georgia limited liability company.

23. Defendant Morris Communications Company, LLC, has its principal office address located at 725 Broad Street, Augusta, Georgia 30901-1336.

24. The registered agent for Defendant Morris Communications Company, LLC, is Corporation Service Company, 40 Technology Pkwy South, Suite 300, Norcross, Georgia 30092.

25. Defendant Morris Communications Holding Company, LLC, is a Georgia limited liability company.

26. Defendant Morris Communications Holding Company, LLC, has its principal office address located at 725 Broad Street, Augusta, Georgia 30901-1336.

27. The registered agent for Defendant Morris Communications Holding Company, LLC, is Corporation Service Company, 40 Technology Pkwy South, Suite 300, Norcross, Georgia 30092.

28. Defendant Morris Communications Media Group, Inc., is a Georgia corporation.

29. Defendant Morris Communications Media Group, Inc., has its principal office address located at 725 Broad Street, Augusta, Georgia 30901-1336.

30. The registered agent for Defendant Morris Communications Media Group, Inc., is Corporation Service Company, 40 Technology Pkwy South, Suite 300, Norcross, Georgia 30092.

31. Defendant Morris Communications Corporation is a Georgia corporation.

32. Defendant Morris Communications Corporation has its principal office address listed as P.O. Box 1928, Augusta, Georgia 30903-1928.

33. The registered agent for Defendant Morris Communications Corporation is W. Hale Barrett, 801 Broad Street, Augusta, Georgia 30913.

34. For convenience of reference herein, Plaintiffs refer to the affiliated or related Defendant Morris entities collectively as the "*Morris Companies*."

Further, any reference to “*The Augusta Chronicle*” is a reference to the Morris Companies.

35. Upon information and belief, one or more of the affiliated or related Defendant Morris Companies transacts business, maintains office activities, and enjoys a broad circulation of its business activities, including The Augusta Chronicle, within the United States District Court for the Northern District of Georgia, including the Atlanta Division.

36. The “WordPress.com website . . . is owned and operated by Automattic, Inc.” <http://en.wordpress.com/tos/> (last visited May 25, 2011).

37. Defendant Automattic, Inc., has offices located at 60 29th Street #343, San Francisco, CA 94110-4929. <http://automattic.com/contact/> (last visited on May 25, 2011).

38. Defendant Automattic, Inc., is a Delaware corporation.

39. The registered agent for Defendant Automattic, Inc., in Delaware is National Registered Agents, Inc., 160 Greentree Drive, Suite 101, Dover, Delaware 19904.

40. Defendant Automattic, Inc., is registered to do business in California as a foreign corporation.

41. The registered agent for Defendant Automattic, Inc., in California is Toni Schneider, Pier 38 at the Embarcadero, San Francisco, California 94107.

42. The Atlanta Bankruptcy Law News, upon information and belief, is owned and operated by “Findlaw,” a Thomson Reuters business. http://company.findlaw.com/company_info.html (last visited May 28, 2011).

43. Upon information and belief, Defendant Findlaw Acquisition Corp. is the owner and operator of Atlanta Bankruptcy Law News.

44. Defendant Findlaw Acquisition Corp. is a Delaware corporation.

45. The registered agent for Defendant Findlaw Acquisition Corp. is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

46. There are twenty-six corporate entities of Thomson Reuters listed as having been formed in Delaware alone. Plaintiffs at this time are unaware which one (or more) of the Thomson Reuters entities has ownership of “Findlaw” and the “Atlanta Bankruptcy Law News” and thus considers Thomson Reuters to be one or more Defendants DOES.

Defendant Individuals

47. At all times material hereto, upon information and belief, Defendant Sandy Hodson (hereinafter also “*Ms. Hodson*”), a Staff Writer for the Augusta

Chronicle, was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Augusta, Richmond County, Georgia.

48. At all times material hereto, upon information and belief, Defendant Johnny Edwards (hereinafter also "**Mr. Edwards**"), a Staff Writer for the Augusta Chronicle, was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Augusta, Richmond County, Georgia.

49. Defendant Duncan Wierman (hereinafter also "**Mr. Wierman**") is a staff writer for WordPress.com and author of the February 26, 2011, article on WordPress.com, "Mortgage Assignments / Subject 2 – Being Called A Crime in Economy." <http://duncanwierman.wordpress.com/2011/02> (last visited May 25, 2011).

50. At all times material hereto, upon information and belief, Defendant Mr. Wierman was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of South Carolina, residing in Spartanburg County, South Carolina.

51. Defendant Steven Tanner (hereinafter also "**Mr. Tanner**") is a staff writer for the Atlanta Bankruptcy Law News (and Findlaw) and author of the June 7, 2010, article, "‘Foreclosure Rescue’ Scheme Blamed For 12 Bankruptcies."

<http://atlantabankruptcynews.com/2010/06/foreclosure-rescue-scheme-blamed-for-12-bankruptcies.html> (last visited May 28, 2011).

52. At all times material hereto, upon information and belief, Defendant Mr. Tanner was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia.

