



others and all other matters, and state as follows:

### **NATURE OF ACTION**

1. This is an action for defamation *per se* and deceptive trade practices arising from Defendants' wrongful conduct that included the publication of a fraudulent review defaming and disparaging the Plaintiffs and their services.

2. By this action, Plaintiffs seek compensatory damages, punitive damages, and injunctive relief.

### **PARTIES**

3. JSB LAW PC ("JSB") is an Illinois professional corporation with its principal place of business in McHenry County, Illinois.

4. JUDITH BETHGE is a citizen of the State of Illinois and a resident of McHenry County, Illinois.

5. ROY BETHGE is a citizen of the State of Illinois and a resident of McHenry County, Illinois.

6. JOHN LAMBERTO is an individual who, upon information and belief, is a citizen and resident of Iowa.

7. WEST PUBLISHING CORPORATION is a Minnesota corporation with its principal place of business at 380 Jackson Street, #700, St. Paul, Minnesota 55101.

8. WEST PUBLISHING CORPORATION dba FINDLAW is an assumed name through which WEST PUBLISHING CORPORATION does business and operates from its principal place of business at 610 Opperman Drive, Eagan, Minnesota 55123.

9. FINDLAW is an assumed name through which WEST PUBLISHING CORPORATION does business and operates from its principal place of business at 610 Opperman Drive, Eagan, Minnesota 55123.

10. THOMSON REUTERS APPLICATIONS INC. is a Minnesota corporation incorporated in St. Paul, Minnesota with its principal place of business at 380 Jackson Street, #700, St. Paul, Minnesota 55101.

11. Upon information and belief, THOMSON LEGAL & REGULATORY APPLICATIONS INC. is a Minnesota corporation incorporated in St. Paul, Minnesota with its principal place of business at 380 Jackson Street, #700, St. Paul, Minnesota 55101.

12. WEST SERVICES, INC. is a Delaware corporation with its principal place of business at 380 Jackson Street, #700, St. Paul, Minnesota 55101.

13. THOMSON REUTERS (LEGAL) INC. is a Minnesota corporation with its principal place of business at 380 Jackson Street, #700, St. Paul, Minnesota 55101.

14. WEST PUBLISHING CORPORATION dba THOMSON/WEST is an assumed name through which WEST PUBLISHING CORPORATION does business and operates from its principal place of business at 610 Opperman Drive, Eagan, Minnesota 55123.

15. THOMSON/WEST is an assumed name through which WEST PUBLISHING COMPANY does business and operates from its principal place of business at 610 Opperman Drive, Eagan, Minnesota 55123.

16. THOMSON CORPORATION is a Canadian company with its principal place of business in Stamford, Connecticut.

17. THOMSON REUTERS CORPORATION is a Canadian company with its principal place of business in Stamford, Connecticut.

18. Upon information and belief, THOMSON REUTERS CORPORATION owns WEST PUBLISHING CORPORATION, WEST PUBLISHING CORPORATION dba FINDLAW, FINDLAW, THOMSON REUTERS APPLICATIONS INC., THOMSON LEGAL & REGULATORY APPLICATIONS INC., WEST SERVICES, INC., THOMSON REUTERS (LEGAL) INC., WEST PUBLISHING CORPORATION dba THOMSON/WEST, and THOMSON/WEST.

19. Upon information and belief, THOMSON CORPORATION is the former corporate name of THOMSON REUTERS CORPORATION.

20. WEST PUBLISHING CORPORATION, WEST PUBLISHING CORPORATION dba FINDLAW, FINDLAW, THOMSON REUTERS APPLICATIONS INC., THOMSON LEGAL & REGULATORY APPLICATIONS INC., WEST SERVICES, INC., THOMSON REUTERS (LEGAL) INC., WEST PUBLISHING CORPORATION dba THOMSON/WEST, THOMSON/WEST, THOMSON CORPORATION and THOMSON REUTERS CORPORATION shall be referred to herein as the “Thomson Reuters Defendants.”

21. JOHN LAMBERTO is an employee of one or more of the Thomson Reuters Defendants.

#### **JURISDICTION AND VENUE**

22. The Court has jurisdiction over Plaintiffs’ claims based upon diversity of the parties and pursuant to 28 U.S.C. § 1332. Plaintiffs are citizens of Illinois; Defendant Lamberto is a citizen of Iowa; and, the Thomson Reuters Defendants include Minnesota, Delaware and Canadian corporations with principal places of business in Minnesota and Connecticut.

