

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

ALBERT SNYDER,
Plaintiff

v.

FRED W. PHELPS, SR.,
SHIRLEY L. PHELPS-ROPER,
REBEKAH A. PHELPS-DAVIS, and
WESTBORO BAPTIST CHURCH, INC.
Defendants

Civil Action No. 1:06-cv-1389-RDB
Judge Bennett

COMPLAINT

Preliminary Statement

1. This is a suit for defamation, invasion of privacy and intentional infliction of emotional distress. Plaintiff Albert Snyder is a resident of York, Pennsylvania and the father of the now deceased Lance Corporal Matthew A. Snyder. He alleges that the defendant church and its members wrongfully intruded upon his son's funeral and subsequently defamed him on the defendants' webpage, causing physical and emotional damages. In addition, defendants' conduct was so intentional and outrageous that the imposition of punitive damages is appropriate to punish the defendants for their actions and to deter the defendants from further reprehensible conduct.

Jurisdiction And Venue

2. The Court has jurisdiction under 28 U.S.C. § 1332, which provides for original district court jurisdiction for diversity of citizenship and where the amount in controversy exceeds \$75,000.00.

3. Venue is proper in the District of Maryland under 28 U.S.C. § 1391, because a substantial part of the events giving rise to the claim occurred in Maryland.

4. A jury trial is demanded.

Parties

5. Plaintiff, Albert Snyder, is an adult individual who resides at 760 Spring Lane, York, Pennsylvania 17403.

6. Defendant, Fred W. Phelps, Sr., is an adult individual who has an office at 3701 SW 12th Street, Topeka, Kansas 66604.

7. Defendant, Westboro Baptist Church, Inc., is a corporation organized under the laws of the state of Kansas with its principal place of business located at 3701 SW 12th Street, Topeka, Kansas 66604.

8. Defendant Shirley L. Phelps-Roper is an adult individual who resides at 3640 Churchill Road, Topeka, Kansas 66604.

9. Defendant Rebekah A. Phelps-Davis is an adult individual who resides at 1216 Cambridge, Topeka, Kansas 66604.

10. The individual defendants disrupted, funded or otherwise conspired for the purpose of disrupting Marine Lance Corporal Matthew A. Snyder's funeral. Upon information and belief, all

individual defendants reside in or around the Westboro Baptist Church compound in Topeka, Kansas.

11. The individual defendants acted as agents of defendant Westboro Baptist Church and in their individual capacities.

Summary Of Plaintiff's Claims

12. Plaintiff, Albert Snyder, is the father of Marine Lance Corporal Matthew A. Snyder (now deceased) ("Matt"); Matt was born on July 18, 1985.

13. In or about October 2003, Matt joined the United States Marine Corps.

14. Subsequently, Matt was deployed to Iraq with his unit as part of Operation Iraqi Freedom.

15. On March 3, 2006, while conducting combat operations, Matt was killed in the line of duty.

16. Matt was transported back to the United States and plaintiff Albert Snyder and Matt's family planned and commenced a traditional funeral and burial service in honor of their son. The funeral was on March 10, 2006, at St. John's Catholic Church, in Westminster, Maryland.

17. Defendant Westboro Baptist Church, Inc. operates, maintains, and owns several websites: (1) www.thesignsofthetimes.net; (2) www.smellthebrimstone.com; (3) www.godhatesamerica.com; (4) www.priestsrapeboys.com; (5) www.godhatessweden.com; (6) www.godhatescanada.com; and lastly, (7) www.godhatesfags.com.

18. The individual defendants operate and maintain the websites identified above.

19. Among other things, the defendants preach and advocate a hatred for homosexuals.

On numerous occasions, the defendants have protested military funerals proclaiming, for example, “God hates fags” and “Semper Fi Fags” and “thank God for dead soldiers”.

20. The defendants protest military funerals because, according to the defendants:

“Here are some axiomatic matters of fact:

These turkeys are not heroes. They are lazy, incompetent idiots looking for jobs because they're not qualified for honest work.