53. At all times material hereto, upon information and belief, Defendant Rory McNaughton (hereinafter also "**Mr. McNaughton**"), was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Gwinnett County, Georgia, which is within the Atlanta Division of the United States District Court for the Northern District of Georgia.

54. At all times material hereto, upon information and belief, Defendant Latisha Bell (hereinafter also "**Ms. Bell**"), was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Fulton County or Cobb County, Georgia, with an office address also in Fulton County or Cobb County, Georgia, both of which are within the Atlanta Division of the United States District Court for the Northern District of Georgia.

55. At all times material hereto, upon information and belief, Defendant Jack Long (hereinafter also "**Mr. Long**") was a United States citizen and was

and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Augusta, Richmond County, Georgia.

56. At all times material hereto, upon information and belief, Defendant Jim Overstreet (hereinafter also "**Mr. Overstreet**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Augusta, Richmond County, Georgia.

57. At all times material hereto, upon information and belief, Defendant Joseph Mitchell (hereinafter also "**Mr. Mitchell**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

58. At all times material hereto, upon information and belief, Defendant Joe Ingram (hereinafter also "**Mr. Ingram**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

59. At all times material hereto, upon information and belief, Defendant Travis Howard (hereinafter also "**Mr. Howard**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Harlem or Grovetown, Columbia County, Georgia.

60. At all times material hereto, upon information and belief, Defendant Barbara Ring (hereinafter also "**Ms. Ring**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of South Carolina, residing in Aiken County, South Carolina.

61. At all times material hereto, upon information and belief, Defendant Lillian Smith (hereinafter also "**Ms. Smith**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

62. At all times material hereto, upon information and belief, Defendant Ernestine Evans (hereinafter also "**Ms. Evans**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

63. At all times material hereto, upon information and belief, Defendant LaKenya Barthelemy (hereinafter also "**Mrs. Barthelemy**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Louisiana.

64. At all times material hereto, upon information and belief, Defendant Ernie Barthelemy (hereinafter also "**Mr. Barthelemy**") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Louisiana.

65. At all times material hereto, upon information and belief, Defendant Andrew Sumpter (hereinafter also "*Mr. Sumpter*") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

66. At all times material hereto, upon information and belief, Defendant Alester Sumpter (hereinafter also "*Ms. Sumpter*") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

67. At all times material hereto, upon information and belief, Defendant Ganga Rao (hereinafter also "*Mr. Rao*") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Maryland.

68. At all times material hereto, upon information and belief, Defendant Dennis Malone was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

69. At all times material hereto, upon information and belief, Defendant David Malone was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

70. At all times material hereto, upon information and belief, Defendant Juan Valencia (hereinafter also "*Mr. Valencia*") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

71. At all times material hereto, upon information and belief, Defendant Decia Bostic-Valencia (hereinafter also "*Mrs. Valencia*") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

72. At all times material hereto, upon information and belief, Defendant Arthur Kent (hereinafter also "*Mr. Kent*") was a United States citizen and was and/or is for jurisdictional purposes a resident of the State of Georgia, residing in Richmond County or Columbia County, Georgia.

73. At all times material hereto, upon information and belief, Defendants Mr. and Mrs. Michael Rollins were United States citizens and were and/or are for jurisdictional purposes residents of the State of Georgia, residing in Evans, Columbia County, Georgia.

Defendants DOES 1-100

74. The true names and capacities, whether individual, corporate, associate, or otherwise, of the Defendants designated herein as Defendants DOES

1 through 100, inclusive, are unknown (or, at least in some instances, at least not clearly known) to Plaintiffs, and Plaintiffs therefore sue said Defendants DOES 1 through 100 by such fictitious names. When the true names and capacities of such fictitiously named Defendants have been ascertained, this pleading will be amended. Plaintiffs are informed and believe and thereon allege that each of these fictitiously named Defendants is responsible in some manner for the occurrences alleged, and that Plaintiffs' damages, as alleged, were proximately caused by these Defendants.

75. As examples, Defendants DOES who were individuals "blogging" or otherwise remarking on and posting statements for viewing online and linked to one or more articles of the Augusta Chronicle, and which Defendants DOES are only known in that blogging context as, e.g., "they call me pete," "atwitsend," "CAPSGAL," "justus4," "tdp," "fighterzack," "mdottt," "Cody_Webster," "giwi," "noway," "ruddyardkipperlings," "CSRaider," "SIGHER," "kk19299," "bulldog08," and "canubelieveit" and several other anonymous names, made additional and multiple defamatory statements.

76. As additional examples, Defendants DOES "fishman960," "getalife," "bettyboop," "seenitB4," "TakeAstand," "angeleyes," "lsmith," and "atlissickandtired" made defamatory statements in blog posts on or after June 1,

2010, which are tied to the June 1, 2010, Augusta Chronicle article online. <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

77. Some Defendants DOES are the corporate publishers of online articles, where Plaintiffs at this time are not fully aware of their identities.