23. There is an actual case or controversy that has arisen between the Plaintiffs and Defendants (“Parties”) in an amount exceeding \$75,000.00.

24. Venue in this district is proper pursuant to 28 U.S.C. § 1391 because a substantial part of the events or omissions giving rise to the claim occurred in this district. Further, the Defendants directed their conduct toward the Plaintiffs in this district.

25. Defendants have engaged in intentional conduct with actual malice that has harmed Plaintiffs.

26. Plaintiffs have been injured by Defendants' conduct and have suffered damages resulting therefrom.

## **FACTUAL BACKGROUND**

### **Background on Parties**

27. This action involves the Defendants' efforts to harm the Plaintiffs and to discredit, disparage, and damage the Plaintiffs' professional and business reputations for purposes of (a) retaliating against the Plaintiffs for having declined services offered by the Defendants and (b) causing the Plaintiffs to purchase services from the Defendants.

28. Plaintiff JSB is a law firm that practices criminal and family law.

29. Plaintiff Judith Bethge is JSB's principal attorney and a former assistant state's attorney.

30. Plaintiff Roy Bethge is JSB's office manager and a police officer.

31. Plaintiffs Roy and Judith Bethge are husband and wife.

32. Plaintiffs JSB and Judith Bethge have built a reputation for providing high quality legal representation to clients in McHenry County and neighboring counties.

33. Plaintiff Roy Bethge has built a reputation as a highly respected police officer, instructor, and trainer, as well as a leader and role model in community programs.

34. Defendant John Lamberto ("Lamberto") is a sales consultant for FindLaw.

35. Defendant Findlaw offers law firm clients the opportunity to advertise in its directory. It also provides website and other marketing services to law firms.

36. Defendant Findlaw is an assumed name for West Publishing Corporation.

37. West Publishing Corporation has defined its contractual term “West” to include Thomson Legal & Regulatory Applications, Inc., West Services, Inc., and their affiliates.

38. Defendant Findlaw offers services and directories through the domain name “findlaw.com.”

39. The domain “findlaw.com” is registered to Thomson Corporation.

40. Upon information and belief, Thomson Corporation changed its name to Thomson Reuters Corporation.

41. Upon information and belief, Thomson Reuters Corporation owns West Publishing Corporation.

42. West Publishing Corporation also operates under the assumed name of Thomson/West.

43. Upon information and belief, Thomson Reuters (Legal) Inc. and Thomson Reuters Applications, Inc. are subsidiaries of Thomson Reuters Corporation that have relationships with West Publishing Corporation and Findlaw.

#### **Relationship Between the Parties**

44. In 2009, Defendant Lamberto, in his capacity as sales consultant for the Thomson Reuters Defendants, attempted to sell Plaintiffs marketing services, including a website, from FindLaw.

45. Due to financial circumstances and the challenges of starting a small law firm, Plaintiffs declined Defendant Lamberto’s efforts.

46. Thereafter, Defendant Lamberto attempted repeatedly to convince Plaintiffs Roy and Judith Bethge to purchase FindLaw's services, but Plaintiffs continued to decline.

47. On behalf of the Plaintiffs, Roy Bethge formally declined the sales offer on October 5, 2009.

### **Defamatory Statement**

48. On or about October 5, 2009, Defendant Lamberto pseudonymously published a fraudulent review of Plaintiffs on the Google Maps website operated by Google, Inc, maps.google.com, using the pseudonym "cvernon" (a copy has been attached as "Exhibit A").

49. In the fraudulent review, Defendant Lamberto stated that Plaintiff JSB has an attorney with "a drunken cop husband running the firm."

50. Plaintiff Roy Bethge is not a "drunken cop husband" or an alcoholic. He has never worked in an inebriated or "drunken" state of mind for Plaintiff JSB or, for that matter, as a police officer.

51. Plaintiff JSB does not have "a drunken cop husband running the firm."

52. Consequently, the statement made by Defendant Lamberto on the fraudulent review is false ("False and Defamatory Statement").

53. Defendant Lamberto targeted Plaintiffs specifically when he published the False and Defamatory Statement.

54. Defendant Lamberto made the False and Defamatory Statement with the reasonable expectation that prospective clients who read the review would not choose services provided by Plaintiffs JSB and Judith Bethge.

