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Superior Court of California
County of Los Angeles

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Sherri R. Carter, Executive Officer/Clerk
By Shaunya Bolden, Deputy

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

JEFF DILLMAN,

Plaintiff,

v.

SPIKE CABLE NETWORKS, INC., a
corporation; EYEWORKS USA, INC., a
corporation; BONGO, LLC, a corporation;
SKIP BEDELL, in his official and individual
capacities; SCOTT DERMAN, an individual;
and DOES 1 through 100, inclusive,

Defendants.

CASE NO.:

BC 5 7 6 2 7 7

COMPLAINT FOR DAMAGES

1. FRAUD;
2. FALSE IMPRISONMENT;
3. DEFAMATION;
4. VIOLATION OF RIGHT TO
NAME OR LIKENESS

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff, JEFF DILLMAN, and on information and belief complains and
alleges as follows:

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THE PARTIES

1. At all times relevant hereto, Plaintiff JEFF DILLAM (hereinafter, "Plaintiff") was a competent adult over the age of eighteen years. At all times relevant hereto, Plaintiff was a resident of the State of California, County of Orange.

2. Plaintiff is informed and believes and thereon alleges that Defendant SPIKE CABLE NETWORKS, INC. (hereinafter, "SPIKE") is a corporation organized and existing under the laws of an unknown state, regularly conducting business in Los Angeles, California, in the County of Los Angeles.

3. Plaintiff is informed and believes and thereon alleges that Defendant EYEWORCS USA, INC. (hereinafter, "EYEWORCS") is a California corporation, with its principle place of business in Redondo Beach, California, in the County of Los Angeles.

4. Plaintiff is informed and believes and thereon alleges that Defendant BONGO, LLC (hereinafter, "BONGO") is a corporation organized and existing under the laws of an unknown state, with its principal place of business in Redondo Beach, California, in the County of Los Angeles.

5. Plaintiff is informed and believes and thereon alleges that Defendant SKIP BEDELL (hereinafter, "BEDELL") was at all times relevant hereto a competent adult over the age of eighteen years, and an individual who regularly conducts business in the State of California, County of Los Angeles. BEDELL regularly appears in Los Angeles to film and/or promote a "reality" television show aired by Defendant SPIKE, and produced by Defendants EYEWORCS and BONGO, as described below.

6. Defendant SCOTT DERMAN (hereinafter, "DERMAN") was at all times relevant hereto a competent adult over the age of eighteen years, and a resident of the State of California, County of Los Angeles.

7. Plaintiff is informed and believes and thereupon alleges that Defendants DOES 1 through 100, inclusive, and each of them, at all times relevant hereto, were public, business, and/or other entities whose form is unknown committing torts in and/or engaged in purposeful economic activity within the County of Los Angeles, State of California.

1 8. The true names and capacities of Defendants DOES 1 through 100, and each of
2 them, whether individual, corporate, associate or otherwise, are unknown to Plaintiff at this time,
3 therefore Plaintiff sues said Defendants by such fictitious names. Plaintiff will file DOE
4 amendments, and/or ask leave of court to amend this complaint to assert the true names and
5 capacities of these Defendants when they have been ascertained. Plaintiff is informed and believes,
6 and upon such information and belief alleges, that each Defendant herein designated as a DOE was
7 and is in some manner, negligently, wrongfully, or otherwise, responsible and liable to Plaintiff for
8 the injuries and damages hereinafter alleged, and that Plaintiff's damages as herein alleged were
9 proximately caused by their conduct.

10 9. Plaintiff is informed and believes, and thereon alleges, that at all times material
11 herein the Defendants, and each of them, were the agents, servants, or employees, or ostensible
12 agents, servants, and employees of each other Defendant, and as such, were acting within the
13 course and scope of said agency and employment or ostensible agency and employment, except on
14 those occasions when Defendants were acting as principals, in which case, said Defendants; and
15 each of them, were negligent in the selection, hiring, and use of the other Defendants.