78. For convenience of reference herein, Plaintiffs refer to the Defendants (including DOES 1-100) collectively as the “*Defendants.*”

JURISDICTION AND VENUE

79. This Court has jurisdiction over the claims asserted in this matter pursuant to 28 U.S.C. § 1332.

80. Each Plaintiff’s damages is well in excess of the jurisdictional minimum of this Court, exclusive of interest, costs, and attorneys’ fees, and Plaintiffs’ damages collectively are no less than twenty million dollars (\$20,000,000.00 USD).

81. Venue in the United States District Court for the Northern District of Georgia, Atlanta Division, is proper, including pursuant to 28 U.S.C. § 1391 and Local Rule 3.1(B).

82. Some of the real estate properties at issue, including in the business activities of one or more Plaintiffs, were in DeKalb County, Gwinnett County, and

other nearby counties which are within the Atlanta Division of the United States District Court for the Northern District of Georgia.

83. Plaintiff Marie Champagne attended and also made presentations at several National Real Estate Investors Association meetings in the greater Atlanta area.

84. A large online readership of the Augusta Chronicle (if not also, upon information and belief, its significant hard copy newspaper readership) is by individuals, which among them are Defendants Mr. McNaughton and Ms. Bell, residing within the Atlanta Division of the United States District Court for the Northern District of Georgia.

85. Defendant DOE “atlissickandtired,” who posted a blog on September 1, 2010, which has been and still is tied online to the June 1, 2010, Augusta Chronicle, declares residence “in Atlanta.” <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

86. A large online readership of the Atlanta Bankruptcy Law News is by individuals residing within the Atlanta Division of the United States District Court for the Northern District of Georgia.

87. Indeed, a substantial part of the events or omissions giving rise to this lawsuit, including the events giving rise to the June 1, 2010, Augusta Chronicle

Article, occurred within the Atlanta Division of the United States District Court for the Northern District of Georgia.

FACTUAL BACKGROUND

88. Within the past year and prior thereto, and including upon information and belief, Defendants and each of them made certain oral or written misrepresentations of an untrue and defamatory nature about one or more Plaintiffs.

89. Some such untrue and defamatory statements were made by one or more Defendants to officials at certain government agencies.

90. Plaintiffs, however, were always lawfully engaged in any business activities relating to real estate.

91. The downturn in the economy, beginning in at least the summer of 2007, caused Plaintiffs to have severe difficulty in their business activities relating to real estate, which difficulties were exacerbated – even eclipsed – by the wrongful acts of Defendants toward all and each of Plaintiffs.

92. Plaintiffs were aware of the unlawful, intentional, and/or negligent activities of one or more Defendants in activities relating to real estate and against Plaintiffs.

93. When Plaintiffs became aware of these activities of one or more Defendants, Plaintiffs sought to expose and to a certain extent did expose Defendants' wrongdoing.

94. As a result, one or more Defendants made efforts to remove Plaintiffs from the real estate marketplace in Georgia in part by making groundless and false accusations and defamatory statements against Plaintiffs and engaging in a "trial of the media."

95. Because of the injury to Plaintiffs' personal and business reputation brought on by Defendants' and each of their actions, Plaintiffs, through no additional fault of their own, were unable to continue on in their business pursuits in Georgia, including in the greater Atlanta area, notwithstanding their concerted efforts, including those of Mrs. Champagne, to do so in the greater Atlanta area as late as Summer 2010.

96. Including within the past year, one or more Defendants made certain oral and/or written misrepresentations of an untrue and defamatory nature, including in public, by email or other written correspondence, by online "blog" postings, by continuing to "publish" prior online articles and/or blog postings, or otherwise.

97. Defendants, and each of them, have injured Plaintiffs by making unwarranted attacks, factually incorrect statements, misleading statements, unfair inferences, exaggeration, innuendo, statements made in a spirit of animosity, and other wrongful and defamatory statements, personal threats, and actions.

98. Under the theories of respondeat superior, negligent supervision, negligent retention, and/or ratification, each Defendant who is a corporate publisher is responsible for the wrongful acts of its agents and employees who served as staff writers or editors.

The Several Augusta Chronicle Articles and Related Blog Posts

99. Less than one year ago, on Tuesday, June 1, 2010, The Augusta Chronicle published an article, "Investors ditch deal on homes: Woman in failed 'foreclosure rescue' business tries again," written by Defendant Ms. Hodson, Staff Writer.

100. The article was published by The Augusta Chronicle through a hard copy printed newspaper publication to its broad "newspaper" readership as well as through its online Web site, www.chronicle.augusta.com, to an even broader audience, including in the Atlanta, Georgia, area.