55. Defendant Lamberto knowingly made the False and Defamatory Statement because he knew the Google Map's review would prevent Plaintiffs JSB and Judith Bethge from

securing new clients.

56. Defendant Lamberto made the False and Defamatory Statement in the course of securing sales for the Thomson Reuters Defendants. Specifically, he made the False and Defamatory Statement for purposes of causing the Plaintiffs to purchase services from the Thomson Reuters Defendants as well as to retaliate for Plaintiffs' failure to purchase services from him and the Thomson Reuters Defendants

57. Defendant Lamberto made the False and Defamatory Statement in the scope of his employment.

58. Ironically, the Plaintiffs changed their mind and agreed to purchase the services from the Thomson Reuters Defendants before learning of the False and Defamatory Statement.

59. Upon information and belief, Defendant Lamberto published other false reviews on the Internet.

60. Upon information and belief, Defendant Lamberto published other fraudulent reviews on the Internet containing positive comments for law firms that purchased products from the Thomson Reuters Defendants through him.

### **Public Perception**

61. The False and Defamatory Statement conveys that Plaintiff JSB is poorly managed by an alcoholic unable to responsibly handle the operations, accounts, finances, and obligations of a law firm.

62. The False and Defamatory Statement conveys that Plaintiff Judith Bethge exercises poor judgment as an attorney by employing a drunken office manager, and that she is unable to responsibly carry out her fiduciary duties and obligations to her clients, the courts, her colleagues, and the community.



63. The False and Defamatory Statement conveys that Plaintiff Roy Bethge is an alcoholic unable to responsibly manage a law office, serve and protect the community as a police officer, and/or serve as a leader and role model in community programs.

64. Since the publication of the False and Defamatory Statement, any individual reading the review might believe that Plaintiffs Judith and Roy Bethge lack the integrity or ability to perform in the discharge of their duties in their office or employment.

65. Since the publication of the False and Defamatory Statement, any individual reading the review might believe that Plaintiffs Judith and Roy Bethge lack ability in their trade, profession, or business.

66. The Plaintiffs remain concerned that individuals and organizations, including prospective clients, will choose not to utilize their services based upon the False and Defamatory Statement.

67. Indeed, Plaintiff Roy Bethge remains concerned that the False and Defamatory Statement will affect his advancement in the police department for which he works.

#### **Intent and Actual Malice**

68. Defendant Lamberto acted with intent and actual malice because he intended to harm the Plaintiffs.

69. Defendant Lamberto acted with the intent to tortiously interfere with the Plaintiff JSB's business interests by dissuading prospective parties, who read the Google Map's review, from becoming JSB's clients.

#### **Respondeat Superior**

70. Defendant Lamberto acted within the scope of his employment with the Thomson Reuter Defendants when he published the False and Defamatory Statement.

71. Defendant Lamberto published the False and Defamatory Statement on or about the same day Plaintiffs Roy and Judith Bethge officially declined Lamberto's offer.

72. Defendant Lamberto published the False and Defamatory Statement in response to Plaintiffs declining to purchase Thomson Reuter products from him.

73. By publishing the False and Defamatory Statement, Defendant Lamberto meant, at least in part, to serve his employer and the Thomson Reuter Defendants by encouraging the Plaintiffs to reconsider their decision not to purchase Thomson Reuter products from him.

74. Indeed, the Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

75. Upon information and belief, Defendant Lamberto has rewarded those clients purchasing Thomson Reuters products from him with fraudulent positive reviews.

76. The Thomson Reuter Defendants are responsible for the conduct of John Lamberto relating to his relationship with their potential and existing customers, particularly the Plaintiffs.

### **The Harm Suffered By Plaintiffs**

77. The foregoing wrongful conduct on the part of the Defendants ("Wrongful Conduct") has caused Plaintiffs to suffer harm including, but not limited to, harmed reputations.

78. As a result of the False and Defamatory Statement and Wrongful Conduct, the Plaintiffs have suffered a loss of reputation and business.

79. The False and Defamatory Statement has proximately caused Plaintiffs to suffer damages.

80. Plaintiffs' damages include, but are not limited to, a decline in prospective

business.

81. Plaintiffs' damages also include, but are not limited to, a decline in the prospective business promised by the Defendants that otherwise would have arisen from the website purchased from Defendants but for the False and Defamatory Statement.