They were raised on a steady diet of fag propaganda in the home, on TV, in church, in school, in mass media - everywhere - the two-pronged lie: 1) It's OK to be gay; and, 2) Anyone saying otherwise, like WBC, is a hatemonger who must be vilified, demonized, marginalized into silence.

Therefore, with full knowledge of what they were doing, they voluntarily joined a fag-infested army to fight for a fag-run country now utterly and finally forsaken by God who Himself is fighting against that country.

They turned America
Over to fags;
They're coming home
In body bags.

America used an IED to bomb Westboro Baptist Church on August 20,1995 - an act of terror aimed at terrorizing us into discontinuing our nationwide Gospel preaching against the homosexual menace.

When America thus became WBC's terrorist, God became America's Terrorist.

Therefore the IED is God's weapon of choice in avenging Westboro Baptist Church by blowing America's kids to smithereens in Iraq. And the carnage has barely begun.

Thus, their funerals are the forum of choice for delivering WBC's message of choice.”

21. On March 10, 2006, the defendants protested Matt's funeral proclaiming similar outrageous and defamatory comments, with the intention of inflicting distress upon the Snyder family.

22. No one invited any of the defendants to attend Matt's funeral or in any way requested their presence at such a private event.

23. In addition to the aforementioned outrageous statements, on the www.godhatesfags.com website, the defendants proclaimed similar outrageous statements concerning Matt and plaintiff Albert Snyder.

24. In particular, the website states "God blessed you, Mr. and Mrs. Snyder, with a resource and his name was Matthew. He was an arrow in your quiver. In thanks to God for the comfort the child could bring you, you had a DUTY to prepare that child to serve the LORD his GOD - PERIOD! You did JUST THE OPPOSITE- you raised him for the devil."

25. In addition to the previously described false and outrageous statements, the website states "Albert and Julie RIPPED that body apart and taught Matthew to defy his Creator, to divorce, and to commit adultery. They taught him how to support the largest pedophile machine in the history of the entire world, the Roman Catholic monstrosity. Every dime they gave the Roman Catholic monster they condemned their own souls. They also, in supporting satanic Catholicism, taught Matthew to be an idolator."

26. Notwithstanding the outrageous conduct perpetrated by the individual defendants and their co-conspirators at Matt's funeral, the defendants went further and posted their actions, signs and misdeeds on the internet.

27. On the www.godhatesfags.com website, the defendants posted the signs that they held at Matt's funeral. The signs the defendants held at the funeral, and subsequently posted on the internet, stated: "God hates you" and "America is doomed" and "You're going to hell" and "Fag troops" and "God hates the U.S.A." and "Pope in hell in Westminster, MD" and "God's view" and "Semper Fi, Semper fags" and "Don't pray for the USA" and "God hates fags". Upon information and belief, the defendants had more signs at the funeral which were similar in content.

28. The defendants shouted similar words while they were protesting Matt's funeral for the purpose of inflicting emotional distress on the Snyder family.

Count I
Defamation

29. Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 28 with like force and effect as though set forth in full herein.

30. The conduct of the defendants, as described above, constitutes defamation by the defendants. More specifically, the plaintiff never committed adultery nor taught Matt to commit adultery. The defendants' defamatory statements are liable per se.

31. Plaintiff Albert Snyder, contrary to the defendants' defamatory statements, did not literally raise Matt "for the devil," nor raise him in an evil or immoral manner - the natural connotation of that statement.

32. Plaintiff Albert Snyder, contrary to the defendants' defamatory statements, did not teach "Matthew to defy his Creator, to divorce, and to commit adultery."

33. The defendants conducted no investigation concerning the truth or veracity of their defamatory statements.

34. In fact, the defendants' defamatory statements were made intentionally and without concern whether the statements were true. The false statements have harmed the plaintiff.