101. The June 1, 2010, Augusta Chronicle article includes defamatory statements in the article itself. Plaintiffs will not enumerate herein all such grossly

false or inaccurate and defamatory statements from the article and written by Defendant Ms. Hodson and The Augusta Chronicle. However, as an example, after her court proceedings many years ago, Mrs. Champagne was never “ordered to repay [alleged] victims” any amount of money at all and certainly not “more than \$800,000.” See <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

102. The June 1, 2010, Augusta Chronicle article also includes defamatory statements in the form of “blog” postings posted by individuals on or after June 1, 2010, and for all the world to see, including from Defendants DOES “fishman960,” “getalife,” “bettyboop,” “seenitB4,” “TakeAstand,” “angeleyes,” “lsmith,” and “atlissickandtired.” <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

103. As recently as September 1, 2011, Defendant DOE “atlissickandtired” posted a blog, which is still tied to the June 1, 2010, Augusta Chronicle, and engaged in defamatory statements: “I live in Atlanta and I too was scammed by these people and after reading this article I’m mailing my civil claim papers out. Regina and Marie are not only scamming investors but also hard working people thinking they can get into home[s]. . . . I also contacted the FBI and . . . I hope they

both rot in jail.” <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

104. In the defamatory statements made in the June 1, 2010, Augusta Chronicle article and blog posts, the unfounded, unsubstantiated, defamatory, and injurious lexicon of Defendants is to speak of one or more of Plaintiffs herein as follows: “crooks”; “They all should be behind bars. They will continue with some type scam because that is all they know, cheating people for a living.”; “Thank goodness she did’nt [sic] get to pull her scams again!.....Maybe this will end her life of crime.....”; “What jerks....& usually the innocent folks suffer the most from these crooks.”; “scam artists”; “unethical lady”; “an immoral woman”; “i hope the people in atlanta get wind of what happened here.”; “the shenanigans of these people”; and “dishonest.” <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

105. From one of the June 2010 Augusta Chronicle bloggers comes a correct and insightful statement – which underscores the problem here in terms of the ease with which some Defendants DOES engaged in the defamation of Plaintiffs – that it is “[i]nteresting how bold critics here become when hiding behind the anonymity of the Internet. - Robert Kim (Aiken, SC).”

<http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes>
(last visited May 28, 2011).

106. The June 1, 2010, Augusta Chronicle article also includes defamatory statements in the form of a “RELATED STORIES” section with links to several prior Augusta Chronicle articles and their related “blog” posts from many individuals, defamatory statements memorialized and newly and deliberately published again by The Augusta Chronicle on June 1, 2010, for all the world to continue to see. The “RELATED STORES” link, published on June 1, 2010, at The Augusta Chronicle’s Web site, includes the following additional articles: “Suits question real estate transactions” (Augusta Chronicle, Sandy Hodson, Staff Writer, Sunday, Aug. 17, 2008); “Couple says holdings are protected” (Augusta Chronicle, Sandy Hodson, Staff Writer, Thursday, Sept. 11, 2008); “Fraud involved in home deals, lawsuit claims” (Augusta Chronicle, Johnny Edwards, Staff Writer, Tuesday, Nov. 4, 2008); and “Creditors stand in way of bankruptcy” (Augusta Chronicle, Sandy Hodson, Staff Writer, Sunday, Nov. 16, 2008).
<http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes>
(last visited May 28, 2011).

107. The June 1, 2010, Augusta Chronicle article constituted a new printing of the paper, and its exposure to public view – including its online

publication with its several blog posts and also its “RELATED STORIES” links to prior, archived Augusta Chronicle articles with their several blog posts – constitutes a new libel actionable at law.

108. Each of these articles from The Augusta Chronicle, said to be written by either Defendant Ms. Hodson or Defendant Mr. Edwards, upon information and belief, also had input by other writers or editors of The Augusta Chronicle and, until those individuals are known to Plaintiffs, they are considered Defendants DOES herein.

109. The defamatory statements from these earlier articles of The Augusta Chronicle, still online for the whole world to see, including someone seeing them for the first time here in May 2011, include such spurious, untrue, injurious, and defamatory statements from Defendants DOES and about Plaintiffs as follows: “cheat”; “liar”; “Ms. Preetorius and her husband belong in JAIL”; “What a family! THIEVES...every last one of them!”; “People like this who defraud others make me sick. This person, as well as any others involved, deserve massive jail time.”; “It was all a racket.”; “I’m a Realtor and it was EASY to see through the scam.”; “serious crime”; “citizens were defrauded, thousands of dollars lost”; “criminals”; “fraud”; “committed fraud”; “She [Mrs. Preetorius] is a total cheat and a liar”; “thief”; “It was such a complete scam.”; “This woman needs to go to jail.”;

“con game”; “They are all crooks and do deserve jail time as they misrepresented [sic] themselves”; “She is scum and should rot in jail. Yes, people should do their homework first, but this woman should rot in you know where!”; “the fraud and racketeering charges will stick”; “I hope they give her 10 years or more.”; “I hope they only give you 50 years.”; “I now hope Regina gets 80 years.”; and “I know a Guy named Tony that would pay someone a visit for actions like this.” Linked through “RELATED STORIES” tab at <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

110. A “Forums >> Public Affairs” online “forum” hosted by The Augusta Chronicle also includes defamatory postings from 2008 by Defendants DOES “Lillian Smith” (a name or pseudonym unknown to Plaintiffs) and “Peanut” with such defamatory statements as, “They preyed on people who were down on their luck”; “They probably made the bulk of their money on those whom they ‘knew’ would never be able to fulfill the terms of agreement”; “These people lied, cheated, and stole from those poor people. They all belong in jail”; and “They are guilty of fraud. They preyed on people and their circumstances.” These defamatory statements are still viewable online. <http://forums.augusta.com/viewtopic.php?p=80861> (last visited May 28, 2011).