82. The Defendants have caused Plaintiffs to suffer harms not yet fully realized.

**CLAIMS FOR RELIEF**

**COUNT ONE**

**AS AND FOR A FIRST CAUSE OF ACTION**

**DEFAMATION PER SE OF PLAINTIFF JSB AND JUDITH BETHGE**

83. The allegations in Paragraphs 1 through 82 above are incorporated by reference in this Count One as if fully restated herein.

84. Defendant Lamberto falsely stated that a “drunken cop husband” ran Plaintiff JSB’s office.

85. Defendant Lamberto published the False and Defamatory Statement concerning Plaintiffs to third parties.

86. By making this statement on maps.google.com, Defendant Lamberto caused the False and Defamatory Statement to be made on and through the Internet.

87. The False and Defamatory Statement identified Plaintiff JSB by name.

88. Persons other than Plaintiffs and the Defendants would have and actually have reasonably understood that the False and Defamatory Statement related to and was about each of the Plaintiffs.

89. The False and Defamatory Statement conveys that Plaintiff JSB is poorly managed by an alcoholic unable to responsibly handle the operations, accounts, finances, and obligations of a law firm.

90. The False and Defamatory Statement conveys that Plaintiff Judith Bethge exercises poor judgment as an attorney by employing a drunken office manager, and that she is unable to responsibly carry out her fiduciary duties and obligations to her clients, the courts, her colleagues, and the community.

91. The False and Defamatory Statement imputes a lack of integrity and an inability to perform the duties of Plaintiffs JSB and Judith Bethge in their office and employment as a law practice and an attorney providing legal representation to the community.

92. The False and Defamatory Statement prejudices Plaintiffs JSB and Judith Bethge and imputes a lack of ability in their profession and business as a law practice and an attorney providing legal representation to the community.

93. Defendant Lamberto presented the False and Defamatory Statement as fact.

94. The False and Defamatory Statement constituted unprivileged publication of the defamatory statement by Defendant Lamberto to third parties.

95. Defendant Lamberto made the False and Defamatory Statement with actual malice knowing the falsity of the statement.

96. Defendant Lamberto made the False and Defamatory Statement within the scope of his employment with the Thomson Reuters Defendants.

97. Defendant Lamberto made the False and Defamatory Statement, at least in part, to serve his employer, the Thomson Reuters Defendants, by encouraging the Plaintiffs to reconsider and purchase the Thomson Reuters Defendants' services.

98. Indeed, the Thomson Reuters Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

99. The False and Defamatory Statement constitutes defamation *per se* because it falsely imputes a lack of integrity and an inability to perform the duties of Plaintiffs JSB and Judith Bethge in their employment as a law practice and an attorney, and prejudices the Plaintiffs and imputes a lack of ability in their profession and business as a law practice and an attorney.

100. As a result of the Defendants' conduct and the publication of the False and Defamatory Statement, the Plaintiffs have suffered and continue to suffer damages including, but not limited to, loss of business and harmed reputation.

101. WHEREFORE Plaintiffs JSB and Judith Bethge seek recovery of compensatory and punitive damages arising from Defendants' *per se* defamation of them.

**COUNT TWO**

**AS AND FOR A SECOND CAUSE OF ACTION**

**DEFAMATION *PER SE* OF ROY BETHGE**

102. The allegations in Paragraphs 1 through 82 above are incorporated by reference in this Count Two as if fully restated herein.

103. Defendant Lamberto falsely stated that a "drunken cop husband" runs the Plaintiffs' law office.

104. Defendant Lamberto published this False and Defamatory Statement concerning Plaintiffs to third parties.

105. By making this statement on maps.google.com, Defendant Lamberto caused the False and Defamatory Statement to be made on and through the Internet.

106. Persons other than Plaintiffs and the Defendants would have and actually have reasonably understood that the False and Defamatory Statement related to and was about Plaintiff Roy Bethge.

107. The False and Defamatory Statement conveys that Plaintiff Roy Bethge is an alcoholic unable to responsibly manage a law office, serve and protect the community as a police officer, and serve as a leader and role model in community programs.

108. The False and Defamatory Statement imputes a lack of integrity and an inability of Plaintiff Roy Bethge's to perform the duties of employment as an office manager, a police officer, and a leader and role model in community programs.

109. The False and Defamatory Statement prejudices Plaintiff Roy Bethge and imputes a lack of ability in his profession and business as an office manager, a police officer, and a leader and role model in community programs.