16 10. At all times mentioned herein, each of the Defendants was the co-tortfeasor of each
17 of the other Defendants in doing the things hereinafter alleged.

18 11. Plaintiff is further informed and believes that at all times relevant hereto,
19 Defendants, and each of them, acted in concert and in furtherance of the interests of each other
20 Defendant. The conduct of each Defendant combined and cooperated with the conduct of each of
21 the remaining Defendants so as to cause the herein described incidents and the resulting injuries
22 and damages to Plaintiff.

23 VENUE AND JURISDICTION

24 12. This Court has personal jurisdiction of Defendants, and each of them, because they
25 are residents of and/or doing business in the State of California. The wrongful conduct alleged
26 against Defendants, and each of them, occurred in the County of Los Angeles, State of California.
27 This Court is the proper court because the injury and/or wrongful acts that are the subject of this
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1 action occurred in its jurisdictional area and/or at least one Defendant now resides in its
2 jurisdictional area.

3 GENERAL ALLEGATIONS

4 13. At all times relevant hereto, Plaintiff was a general contractor and owner of Dillman
5 Developments. In or around the summer of 2013, Dillman Developments bid on and was awarded
6 the contract to remodel the Los Angeles home of Defendant DERMAN and Samantha Cadman
7 (“Cadman”). The contract was signed on or about June 8, 2013, and work began on or about July 1,
8 2013. Payment was on a reimbursement basis through Wells Fargo bank.

9 14. In or around September 2013, the building inspector flagged a frame issue with one
10 of the beams. An engineering proposal was made on or about September 19, 2013. On or about
11 September 30, 2013, Defendant DERMAN and Cadman moved into the home despite the frame
12 issue. Engineering for the beam was approved on or about October 15, 2013; however, payment
13 was stopped for all work, including work that had already been completed, on or about the day
14 prior. In the course of the payment and work disputes, the homeowners terminated the contract on
15 or about October 25, 2013. On or about November 26, 2013, the homeowners filed a claim for
16 Dillman Developments’ bid bond. At or around this time, Defendant DERMAN and/or Cadman
17 applied to appear on Defendant SPIKE TV’s “reality” series “To Catch a Contractor” (“TCAC”).

18 15. According to the TCAC website, the show “aims to turn the table on contractors
19 who have done their clients wrong. Host Adam Carolla (“Carolla”) helps homeowners regain their
20 dignity and their humble abodes from the clutches of crooked contractors.” TCAC co-stars
21 Defendant BEDELL, a contractor, and his wife, Alison Bedell, an allegedly licensed private
22 investigator. In the course of her alleged “investigation” into Plaintiff, Alison claimed to have
23 found out where Plaintiff lived, what car he drove, and other personal information. A recent search
24 of the Security and Investigative licenses issued by the California Department of Consumer Affairs
25 revealed no license for any “Bedell.”

26 16. Defendants, and each of them, then set a trap for Plaintiff to come to a ruse house
27 where the TCAC cast and crew were waiting, along with DERMAN and his wife. On or about
28 December 5, 2013, Plaintiff arrived at 8225 Handley Avenue in Los Angeles, California. A woman

1 watering the lawn invited Plaintiff into the house, and offered to get “Elizabeth Stevens” the
2 woman from whom Plaintiff was supposedly supposed to pick up a check for materials to begin
3 contracting work. Unbeknownst to Plaintiff, the woman watering the lawn was Alison Bedell.
4 Plaintiff had been lured to the house under false pretenses. Not suspecting anything out of the
5 ordinary, Plaintiff sat down on the couch to wait. The trap was sprung. Within seconds, numerous
6 cast and crew members descended upon Plaintiff where he was being held. Carolla and BEDELL
7 charged into the living room, a bouncer guarded the door, and various crew members with cameras
8 and boom mikes surrounded Plaintiff. DERMAN and his wife watched from monitors set up in
9 another room.

