

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CARRIE MALEC,

Plaintiff,

v.

No: 10-CV-4092

MTV NETWORKS COMPANY, VIACOM, INC.,
NICOLE "SNOOKI" POLIZZI, JENNI
"JWOWW" FARLEY, and OTHER
UNIDENTIFIED EMPLOYEES OF
CORPORATE DEFENDANTS,

Defendant(s).

COMPLAINT AT LAW

NOW COMES the Plaintiff, CARRIE MALEC, by and through her attorney, Blake Horwitz, Esq. of The Blake Horwitz Law Firm, Ltd., and for her Complaint at Law against the Defendant(s), MTV NETWORKS COMPANY, VIACOM, INC., NICOLE "SNOOKI" POLIZZI, and JENNI "JWOWW" FARLEY states as follows:

JURISDICTION

1. The jurisdiction of this Court is invoked under 28 U.S.C. sec. 1332.
2. The amount in controversy, exclusive of costs and interest, exceeds Seventy Five Thousand Dollars.

PARTIES

3. PLAINTIFF CARRIE MALEC is a resident of the State of Illinois and resides within the confines of the Northern District of Illinois.

4. DEFENDANT MTV NETWORKS COMPANY (“MTV”) is a corporation incorporated in the State of Delaware with its principal place of business located at 2600 Colorado Avenue, Santa Monica, California 90404. MTV creates shows such as “Jersey Shore” and broadcasts them over television cable and internet sites. Huge financial profits are made by advertising, selling collateral merchandise, and by receiving payments for personal appearances of the “Jersey Shore” cast, participants, and characters.
5. DEFENDANT VIACOM, INC. (“VIACOM”) is a corporation incorporated in the State of Delaware with its principal place of business located at 1515 Broadway, New York, New York 10036. VIACOM is one of the world’s leading creators of programming and content across all financial profits by selling advertising, by selling collateral merchandise, and by receiving payments for personal appearances of the “Jersey Shore” cast, participants, and characters.
6. DEFENDANT NICOLE “SNOOKI” POLIZZI is a resident of New York.
7. At all relevant times, NICOLE “SNOOKI” POLIZZI was an agent and/or employee of MTV and VIACOM (hereafter “CORPORATE DEFENDANTS”).
8. DEFENDANT JENNI “JWOWW” FARLEY is a resident of New York.
9. At all relevant times, JENNI “JWOWW” FARLEY was an agent and/or employee of CORPORATE DEFENDANTS.
10. Other employees of the CORPORATE DEFENDANTS, as yet unidentified, participated in and/or were involved in the events alleged in this complaint.
11. “Jersey Shore,” a so-called "reality show," is based upon 8 young adults living together during 2010 in South Beach Miami, Florida. The cast / characters / participants in the show "Jersey Shore" are as follows: (1) Angelina, from Staten Island, New York; (2)

DEFENDANT JENNI "J-WOW" FARLEY, Franklyn Square, New York; (3) Mike "The Situation", Staten Island, New York; (4) DEFENDANT NICOLE "SNOOKI" POLIZZI, Marlboro, New York; (5) DJ Pauley D, Johnston, Rhode Island; (6) Ronnie, Bronx, New York; (7) Sammi "Sweetheart", Hazlet, New Jersey, and (8) Vinny, Staten Island, New York.

12. During the show's taping in Miami, the cast, characters, and participants of the show were filmed at various times in social contexts. A major theme of the show is the frequent and random criminal violence that occurs to or involves the cast members, and other people in the locations where the show is being taped.
13. On or about May 6, 2010, PLAINTIFF attended a nightclub, Tantra Restaurant & Lounge, in Miami, Florida.
14. On or about May 6, 2010, the CORPORATE DEFENDANTS, by and through their employees, were filming an episode of "Jersey Shore," at the nightclub alleged in Paragraph 13.
15. On or about May 6, 2010, PLAINTIFF danced with cast member(s) of the show.
16. While PLAINTIFF was dancing with cast member(s), DEFENDANTS NICOLE "SNOOKI" POLIZZI and JENNI "JWOWW" FARLEY, and other employees of the CORPORATE DEFENDANTS approached PLAINTIFF and without her consent initiated an assault, battered, and physically abused PLAINTIFF, causing bodily injury and severe emotional distress.
17. CORPORATE DEFENDANTS, by and through their employees, knowingly placed PLAINTIFF in a situation that would provoke physical harm in order to provide a television spectacle, receive profits, and produce a lucrative business endeavor.