110. Defendant Lamberto presented the False and Defamatory Statement as fact.

111. The False and Defamatory Statement constituted unprivileged publication of the defamatory statement by Defendant Lamberto to third parties.

112. Defendant Lamberto made the False and Defamatory Statement with actual malice knowing the falsity of the statement.

113. Defendant Lamberto made the False and Defamatory Statement within the scope of his employment with the Thomson Reuters Defendants.

114. Defendant Lamberto made the False and Defamatory Statement, at least in part, to serve his employer, the Thomson Reuters Defendants, by encouraging the Plaintiffs to reconsider and purchase the Thomson Reuters Defendants' services.

115. Indeed, the Thomson Reuters Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

116. Based on the forgoing, the False and Defamatory Statement constitutes defamation *per se*.

117. As a result of the Defendants' conduct and the publication of the False and Defamatory Statement, Plaintiff Roy Bethge has suffered and continues to suffer damages including, but not limited to, harmed reputation.

118. WHEREFORE Plaintiff Roy Bethge seeks recovery of compensatory and punitive damages arising from Defendants' *per se* defamation of him.

**COUNT THREE**

**AS AND FOR A THIRD CAUSE OF ACTION**

**TRADE DISPARAGEMENT OF PLAINTIFF JSB**

**ILLINOIS UNIFORM DECEPTIVE TRADE PRACTICES ACT**

**815 ILCS § 510/2**

119. The allegations in Paragraphs 1 through 100 above are incorporated by reference in this Count Three as if fully restated herein.

120. The False and Defamatory Statement states that a "drunken cop" runs Plaintiff JSB's office.

121. The False and Defamatory Statement is untrue.

122. The False and Defamatory Statement constitutes a false representation of fact.

123. The False and Defamatory Statement disparages Plaintiff JSB's business and services.

124. Defendant Lamberto presented the False and Defamatory Statement as fact.

125. Defendant Lamberto made the False and Defamatory Statement with actual malice, knowing the falsity of the statement.

126. Defendant Lamberto wilfully made the False and Defamatory Statement.



127. Defendant Lamberto made the False and Defamatory Statement within the scope of his employment with the Thomson Reuters Defendants.

128. Defendant Lamberto made the False and Defamatory Statement, at least in part, to serve his employer, the Thomson Reuters Defendants, by encouraging the Plaintiffs to reconsider and purchase the Thomson Reuters Defendants' services.

129. Indeed, the Thomson Reuter Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

130. As a result of the Defendants' conduct and the publication of the False and Defamatory Statement, Plaintiff JSB has suffered and continues to suffer damages including, but not limited to, loss of business and harmed reputation.

131. WHEREFORE Plaintiff JSB seeks injunctive relief in the form of an order compelling Defendants to remove the False and Defamatory Statement from the Internet.

132. WHEREFORE Plaintiff JSB seeks recovery of compensatory and punitive damages arising from Defendants' disparagement of its business and services.

133. WHEREFORE Plaintiff JSB seeks, upon a finding that Defendant Lamberto acted wilfully, recovery of attorney's fees and costs arising from Defendants' disparagement of its business and services.

**COUNT FOUR**  
**AS AND FOR A FOURTH CAUSE OF ACTION**  
**TORTIOUS INTERFERENCE WITH**  
**PLAINTIFFS' PROSPECTIVE ECONOMIC ADVANTAGE**

134. The allegations in Paragraphs 1 through 100 above are incorporated by reference in this Count Four as if fully restated herein.

135. Plaintiffs held a reasonable expectancy of entering into valid business relationships with consumers who would find them through the Internet.

136. Indeed, the Thomson Reuters Defendants informed the Plaintiffs that its products would produce a certain number of prospective business clients through the Internet.

137. Consequently, the Defendants had knowledge of the Plaintiffs' expectancy of entering into valid business relationships with consumers who would find them through the Internet.

138. Defendant Lamberto falsely stated a "drunken cop husband" runs Plaintiff JSB's office.

139. The False and Defamatory Statement identifies Plaintiff JSB by name.

140. Defendant Lamberto presented the False and Defamatory Statement as fact.

141. Defendant Lamberto made the False and Defamatory Statement with the reasonable expectation that prospective clients who read the review would not choose the Plaintiffs' services.

142. Defendant Lamberto knowingly made the False and Defamatory Statement because Plaintiffs would expect the Google Map's review to prevent the Plaintiffs from securing new clients.