10 17. Plaintiff was told cameras were for an unnamed home improvement show, even
11 though the name TCAC was already reserved and marketing had begun. Defendants SPIKE,
12 EYEWORKE, BONGO, and BEDELL, and each of them, through the TCAC producer, told
13 Plaintiff he had three options: (1) Plaintiff could return the money—which Plaintiff and his
14 workers had been paid for work performed; (2) Plaintiff could walk away, in which case they will
15 still drag his company name through the mud and assist the homeowners with suing him; or (3) he
16 could sign a Release, go on the show, and finish the remodel of the home. These were not empty
17 threats. Carolla confirmed the threats on camera, stating words to the effect of, “We’ll give him
18 three options. One, he can pay you back in full. Two, he can come back and do the job correctly
19 under our supervision. Or three, we’ll help you guys take him to court.”

20 18. Plaintiff was stunned and intimidated. When Plaintiff attempted to leave, Defendant
21 BEDELL moved to block Plaintiff’s path to the door, indicating Plaintiff would not permitted to
22 leave. BEDELL grew up as a champion wrestler and actively trains in Mixed Martial Arts. Plaintiff
23 felt physically intimidated and alarmed by BEDELL’s actions. Further, the exit was blocked by a
24 large bouncer employed on behalf of Defendants SPIKE, EYEWORKE, and BONGO, and each of
25 them. At no time did Plaintiff feel free to leave the premises.

26 19. To induce Plaintiff to sign the Release, Defendants, and each of them, knowingly
27 and intentionally caused false representations to be made to Plaintiff. Plaintiff was told the show
28 was a “resolution” show, about making amends. Plaintiff was also told he would look like a good

1 guy if Plaintiff came back to complete the work on the home. Plaintiff was further told if Plaintiff
2 signed the Release, there would be no claim on the bid bond. Due to the false imprisonment of
3 Plaintiff based on the ambush the cast and crew and the security detail, including BEDELL and the
4 bouncer blocking the exit, the threats of litigation and other claims against Plaintiff, and subsequent
5 fraudulent inducement by Defendants, and each of them, Plaintiff felt he had no choice but to sign
6 the Release, and so signed the Release under extreme duress.

7 20. The Release provided Plaintiff with a total of \$10,000 for his “participation.”
8 Plaintiff received \$5000 for the initial day (December 5, 2013) plus \$2500 for each of two follow-
9 up days. TCAC provided additional support. Filming took place over December 5, 6, and 20.
10 Despite the remodel work being completed, Defendant DERMAN and Cadman, with the assistance
11 of the other Defendants, and each of them, revised the prior bid bond claim on or about December
12 23, 2013—mere days after the episode finished taping.

13 21. On or about March 23, 2014, the TCAC episode called “House of Cards” aired on
14 SPIKE TV. Defendants, and each of them, presented false information about Plaintiff. While
15 brandishing a photograph of Plaintiff, the use of which Plaintiff had specifically objected,
16 BEDELL called Plaintiff a “criminal.” This footage was aired to approximately 1 million viewers.
17 The show aired internationally in the United Kingdom, Australia, New Zealand, and Portugal.

18 22. Plaintiff is not, and has never been, a criminal. Plaintiff has never been arrested for,
19 much less convicted of, any misdemeanor or felony crime. Further, much of the footage aired had
20 been staged. To boost Alison Bedell’s role in the show, she claimed, “I got a lead from the DMV
21 on an old vehicle that was registered to that address. Once I had that address, I followed him.”
22 Such “investigative work” was entirely unnecessary. Plaintiff’s address was readily available to
23 DERMAN. There was no need to track him down. Therefore, Plaintiff was readily available if
24 Defendants had reached out, as opposed to creating drama for the sake of ratings and advertising
25 revenue. Plaintiff appeared too sympathetic for the “docu-reality” drama Defendants, and each of
26 them, were seeking. The episode contains little footage of Plaintiff speaking directly. Plaintiff
27 sincerely regretted the unfortunate circumstances that led to the construction work being halted.
28 Defendant DERMAN and Cadman claimed Plaintiff ruined their holidays, so Plaintiff asked if their

1 family could be flown out, using part of the \$10,000 Plaintiff was to receive. This request was
2 refused. Plaintiff also asked if part of the \$10,000 could be used to fix Defendant DERMAN's
3 motorcycle. Again, this request was denied.