111. All of this defamatory tumult – from the articles themselves and also the blog posts – was not enough for The Augusta Chronicle to decide to look further into the allegations against Plaintiffs in an effort to determine the unsubstantiated nature and the falsity of the prior statements of The Augusta Chronicle and the Defendants DOES bloggers.

112. Instead, when one or more Plaintiffs called upon The Augusta Chronicle to retract (or else take down from its online site) the prior articles and blog posts, brazenly came the corporate publisher's reply in its June 1, 2010, article: "*The Chronicle* stands by its report [and earlier articles] and has not removed any stories from the Internet." <http://chronicle.augusta.com/news/metro/2010-06-01/investors-ditch-deal-homes> (last visited May 28, 2011).

113. Many of the blog posts directly linked to the June 1, 2010, Augusta Chronicle article, which were posted after the article was published, as well as those blog posts linked to the prior articles, are not at all in compliance with The Augusta Chronicle's "Posting Rules" (the "***Posting Rules***") to which all individuals posting any blogs online must abide and which The Augusta Chronicle cautions it will strictly enforce.

114. The Posting Rules stress the corporate publisher's ability and "right to remove any content posted on our site" which fails to conform with the Posting Rules.

115. The Posting Rules strongly caution that bloggers "not post material that: * contains abusive . . . or hateful language or expressions, epithets or slurs, [or] text . . . in poor taste, or attacks of a personal . . . or religious nature.[;] * is defamatory, threatening, disparaging, grossly inflammatory, false, misleading, fraudulent, inaccurate, unfair, contains gross exaggeration or unsubstantiated claims, violates the privacy rights of any third party, [or] is unreasonably harmful or offensive to any individual . . . or business.[;] * violates any right of . . . any third party.[;] . . . [or] * 'flames' any individual or entity (e.g., . . . makes derogatory or offensive comments about another individual)."

116. The Posting Policy further cautions: "WARNING: A VIOLATION OF THE FOREGOING GUIDELINES MAY BE REFERRED TO LAW ENFORCEMENT AUTHORITIES."

117. The Augusta Chronicle selectively ignored its own Posting Rules given the staff writers' and editors' editorial bias on the several articles (including the June 1, 2010, article) written against Plaintiffs. This is plainly evident from the many statements within the blog posts (whether from the June 1, 2010, article itself

or from prior articles), which are not at all in conformity with The Augusta Chronicle's Posting Rules, which blog posts still appear online, and which were never – but could have been and should have been – removed in accordance with the Posting Rules.

118. The Posting Rules were not enforced by The Augusta Chronicle, to the severe detriment of all and each of Plaintiffs.

119. While The Augusta Chronicle (and every other Defendant corporate publisher herein) may not have had any ability to control what a third party might say on a blog post before it was posted, once posted, the corporate publisher, such as The Augusta Chronicle, had an affirmative obligation – in accordance with its “Posting Policy” – to determine if any violation of the publisher's policy had occurred and to remove, within a reasonable amount of time, any content written by a third party which was not in conformity with the corporate publisher's policies.

120. Here, The Augusta Chronicle, as an example of the several corporate publishers as Defendants herein, allowed the scurrilous blog posts by others to continue to appear online without “taking down” those postings. The several corporate publishers, including The Augusta Chronicle, knew or had reason to

know of the falsity or otherwise defamatory nature of the blogged/posted statements but did nothing to correct this grave problem.

The Several Other Articles and Related Blog Posts

121. Another factually inaccurate and otherwise defamatory online article has been published less than one year ago on WordPress.com, “Mortgage Assignments / Subject 2 – Being Called A Crime in Economy,” first published on February 26, 2011, written by Defendant Mr. Wierman, a staff writer for WordPress.com, and which article contains a “hyperlink” to one of The Augusta Chronicle’s articles. <http://duncanwierman.wordpress.com/2011/02> (last visited May 25, 2011).

122. In the February 26, 2011, WordPress.com article, Defendant Mr. Wierman makes defamatory reference to “scumbags like Regina Preetorius” and falsely and maliciously states that Mrs. Preetorius “was using the private lender money for her own [personal residence mortgage] payments instead of [for] the houses.” <http://duncanwierman.wordpress.com/2011/02> (last visited May 25, 2011).

123. Another factually inaccurate and otherwise defamatory online article has been published less than one year ago in the Atlanta Bankruptcy Law News, “‘Foreclosure Rescue’ Scheme Blamed For 12 Bankruptcies,” first published on

June 7, 2010, written by Defendant Mr. Tanner, a staff writer for the Atlanta Bankruptcy Law News (and Findlaw), which article cites The Augusta Chronicle as at least one of its sources. <http://atlantabankruptcynews.com/2010/06/foreclosure-rescue-scheme-blamed-for-12-bankruptcies.html> (last visited May 28, 2011).