143. Defendant Lamberto acted with the intent to tortiously interfere with the Plaintiffs' business interests by dissuading prospective parties, who read the Google Map's review, from becoming JSB's clients.

144. The publication of the False and Defamatory Statement constitutes an intentional and unjustifiable interference with prospective clients of the Plaintiffs that would find them through the Internet.

145. The publication of the False and Defamatory Statement caused prospective consumers to refrain from contacting and/or doing business with the Plaintiffs.

146. As a result of the Defendants' conduct and the publication of the False and Defamatory Statement, Plaintiffs have suffered and continue to suffer damages including, but not limited to, loss of prospective business.

147. Defendant Lamberto made the False and Defamatory Statement within the scope of his employment with the Thomson Reuters Defendants.

148. Defendant Lamberto made the False and Defamatory Statement, at least in part, to serve his employer, the Thomson Reuters Defendants, by encouraging the Plaintiffs to reconsider and purchase the Thomson Reuters Defendants' services.

149. Indeed, the Thomson Reuter Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

150. WHEREFORE Plaintiffs seek recovery of compensatory and punitive damages arising from Defendants' tortious interference with their prospective economic advantage.

**COUNT FIVE**

**AS AND FOR A FIFTH CAUSE OF ACTION**

**FALSE LIGHT OF ROY AND JUDITH BETHGE**

151. The allegations in Paragraphs 1 through 100 are incorporated by reference in this Count Five as if fully restated herein.

152. Defendant Lamberto published the False and Defamatory Statement on the Internet through Google.

153. Defendant Lamberto falsely stated that a “drunken cop husband” runs Plaintiff JSB’s office by publishing the False and Defamatory Statement.

154. The False and Defamatory Statement identifies Plaintiff JSB by name.

155. The False and Defamatory Statement portrays Plaintiff Roy Bethge in a false light by stating he is a “drunken cop.”

156. The False and Defamatory Statement portrays Plaintiff Judith Bethge in a false light by stating her firm is run by a “drunken cop.”

157. Defendant Lamberto made the False and Defamatory Statement with actual malice, knowing the falsity of the statement.

158. Defendant Lamberto made the False and Defamatory Statement within the scope of his employment with the Thomson Reuters Defendants.

159. Defendant Lamberto made the False and Defamatory Statement, at least in part, to serve his employer, the Thomson Reuters Defendants, by encouraging the Plaintiffs to reconsider and purchase the Thomson Reuters Defendants’ services.

160. Indeed, the Thomson Reuter Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

161. As a result of the Defendant Lamberto's conduct and the publication of the False and Defamatory Statement, Plaintiffs Roy and Judith Bethge have suffered and continue to suffer damages including, but not limited to, loss of business and harmed reputation.

162. WHEREFORE Plaintiffs Roy Bethge seeks recovery of compensatory and punitive damages arising from Defendants' portrayal of Plaintiffs Roy and Judith Bethge in a false light.

### **COUNT SIX**

#### **AS AND FOR A SIXTH CAUSE OF ACTION**

#### **RESPONDEAT SUPERIOR**

163. The allegations in Paragraphs 1 through 162 are incorporated by reference in this Count Five as if fully restated herein.

164. Defendant Lamberto is an employee of West Publishing Corporation.

165. Defendant Lamberto engaged in the foregoing wrongful conduct in his capacity as an employee of West Publishing Corporation.

166. By engaging in the foregoing wrongful conduct, Defendant Lamberto engaged in acts the nature and kind of which the Thomson Reuters Defendants hired him to perform.

167. Although the acts complained of herein were improper, the acts were reasonably related to the duties of Defendant Lamberto's position as a sales representative for the Thomson Reuters Defendants selling Internet marketing materials for law firms.

168. Defendant John Lamberto acted within the scope of his employment when he engaged in the foregoing wrongful conduct.

169. Upon information and belief, Defendant Lamberto acted, at least in part, to serve the interests of his employer West Publishing Corporation.

170. Indeed, the West Publishing Corporation's and the Thomson Reuter Defendants' products and services, particularly those offered through Findlaw, could help counteract the negative publicity generated from Defendant Lamberto's False and Defamatory Statement on Google Maps.

171. WHEREFORE the Thomson Reuters Defendants are liable for the acts of their employees, particularly Defendant Lamberto, pursuant to the doctrine of respondeat superior.