4 23. Further, on the day the episode first aired, Defendant DERMAN claimed Plaintiff
5 was a sexual predator who sexually assaulted him. On DERMAN's Facebook page, one Tiffany
6 Marquez commented, "Is this anything like Catch a Predator?" to which DERMAN intentionally
7 and maliciously responded, "Yes Tiffany Marquez! Adam corolla [*sic*] busts a contractor who
8 touched me in the naughty places." DERMAN never retracted the false and defamatory accusation
9 he posted. "To Catch a Predator" was a hidden camera investigative series by Dateline NBC. The
10 show impersonated underage youth online to lure potential sexual predators, who were then
11 confronted on the show and later, with law enforcement present. DERMAN's malicious statement
12 is entirely untrue.

13 24. The wrongful conduct of DEFENDANTS, and each of them, is continuing and
14 ongoing as of the present date. The false and defamatory publications of DEFENANTS, and each
15 of them, continue to be available to third parties with Internet access, worldwide.

16 25. Plaintiff has suffered both general and special damages in the past and present and
17 will continue to suffer such damages in the future for an unknown period of time. This has caused
18 damage to his professional reputation, and will adversely affect his income and other benefits.
19 Moreover, it has adversely affected his personal health and well being, including medical expenses,
20 that are anticipated into the future and may force an early retirement. Plaintiff has also suffered
21 extensive general damages in the form of anxiety, anguish, and mental suffering. Plaintiff's
22 damages are continuing and in an amount not yet determined, but in excess of \$25,000.

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1 SECOND CAUSE OF ACTION

2 BY PLAINTIFF AGAINST DEFENDANTS SPIKE, EYEWORKS, BONGO,

3 AND DOES 1-100, INCLUSIVE

4 **FRAUD**

5 26. Plaintiff re-alleges and incorporates by reference each and every allegation
6 contained in paragraphs 1–25 of this complaint as though fully set forth herein again.

7 27. Defendants, and each of them, by the acts herein described, represented certain
8 facts to Plaintiff as true, including but not limited to luring Plaintiff to the ruse house under false
9 pretenses and misrepresenting the nature of the show. These representations by Defendants, and
10 each of them, were false and/or not true. Defendants, and each of them, knew the representations
11 were false when they made them, or made them recklessly and without regard for their truth.
12 Defendants had no reasonable grounds for believing the representations were true when they were
13 made.

14 28. Defendants, and each of them, intended that Plaintiff rely on these representations to
15 inure specific benefits to Defendants. Plaintiff reasonably relied on the representations of
16 Defendants, and each of them, to his detriment and harm. Plaintiff's reliance on the representations
17 of Defendants, and each of them, was a substantial factor in causing Plaintiff's harm.

18 29. As a proximate result of the representations to Plaintiff by Defendants, and each of
19 them, Plaintiff has suffered injury to his health and his personal, business, and professional
20 reputation including suffering embarrassment, humiliation, mental distress, shunning, anguish,
21 fear, loss of employment, and employability, and economic loss, all to Plaintiff's economic,
22 emotional and general damage in an amount according to proof.

23 30. Defendants, and each of them, by and through their managing agents and officers,
24 committed the acts alleged herein recklessly, maliciously, fraudulently, and oppressively, with the
25 wrongful intention of injuring Plaintiff, for an improper and evil motive amounting to malice (as
26 described above), and with a reckless and conscious disregard of Plaintiff's rights. All actions of
27 Defendants, and each of them, their agents, employees, managing agents and officers as herein
28 alleged were known, authorized, ratified, and approved by Defendants, and each of them. Plaintiff

1 is thus entitled to recover punitive and exemplary damages from Defendants, and each of them, for
2 the wanton, obnoxious, and despicable acts in an amount based on the wealth and ability to pay
3 according to proof at the time of trial.