18. Multiple Illinois residents were witnesses to the incident and the damages suffered both in Miami and in Illinois.
19. Multiple individuals have been injured by employees of CORPORATE DEFENDANTS for this television show during instances in which cast members have gotten in physical altercations with innocent bystanders during the show's taping; one instance involving "SNOOKI" kissing a male bystander, which resulted in RONNIE, another cast member, knocking the male bystander unconscious (other incidences will be included in an amended complaint). Employees are employed and/or instructed to cause injury to others so that the show's content can be developed to generate profits when airing the show.
20. DEFENDANTS are currently being sued by other individuals who have been victims of battery by cast members during tapings of the television show, unrelated to PLAINTIFF'S claim.
21. At the present time it is believed the episode filmed on or about May 6, 2010 and including Plaintiff has not aired, however previews containing the PLAINTIFF have already been aired on MTV. If the episode is allowed to air, PLAINTIFF will be thrust into the public spotlight without her consent after being beaten and humiliated by DEFENDANTS. The airing of this episode would cause increased emotional distress.

Count I (Injunctive Relief against CORPORATE DEFENDANTS)

22. PLAINTIFF re-alleges paragraphs 1-21 as though fully set forth herein.
23. PLAINTIFF brings this claim for injunctive relief against DEFENDANTS.
24. As of the filing of this lawsuit, the cast of the "Jersey Shore" and employees of CORPORATE DEFENDANTS are still filming episodes for the show and are participating

in aggressive behavior that generates profits and a lucrative business venture for
CORPORATE DEFENDANTS.

25. The airing of the episode involving PLAINTIFF would cause irreparable harm.

26. There is no adequate remedy at law for the PLAINTIFF.

27. An injunction will cause the rights of the PLAINTIFF to be recognized.

WHEREFORE, the PLAINTIFF respectfully prays that this Court enjoin and order the
CORPORATE DEFENDANTS to refrain airing, broadcasting, or in any other way publishing or
disseminating the episode of “Jersey Shore” alleged in this complaint.

**Count II (Florida State Law Racketeer Influences and Corrupt Organizations Act (RICO)
claim against CORPORATE DEFENDANTS)**

28. PLAINTIFF re-alleges and incorporates by reference the allegations contained in paragraphs
1-21.

29. As a result of the foregoing allegations, CORPORATE DEFENDANTS have violated Fla.
Stat. Ann. Sec. 722.103 by receiving profits from a pattern of unlawful activity by filming
and broadcasting incidences of criminal assault and battery that have been intentionally
provoked by members of the production team and cast of “Jersey Shore” for entertainment
purposes.

30. PLAINTIFF is entitled to damages, reasonable attorney’s fees and court costs under Fla.
Stat. Ann. Sec. 722.104.

WHEREFORE, PLAINTIFF prays that this Court will:

- A. Award PLAINTIFF compensatory damages in excess of \$75,000 or such an amount as is deemed appropriate by the finder of fact;
- B. Award punitive damages;
- C. Award interest and costs of suit;
- D. Award reasonable attorney's fees and costs; and
- E. Award whatever other relief this Court deems necessary and proper.

Count III (State Law Assault and Battery Claim against all DEFENDANTS)

- 31. PLAINTIFF re-alleges and incorporates by reference the allegations contained in paragraphs 1-21.
- 32. DEFENDANTS intentionally exerted force directed toward PLAINTIFF under such circumstances as to create a reasonable fear of imminent peril.
- 33. DEFENDANTS inflicted harmful and offensive contact with PLAINTIFF with the intent to cause such contact.
- 34. As a result of DEFENDANTS' actions, PLAINTIFF has suffered bodily injuries and severe emotional distress.
- 35. DEFENDANTS' actions, as described in the preceding paragraphs were intentional, malicious and in reckless disregard. In order to punish them for their unlawful conduct and to deter future wrongdoing, PLAINTIFF is entitled to an award.
- 36. PLAINTIFF is entitled to recover actual damages or statutory damages, whichever is greater.

WHEREFORE, the PLAINTIFF prays that this Court will:

- A. Award appropriate compensatory damages;
- B. Award punitive damages;
- C. Award interest and costs of suit;
- D. Award reasonable attorney's fees and costs; and
- E. Award whatever other relief this Court deems necessary and proper.

JURY DEMAND

WHEREFORE, the PLAINTIFF respectfully requests a jury trial on all contested issues of material fact.

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