#### **COUNT SEVEN**

#### **AS AND FOR A SEVENTH CAUSE OF ACTION**

#### **INJUNCTIVE RELIEF**

172. The allegations in Paragraphs 1 through 171 above are incorporated by reference in this Count Seven as if fully restated herein.

173. Upon information and belief, Defendant Lamberto is not and has never been a client or colleague of Plaintiffs.

174. Upon information and belief, Defendant Lamberto impersonated or pretended to be a client or colleague of Plaintiffs to make the False and Defamatory Statement.

175. Plaintiffs possess a clearly ascertainable right to be free from an individual impersonating or pretending to be one of their clients or colleagues and thereby engaging in conduct maligning the Plaintiffs' professional and business reputations and interfering with their law practice and professions.

176. Plaintiffs have suffered and will continue to suffer irreparable harm if this Court does not enjoin Defendant Lamberto and the Thomson Reuters Defendants because Plaintiffs' office, profession, business, and livelihood will be disrupted if Defendant Lamberto and the Thomson Reuters Defendants continue to engage in the Wrongful Conduct.

177. Plaintiffs will suffer irreparable harm in the absence of injunctive relief. In contrast, Defendant Lamberto and the Thomson Reuters Defendants will suffer no harm because they have no legal right to engage in deceptive and unlawful practices.

178. Plaintiffs can clearly demonstrate some likelihood of success on the merits of their claims.

179. Mere compensation at law can only possibly provide Plaintiffs with compensation for injuries up to the present.

180. It remains difficult if not impossible to calculate the damages arising from the Defendants' Wrongful Conduct.

181. Plaintiffs therefore have an inadequate remedy at law.

182. The public interest will not be harmed if an injunction is granted.

183. WHEREFORE, Plaintiffs seek a temporary and permanent injunction enjoining Defendants from impersonating or pretending to be a client or colleague of the Plaintiffs, interfering with Plaintiffs' law practice, and maligning Plaintiffs' professional and business reputations.

#### **GENERAL**

184. Where conditions precedent are alleged, Plaintiffs aver that all conditions precedent have been performed or have occurred.

185. Plaintiffs demand a jury trial.

### **PRAYER FOR RELIEF**

WHEREFORE, PLAINTIFFS JSB LAW PC, JUDITH BETHGE, and ROY BETHGE accordingly and respectfully pray for judgment against DEFENDANTS as follows:

1. That PLAINTIFFS JSB LAW PC, JUDITH BETHGE, and ROY BETHGE be awarded compensatory damages in an amount to be determined at trial;
2. That PLAINTIFFS JSB LAW PC, JUDITH BETHGE, and ROY BETHGE be awarded punitive damages in an amount to be determined at trial;
3. That PLAINTIFFS JSB LAW PC, JUDITH BETHGE, and ROY BETHGE be awarded attorney's fees and costs;
4. That PLAINTIFFS JSB LAW PC, JUDITH BETHGE, and ROY BETHGE be awarded the injunctive relief sought; and,
5. That PLAINTIFFS JSB LAW PC, JUDITH BETHGE, and ROY BETHGE be awarded any such other and further relief as this Court may deem just and proper or to which they may be entitled as a matter of law or equity.



Dated: Chicago, Illinois

October 1, 2010

PLAINTIFFS,

JSB LAW PC, JUDITH BETHGE, and ROY BETHGE

s/Mark A. Petrolis

By: One of Their Attorneys

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JSB LAW PC, JUDITH BETHGE, and	)	
ROY BETHGE,	)	COMPLAINT AND
	)	JURY DEMAND
Plaintiffs,	)	
	)	No.
v.	)	
	)	
JOHN LAMBERTO, WEST PUBLISHING	)	
CORPORATION, WEST PUBLISHING	)	
CORPORATION dba FINDLAW, FINDLAW,	)	
THOMSON REUTERS APPLICATIONS,	)	
INC., THOMSON LEGAL & REGULATORY	)	
APPLICATIONS, INC., WEST SERVICES,	)	
INC., THOMSON REUTERS (LEGAL) INC.,	)	
WEST PUBLISHING CORPORATION dba	)	
THOMSON/WEST, THOMSON/WEST,	)	
THOMSON CORPORATION, and	)	
THOMSON REUTERS CORPORATION	)	DEMANDS OVER \$75,000
	)	
Defendants.	)	

**JURY DEMAND**

Plaintiffs demand trial by jury.

s/Mark A. Petrolis  
Mark A. Petrolis