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5 **SECOND CAUSE OF ACTION**
6 **BY PLAINTIFF AGAINST ALL DEFENDANTS**
7 **AND DOES 1-100, INCLUSIVE**
8 **FALSE IMPRISONMENT**

9 31. Plaintiff re-alleges and incorporates by reference each and every allegation
10 contained in paragraphs 1–30 of this complaint as though fully set forth herein again.

11 32. DEFENDANTS, and each of them, intentionally deprived Plaintiff of his freedom
12 of movement by use of physical barriers, force, threats of force, menace, fraud, deceit, and
13 unreasonable duress. DEFENDANTS, and each of them, created and conspired in a common plan
14 to lure Plaintiff to a confined and enclosed space, the ruse house, and coerce him under physical
15 and other threats to sign a Release so DEFENDANTS, and each of them, could benefit.

16 33. The restraint, confinement, and/or detention of Plaintiff by DEFENDANTS, and
17 each of them, compelled Plaintiff to stay on the property of the ruse house. Plaintiff did not
18 knowingly or voluntarily consent to restraint, confinement, and/or detention. Plaintiff was lured to
19 the ruse house under false pretenses knowingly and intentionally orchestrated by DEFENDANTS,
20 and each of them.

21 34. As a proximate result of the restraint, confinement, and/or detention of Plaintiff by
22 DEFENDANTS, and each of them, Plaintiff has suffered injury to his health and his personal,
23 business, and professional reputation including suffering embarrassment, humiliation, mental
24 distress, shunning, anguish, fear, loss of employment, and employability, and economic loss, all to
25 Plaintiff's economic, emotional and general damage in an amount according to proof.

26 35. DEFENDANTS, and each of them, by and through their managing agents and
27 officers, committed the acts alleged herein recklessly, maliciously, fraudulently, and oppressively,
28 with the wrongful intention of injuring Plaintiff, for an improper and evil motive amounting to

malice (as described above), and with a reckless and conscious disregard of Plaintiff's rights. All actions of DEFENDANTS, and each of them, their agents, employees, managing agents and officers as herein alleged were known, authorized, ratified, and approved by DEFENDANTS, and each of them. Plaintiff is thus entitled to recover punitive and exemplary damages from DEFENDANTS, and each of them, for the wanton, obnoxious, and despicable acts in an amount based on the wealth and ability to pay according to proof at the time of trial.

THIRD CAUSE OF ACTION
BY PLAINTIFF AGAINST ALL DEFENDANTS
AND DOES 1-100, INCLUSIVE

DEFAMATION

36. Plaintiff re-alleges and incorporates by reference each and every allegation contained in paragraphs 1–35 of this complaint as though fully set forth herein again.

37. Plaintiff is informed and believes that DEFENDANTS, and each of them, by the herein described acts, conspired to, and in fact, did negligently, recklessly, and intentionally caused excessive and unsolicited internal and external publications of defamation of and concerning Plaintiff, to third persons and to the community, which are still available on the internet. These false and defamatory statements included, but are not limited to, express and implied accusations that Plaintiff is a criminal and a sexual predator.

38. The defamatory publications consisted of oral and written statements, knowingly false and unprivileged communications, tending directly to injure Plaintiff and Plaintiff's personal, business, and professional reputations. These false and defamatory publications were and are in violation of Civil Code § 45 and 46(3) and (5). The statements and similar ones published by Defendants and each of them, expressly and impliedly asserted that Plaintiff is a criminal and a sexual predator.