124. Still other reviews or articles online – “updated” within the last year even if written earlier – abound, such as a “review” “[l]ast updated 1.11.11 [i.e., January 11, 2011]” regarding “Preetorius, Regina – SDA & Associates Incorporated” with an underlying article, “DO NOT DO BUSINESS WITH THIS WOMAN,” written by blogger/defaming Defendant DOE “justiceleague2009,” and published by Defendant DOE Citysearch at www.national.citysearch.com (which, upon information and belief, is owned or operated by Defendants DOES Bluefoot Ventures Inc. and/or CityGrid Media), with such defamatory statements as “I rated her a 1 because a rating was required, in my opinion she should be in jail.” http://national.citysearch.com/profile/43894285/augusta_ga/preetorius_regina_sda_associates_incorporated.html (last visited May 28, 2011).

125. Defendant DOE The Home Equity Theft Reporter, whose full corporate identity is not known to Plaintiffs, continues to report online in full the prior Augusta Chronicle articles as if it were a laudatory public service instead of

simply continuing the proliferation of the defamations. <http://homeequitytheft.blogspot.com/search?q=preetorius> (last visited May 28, 2011).

126. Some Defendants' Facebook pages even have hyperlinks to one or more online defamatory articles and related blog posts about Plaintiffs. Here the wonder of the Internet has facilitated significant injury to Plaintiffs. (At this juncture, Plaintiffs are unsure whether to consider Facebook a Defendant DOE, presuming only that the individual Facebook users themselves are solely responsible for the hyperlinks and the defamation on their Facebook pages.)

FIRST CAUSE OF ACTION

(Libel against All Defendants)

127. Plaintiffs hereby re-allege and incorporate by reference all previous allegations as though fully set forth herein.

128. Under Georgia law, "[a] libel is a false and malicious defamation of another, expressed in print, writing, pictures, or signs, tending to injure the reputation of the person and exposing him to public hatred, contempt, or ridicule." O.C.G.A. § 51-5-1(a).

129. Stated another way, under Georgia law, a cause of action for libel, i.e., a written defamation, consists of four elements: "(1) a false and defamatory [written or "published"] statement concerning the plaintiff; (2) an unprivileged

communication to a third party; (3) fault by the defendant amounting at least to negligence; and (4) special harm or the actionability of the statement irrespective of special harm.” Mathis v. Cannon, 276 Ga. 16, 20-21(2), 573 S.E.2d 376 (2002) (punctuation and footnote omitted); *see also* Smith v. Stewart, 660 S.E.2d 822, 828 (Ga. Ct. App. 2008) (under Georgia law, elements of defamation claim are: (1) a false statement about the plaintiff; (2) communication of the statement to a third party in the absence of a special privilege to do so; (3) fault of the defendant amounting at least to negligence; and (4) harm to the plaintiff, unless the statement amounts to per se defamation).

130. Georgia recognizes that certain statements constitute defamation per se. These statements are so egregious that they will always be considered defamatory and are assumed to harm the plaintiff’s reputation, without further need to prove that harm. Under Georgia statutes, a statement is defamatory per se if, among other things, it charges another person with a crime punishable by law or refers to the trade, office, or profession of another person and is calculated to injure him. *See* O.C.G.A. § 51-5-4.

131. Georgia courts have interpreted defamation per se to include statements “that one is guilty of a crime, dishonesty or immorality.” Eidson v. Berry, 415 S.E.2d 16, 17 (Ga. Ct. App. 1992).

132. Plaintiffs here under Georgia law are “private figure” plaintiffs, in which case they only need to prove that Defendants were at least negligent with respect to the truth or falsity of the defamatory and libelous statements.

133. Defendants and each of them committed libel where they made one or more false statements, expressed in print or writing and to a third party, against each or all of Plaintiffs, which tended to and in fact did injure the reputation of each or all of Plaintiffs, exposing each or all of Plaintiffs to public hatred, contempt, or ridicule.

134. These written or “published” statements of each or all of Defendants were false and defamatory concerning one or all of Plaintiffs; they were unprivileged communications to a third party; Defendants and each of them were at least negligent in making the statements without verifying the underlying facts; and special harm to each or all of Plaintiffs accrued or else the statements are actionable irrespective of special harm.

135. Defendants’ and each of their defamatory and libelous statements placed Plaintiffs and each of them in a false light in the public eye.

136. In certain instances, one or more Defendants charged each or all of Plaintiffs with a crime punishable by law or with dishonesty or immorality and calculated to injure each or all of Plaintiffs; or else one or more Defendants

referred to the trade or profession of each or all of Plaintiffs and calculated to injure each or all of Plaintiffs.

137. In addition thereto, however, Plaintiffs at least in certain instances as to certain Defendants can additionally prove that one or more Defendants acted with actual malice, i.e., knowing that the libelous statements were false or recklessly disregarding their falsity.