35. The defendants' defamatory statements were made intentionally or with reckless disregard to the truth or veracity of the statements. The defendants knew their statements would harm the plaintiff.

36. The defendants' defamatory statements were made publicly and were intended to be made public.

37. The conduct of the defendants has been sufficiently outrageous as to entitle plaintiff, Albert Snyder, to punitive damages.

38. Since the time that the defendants protested Matt's funeral, members of Westboro Baptist Church have stated that they intend to continue to protest military funerals. Punitive damages are appropriate to deter the defendants' future outrageous conduct.

39. In fact, the defendants post their future funeral protesting and picketing activities on their www.godhatesfags.com website.

40. Upon information and belief, the defendants spend one quarter of a million dollars annually on travel to protest, among other things, military funerals.

Count II
Invasion Of Privacy - Intrusion Upon Seclusion

41. Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 40 with like force and effect as though set forth in full herein.

42. The defendants intentionally entered upon the solitude and seclusion of the plaintiff and his family members. Additionally, the defendants intruded upon the plaintiff's private affairs and concerns.

43. Plaintiff Albert Snyder's personal affairs are not a matter of public concern. Matt's private funeral was not a matter of public concern.

44. The aforementioned intrusion upon seclusion was highly offensive to a reasonable person.

45. The conduct of the defendants has been sufficiently outrageous as to entitle plaintiff an award of punitive damages.

Count III
Invasion Of Privacy - Publicity Given To Private Life

46. Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 45 with like force and effect as though set forth in full herein.

47. In addition, or alternatively, the defendants' publicity given to private life was and is an invasion of privacy.

48. The defendants' actions and statements were highly offensive to a reasonable person.

49. The defendants' actions and statements were not consistent with any legitimate concern to the public.

50. The conduct of the defendants has been sufficiently outrageous as to entitle plaintiff to an award of punitive damages.

51. The continuous use of the website www.godhatesfags.com website concerning the plaintiff is sufficiently outrageous to entitle plaintiff to an award of punitive damages. Punitive damages will deter the defendants future outrageous conduct.

Count IV
Intentional Infliction Of Emotional Distress

52. Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 51 with like force and effect as though set forth in full herein.

53. The defendants' conduct, as described above, was intentional and reckless.

54. The defendants' conduct was extreme and outrageous. The defendants intended to harm Plaintiff Albert Snyder and his family.

55. The defendants' wrongful conduct has caused severe physical and emotional distress to the plaintiff.

56. The defendants' conduct has caused the plaintiff to be physically and emotionally damaged. The physical and emotional damage is ongoing and directly caused by the defendants' actions at Matt's funeral and subsequent postings concerning the plaintiff on www.godhatesfags.com.

57. The conduct of the defendants has been sufficiently outrageous as to entitle plaintiff to an award of punitive damages.

Count V
Civil Conspiracy

58. Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 57 with like force and effect as though set forth in full herein.

59. The individual defendants reached an agreement and conspired to travel from Kansas to Maryland to protest Matt's funeral, to invade the privacy of the plaintiff and defame the plaintiff.

60. The individual defendants used their website, www.godhatesfags.com, to further perpetrate their tortious acts by defaming the plaintiff and causing further harm by committing a continual intentional infliction of emotional distress, invasion of privacy and defamation.

61. As more fully described above, the defendants' actions were and continue to be unlawful.

62. Upon information and belief, the individual defendants financially contributed to defendant Westboro Baptist Church in order to carry out their conspiracy and wrongful acts.

63. The conduct of the defendants has been sufficiently outrageous as to entitle plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff, Albert Snyder, demands judgment as follows:

1. An award of general damages for the defendants' wrongful acts;
2. An award of the special damages for the defendants' wrongful acts;
3. An award of costs and disbursements incurred in this action, as provided by state and federal law;
4. An award of punitive damages for the defendants' reprehensible and outrageous conduct; and

5. An award of punitive damages to deter the defendants' future reprehensible and outrageous conduct.

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