39. Plaintiff is informed and believes, and fears, that these false and defamatory per se statements will continue to be published by DEFENDANTS and each of them and will be foreseeably republished by their recipients, all to the ongoing harm and injury to Plaintiff's

1 business, professional and personal reputations. Plaintiff also seeks redress in this action for all
2 foreseeable republication including his own compelled self-publication of these defamatory
3 statements.

4 40. The defamatory meaning of all of the above-described false and defamatory
5 statements and their reference to Plaintiff were reasonably understood by these above-referenced
6 third person recipients and other members of the community who are known to DEFENDANTS,
7 and each of them, but unknown to Plaintiff at this time. Because of the facts and circumstances
8 known to those third-parties to whom the false and defamatory statements were published, it
9 tended to injure Plaintiff in his occupation, or to expose him to hatred, contempt, ridicule, or
10 shame, or to discourage others from associating or dealing with him.

11 41. None of the DEFENDANTS' defamatory publications against Plaintiff referenced
12 above are true.

13 42. The above defamatory statements were understood as assertions of fact, and not as
14 opinion. Plaintiff is informed and believes this defamation will continue to be negligently,
15 recklessly, and intentionally published and foreseeably republished by DEFENDANTS, and each
16 of them, and foreseeably republished by recipients of DEFENDANTS' publications, thereby
17 causing additional injury and damages for which Plaintiff seeks redress by this action.

18 43. Each of these false defamatory per se publications were negligently, recklessly, and
19 intentionally published in a manner equaling malice. These publications abuse any alleged
20 conditional privilege (which Plaintiff denies existed.). All of the publications were made with
21 hatred, ill will, and intent to vex, harass, annoy, and injure Plaintiff. These publications were made
22 to create drama and increase ratings for TCAC to expressly and directly benefit DEFENDANTS,
23 and each of them, among other advantages. These false and defamatory statements were made to
24 cause damage to Plaintiff's professional and personal reputation, and to humiliate him before third-
25 parties worldwide, exposing.

26 44. Each of these publications by DEFENDANTS, and each of them, were made with
27 knowledge that no investigation supported the unsubstantiated and obviously false statements. Not
28 only did DEFENDANTS, and each of them, fail to use reasonable care to determine the truth or

1 falsity of the statements, but also DEFENDANTS published there statements knowing them to be
2 false, unsubstantiated by any reasonable investigation, despite the fact that TCAC claims to employ
3 a licensed private investigator in the show—*i.e.*, Alison Bedell. These acts of publication were
4 known by DEFENDANTS, and each of them, to be negligent to such a degree as to be reckless. In
5 fact, not only did DEFENDANTS, and each of them, have no reasonable basis to believe these
6 statements, but also they had no belief in the truth of these statements, and in fact knew the
7 statements to be false. DEFENDANTS, and each of them, excessively, negligently, and recklessly
8 published these statements to individuals with no need to know, and who made no inquiry, and
9 who had a mere general or idle curiosity of this information.

10 45. The complained of publications by DEFENDANTS, and each of them, were made
11 with hatred and ill will towards Plaintiff and the design and intent to injure Plaintiff, Plaintiff's
12 good name, his reputation, his ability to make a living, and his employment and employability.
13 DEFENDANTS and each of them, published these statements not with an intent to protect any
14 interest intended to be protected by any privilege, but with negligence, recklessness and/or and
15 intent to injure Plaintiff and destroy his reputation.

16 46. As a proximate result of the publication and republication of these defamatory
17 statements by DEFENDANTS, and each of them, Plaintiff has suffered injury to his personal,
18 business, and professional reputation including suffering embarrassment, humiliation, severe
19 emotional distress, shunning, anguish, fear, loss of employment, and employability, and significant
20 economic loss in the form of lost wages and future earnings, all to Plaintiff's economic, emotional
21 and general damage in an amount according to proof.