138. And in all of these defamatory and libelous statements, Defendants and each of them alleged a pattern and practice of each or all of Plaintiffs, not a single instance of mistake or ignorance on the part of each or all of Plaintiffs as a business or professional person.

139. As a direct and proximate result of Defendants' and each of their wrongful acts and libels against Plaintiffs, Plaintiffs have been damaged and have suffered general and consequential damages as well as costs and attorneys' fees in an amount to be proven at the time of trial but which Plaintiffs allege is no less than twenty million dollars.

140. Plaintiffs will additionally seek punitive damages for Defendants' and each of their additional malicious conduct.

WHEREFORE, Plaintiffs pray for judgment as hereinafter set forth.

SECOND CAUSE OF ACTION

(Slander against All Defendants)

141. Plaintiffs hereby re-allege and incorporate by reference all previous allegations as though fully set forth herein.

142. Plaintiffs here under Georgia law are “private figure” plaintiffs, in which case they only need to prove that Defendants were at least negligent with respect to the truth or falsity of the defamatory and slanderous statements.

143. Defendants and each of them committed slander where they made one or more false statements, expressed orally and to a third party, against each or all of Plaintiffs, which tended to and in fact did injure the reputation of each or all of Plaintiffs, exposing each or all of Plaintiffs to public hatred, contempt, or ridicule.

144. These oral statements of each or all of Defendants were false and defamatory concerning one or all of Plaintiffs; they were unprivileged communications to a third party; Defendants and each of them were at least negligent in making the statements without verifying the underlying facts; and special harm to each or all of Plaintiffs accrued or else the statements are actionable irrespective of special harm.

145. Defendants’ and each of their defamatory and slanderous statements placed Plaintiffs and each of them in a false light in the public eye.

146. In certain instances, one or more Defendants charged each or all of Plaintiffs with a crime punishable by law or with dishonesty or immorality and calculated to injure each or all of Plaintiffs; or else one or more Defendants referred to the trade or profession of each or all of Plaintiffs and calculated to injure each or all of Plaintiffs.

147. In addition thereto, however, Plaintiffs at least in certain instances as to certain Defendants can additionally prove that one or more Defendants acted with actual malice, i.e., knowing that the slanderous statements were false or recklessly disregarding their falsity.

148. And in all of these defamatory and slanderous statements, Defendants and each of them alleged a pattern and practice of each or all of Plaintiffs, not a single instance of mistake or ignorance on the part of each or all of Plaintiffs as a business or professional person.

149. As a direct and proximate result of Defendants' and each of their wrongful acts and slanders against Plaintiffs, Plaintiffs have been damaged and have suffered general and consequential damages as well as costs and attorneys' fees in an amount to be proven at the time of trial but which Plaintiffs allege is no less than twenty million dollars.

150. Plaintiffs will additionally seek punitive damages for Defendants' and

each of their additional malicious conduct.

WHEREFORE, Plaintiffs pray for judgment as hereinafter set forth.

THIRD CAUSE OF ACTION

***(Tortious Interference with Business Relations against
All Defendants)***

151. Plaintiffs hereby re-allege and incorporate by reference all previous allegations as though fully set forth herein.

152. Plaintiffs had the right to conduct business relations in Georgia, including the greater Atlanta area (and the Augusta area and other parts of Georgia), without any wrongful and tortious interference by others.

153. Defendants and each of them had a duty not to tortiously interfere with the business relations of each and all of Plaintiffs, which duty Defendants and each of them breached, directly and proximately causing all and each of Plaintiffs severe interference with their then current or prospective business relations and economic advantage and by which Plaintiffs suffered related injury and significant damages.

154. Because of Defendants' and each of their wrongful actions, Plaintiffs lost many business associates and numerous business opportunities.

155. Mrs. Preetorius had been on the verge of participating in real estate on a much more significant scale, but the actions of Defendants and each of them

altogether quashed those additional opportunities.

156. Because of Defendants' and each of their actions, Mrs. Champagne and Mrs. Preetorius both lost out on specific job opportunities in Georgia (unrelated to real estate) whose annual salaries were between \$75,000 to \$100,000.

157. Because of Defendants' and each of their actions, Neville, LLC, headed by Mrs. Champagne, was effectively forced out of business.

158. Because of Defendants' and each of their actions, S.D.A. & Associates, Inc., headed by Mrs. Preetorius, was effectively forced out of business.

159. Because of Defendants' and each of their actions, Plaintiffs were forced to leave Georgia in large part because of the injury to Plaintiffs' personal and business reputations and inability to maintain their lawful real estate activities or else to find other suitable gainful employment.

160. As a direct and proximate result of Defendants' and each of their wrongful acts and tortious interference with Plaintiffs' business relations, Plaintiffs have been damaged and have suffered general and consequential damages as well as costs and attorneys' fees in an amount to be proven at the time of trial but which Plaintiffs allege is no less than twenty million dollars.

WHEREFORE, Plaintiffs pray for judgment as hereinafter set forth.

FOURTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress against All Defendants)

161. Plaintiffs hereby re-allege and incorporate by reference all previous allegations as though fully set forth herein.

162. A defendant may be held liable for the tort of intentional infliction of emotional distress where his conduct is of such serious import as to naturally give rise to such intense feelings of humiliation, embarrassment, right, or extreme outrage as to cause severe emotional distress.

163. Defendants and each of them had a duty not to intentionally inflict emotional distress upon each and all of Plaintiffs, which duty Defendants and each of them breached, directly and proximately causing all and each of Plaintiffs severe emotional distress and related injury and damages.

164. Defendants' several articles and litany of blog posts all defaming Plaintiffs, coupled with Defendants' interference with Plaintiffs' business relations, were outrageous and were intentionally calculated to cause and in fact did directly and proximately cause Plaintiffs severe emotional distress.

165. Mrs. Champagne received one or more direct and immediate oral and/or written threats against her person, and she had reason to fear someone would follow through with them.

166. Mrs. Preetorius received one or more direct and immediate oral and/or written threats against her person, and she had reason to fear someone would follow through with them.

167. Because of Defendants' and each of their wrongful and egregious actions, Plaintiffs lost many friends, which was severely distressing to Plaintiffs.

168. Because of Defendants' and each of their actions, Plaintiffs were forced to leave Georgia in large part because of the injury to Plaintiffs' personal and business reputations and inability to maintain their lawful real estate activities or else to find other suitable gainful employment.

169. Because of Defendants' and each of their actions, Plaintiffs were ultimately forced to leave Georgia in part due to property damage and even death threats against Plaintiffs.

170. As a result, Plaintiffs lost the close geographical proximity to and constant companionship of their family members and many friends in Georgia.

171. For Mrs. Preetorius, the emotional distress became so severe that in 2009, she was taken by ambulance and hospitalized for seizures, which her doctors determined were brought on by the significant amount of excessive stress she had been experiencing for some time.

172. For Mr. Preetorius, the emotional distress became so severe that in

2009, he was hospitalized with chest pains, severe headaches, and elevated blood pressure, which his doctors determined were in part brought on by the significant amount of excessive stress he had been experiencing for some time.

173. Defendants' and each of their actions against all and each of Plaintiffs were outrageous and egregious, warranting punitive damages.

174. As a direct and proximate result of Defendants' and each of their wrongful acts and intentional infliction of emotional distress upon Plaintiffs, Plaintiffs have been damaged and have suffered general and consequential damages as well as costs and attorneys' fees in an amount to be proven at the time of trial but which Plaintiffs allege is no less than twenty million dollars.

175. Plaintiffs will additionally seek punitive damages for Defendants' and each of their additional malicious conduct.

WHEREFORE, Plaintiffs pray for judgment as hereinafter set forth.

JURY DEMAND

Pursuant to applicable law and procedure, including 28 U.S.C. § 1861, Plaintiffs hereby demand a jury on all causes of action and issues relating to Plaintiffs' Complaint.

PRAYER FOR RELIEF

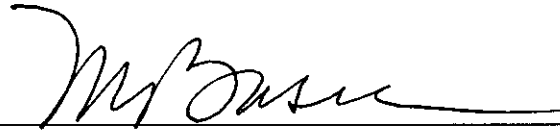
WHEREFORE, Plaintiffs pray for judgment against Defendants as hereinafter set forth:

1. That the Defendants be served with process;
2. That this case be tried before a jury;
3. For an Order by this Court directing a prominent and definitive retraction by each of the corporate publishers in all publications of the prior articles and related voluminous blog posts;
4. For an Order by this Court directing removal by each of the corporate publishers of all Internet articles and related voluminous blog posts;
5. For a judgment jointly and severally against Defendants for special damages in a sum subject to proof at trial, and interest thereon, pursuant to the applicable statutes and related laws of the State of Georgia;
6. For a judgment jointly and severally against Defendants for general damages in a sum subject to proof at trial;
7. For punitive damages;
8. For costs of suit and for attorneys' fees under applicable law;

9. For an order permitting Plaintiffs to augment any judgment in the amount of reasonable costs and attorneys' fees expended in collecting and enforcing said judgment by execution or otherwise established by Affidavit from Plaintiffs' counsel without further notice to Defendants;
10. For prejudgment interest and post-judgment interest according to law; and
11. Plaintiffs further pray for such other and further relief as this Court may deem just and proper.

[Signature Page follows]

Respectfully submitted this 31st day of May, 2011.

A handwritten signature in black ink, appearing to read 'M Bascom', written over a horizontal line.

Michael R. Bascom, Esq.
Attorneys for Plaintiffs

Michael R. Bascom, Esq. (GA Bar No. 041024)
Michael R. Bascom, P.C.
2450 Atlanta Highway, Suite 1302
Cumming, Georgia 30040-1277
Telephone: (770) 889-3911
Facsimile: (770) 889-3929
E-mail: Mike@IntegratedEstate.com
Attorneys for Plaintiffs