22 47. DEFENDANTS, and each of them, by and through their managing agents and
23 officers, committed the acts alleged herein recklessly, maliciously, fraudulently, and oppressively,
24 with the wrongful intention of injuring Plaintiff, for an improper and evil motive amounting to
25 malice (as described above) and which abused and/or prevent the existence of any conditional
26 privilege, which in fact did not exist, and with a reckless and conscious disregard of Plaintiff's
27 rights. All actions of DEFENDANTS, and each of them, their agents, employees, managing agents
28 and officers as herein alleged were known, authorized, ratified, and approved by DEFENDANTS,

1 and each of them. Plaintiff is thus entitled to recover punitive and exemplary damages from
2 DEFENDANTS, and each of them, for the wanton, obnoxious, and despicable acts in an amount
3 based on the wealth and ability to pay according to proof at the time of trial.

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5 **FOURTH CAUSE OF ACTION**

6 **BY PLAINTIFF AGAINST DEFENDANTS SPIKE, EYEWORKS, BONGO,**

7 **AND DOES 1-100, INCLUSIVE**

8 **VIOLATION OF RIGHT TO NAME OR LIKENESS**

9 48. Plaintiff re-alleges and incorporates by reference each and every allegation
10 contained in paragraphs 1–47 of this complaint as though fully set forth herein again.

11 49. Defendants, and each of them, used Plaintiff's name, likeness, or identity without
12 his permission, for the commercial benefit of Defendants, and each of them. The use of Plaintiff's
13 name, likeness, or identity by Defendants, and each of them, contained false information; namely,
14 that Plaintiff was a criminal. Defendants, and each of them, knew the use of Plaintiff's name,
15 likeness, or identity was false, or acted with reckless disregard of its falsity, or were negligent in
16 determining the truth of the information.

17 50. As a proximate result of the use of Plaintiff's name, likeness, or identity by
18 Defendants, and each of them, Plaintiff has suffered injury to his personal, business, and
19 professional reputation including suffering embarrassment, humiliation, severe emotional distress,
20 shunning, anguish, fear, loss of employment, and employability, and significant economic loss in
21 the form of lost wages and future earnings, all to Plaintiff's economic, emotional and general
22 damage in an amount according to proof.

23 51. Defendants, and each of them, by and through their managing agents and officers,
24 committed the acts alleged herein recklessly, maliciously, fraudulently, and oppressively, with the
25 wrongful intention of injuring Plaintiff, for an improper and evil motive amounting to malice (as
26 described above) and which abused and/or prevent the existence of any conditional privilege,
27 which in fact did not exist, and with a reckless and conscious disregard of Plaintiff's rights. All
28 actions of Defendants, and each of them, their agents, employees, managing agents and officers as

1 herein alleged were known, authorized, ratified, and approved by DEFENDANTS, and each of
2 them. Plaintiff is thus entitled to recover punitive and exemplary damages from DEFENDANTS,
3 and each of them, for the wanton, obnoxious, and despicable acts in an amount based on the wealth
4 and ability to pay according to proof at the time of trial.

5 52. As legal result of the above-described conduct of Defendants, and each of them,
6 Plaintiff has sustained and will continue to sustain physical, mental, and emotional injuries, pain,
7 distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame, mortification, injured
8 feelings, mental suffering, shock, humiliation, and indignity, as well as other unpleasant physical,
9 mental, and emotional reactions, damages to good name, reputation, standing in the community,
10 and other non-economic damages.

11 53. As a further legal result of the above-described conduct of Defendants, and each of
12 them, Plaintiff was required, and/or in the future may be required, to engage in the services of
13 health care providers, and incurred expenses for medicines, health care appliances, modalities,
14 and/or other related expenses in a sum to be ascertained according to proof.

15 54. As a further legal result of the above-described conduct of Defendants, and each of
16 them, Plaintiff was and/or will be hindered, prevented, and/or precluded from performing
17 Plaintiff's usual activities, causing Plaintiff to sustain damages for loss of income, wages, earnings,
18 and earning capacity, and other economic damages, in an amount to be ascertained according to
19 proof. Plaintiff claims such amount as damages together with prejudgment interest pursuant to
20 California Civil Code section 3287 and/or any other provision of law providing for prejudgment
21 interest.

22 55. As a further legal result of the above-described conduct of Defendants, and each of
23 them, Plaintiff suffered incidental, consequential, and/or special damages, in an amount according
24 to proof.

25 56. As a further legal result of the above-described conduct of Defendants, and each of
26 them, Plaintiff has and will continue to incur attorneys' fees and costs in an amount according to
27 proof.
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57. As a direct and proximate result of the aforesaid unlawful acts of Defendants, and each of them, Plaintiff suffered stress-related health consequences. Plaintiff claims general damages for such health problems in an amount to be proven at time of trial.

58. Defendants' actions constituted a willful violation of the above-mentioned federal and state laws. The conduct of Defendants described herein above was outrageous and was executed with malice, fraud, and oppression, and with conscious disregard for Plaintiff's rights and the rights of others, and further, with the intent, design, and purpose of injuring Plaintiff.

59. Defendants, and each of them, through its officers, managing agents, employees and/or supervisors, authorized, allowed, permitted, condoned, ratified, and/or enabled the retaliation and/or other wrongful conduct as described herein. By reason thereof, Plaintiff is entitled to an award of punitive damages in an amount according to proof at the time of trial.

60. Defendants, and each of them, committed the wrongful acts alleged herein by acting knowingly and willfully, with the wrongful and illegal deliberate intention of injuring Plaintiff, from improper motives amounting to malice, and in conscious disregard of Plaintiff's rights. Plaintiff is thus entitled to recover nominal, actual, compensatory, punitive, and exemplary damages in amounts according to proof at time of trial, in addition to any other remedies and damages allowable by law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff seeks judgment against all Defendants, and each of them, on all Causes of Action, except as identified herein, for:

1. Physical, mental, and emotional injuries, pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame, mortification, injured feelings, shock, humiliation and indignity, as well as other unpleasant physical, mental, and emotional reactions, damages to reputation, and other non-economic damages, as allowed by law and in a sum to be ascertained according to proof;

2. Loss of wages, income, earnings, earning capacity, support, domestic services, benefits, and other economic damages as allowed by law and in a sum to be ascertained according to proof;

1 3. Health care, services, supplies, medicines, health care appliances, modalities, and
2 other related expenses as allowed by law and in a sum to be ascertained according to proof;

3 4. Other actual, consequential, and/or incidental damages as allowed by law and in a
4 sum to be ascertained according to proof;

5 5. For punitive and exemplary damages as allowed by law and according to proof;

6 6. Attorney fees and costs as allowed by law and according to proof;

7 7. Costs of suit herein incurred;

8 8. Pre-judgment interest;

9 9. Injunctive relief as to Plaintiff's Third and Fourth Causes of Action, such that
10 Defendants, and each of them, and all of their agents, officers, employees, representatives,
11 directors, affiliates, successors, assigns, attorneys, and all other persons or entities acting, for, with,
12 by, through, or under authority from Defendants, or in concert or participation with Defendants,
13 and each of them, be enjoined permanently, from: using, copying, reproducing, or making
14 available, the TCAC episode and the Facebook postings in any manner, and that all defamatory or
15 other violative materials, electronic, digital, or otherwise, in the possession or control of
16 Defendants, and each of them, be delivered up and destroyed, and a retraction issued, pursuant to
17 law; and

18 10. Such other and further relief as the Court may deem just and proper.
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20 Dated: March 20, 2015

McNICHOLAS & McNICHOLAS, LLP

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22 By: 

Matthew S. McNicholas
Alyssa K. Schabloski
Attorneys for Plaintiff
JEFF DILLMAN

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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury.

Dated: March 20, 2015

McNICHOLAS & McNICHOLAS, LLP

By: _____

Matthew S. McNicholas

Alyssa K. Schabloski

Attorneys for Plaintiff

JEFF DILLMAN