

CASE NO.: 07-CV-01976-SCB-MAP

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

EDWARD T. SAADI, an Individual,

Plaintiff,

v.

PIERRE A. MAROUN, [REDACTED]
[REDACTED] an individual, JOHN DOE #3, aka
"Bashir4Ever," an individual whose name is
presently unknown, JOHN DOE #4, aka
"Bush," an individual whose name is presently
unknown, JOHN DOE #5, aka "b2a3kafra," an
individual whose name is presently unknown,
and JOHN DOES #6-12, individuals,
corporations, organizations, or other legal
entities whose names are presently unknown,
Defendants

**AMENDED COMPLAINT FOR
INJUNCTIVE RELIEF AND
DAMAGES AND DEMAND FOR
JURY TRIAL AMENDED
COMPLAINT FOR INJUNCTIVE
RELIEF AND DAMAGES AND
DEMAND FOR JURY TRIAL**

Plaintiff

EDWARD T. SAADI ("Saadi"), *pro-se*, hereby sues Defendants, PIERRE A. MAROUN, [REDACTED] and JOHN DOES #3-12, in this action for injunctive relief and damages and states:

INTRODUCTION

1. This is an action for injunctive relief and damages arising out of the posting of false and defamatory statements on an internet "blog" and on internet forums by or with the assistance or participation of Defendants.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1332 because this is an action for money damages between citizens of different States, in which the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

3. Venue is properly laid in the United States District Court for the Middle District of Florida, pursuant to 28 U.S.C. §1391, because a substantial part of the events giving rise to the claims alleged by Saadi occurred in this district; specifically, defamatory statements regarding Saadi were posted to the internet in this district, and/or by using computers and servers located in this district. Venue is also properly laid in this

District because one or more Defendants are subject to personal jurisdiction in this district and there is no other district in which the action may otherwise be brought.

4. Defendants are subject to personal jurisdiction in Florida and this district because they: (a) are residents of Florida and this district; (b) have their principal place of business in Florida and this district; (c) engaged in substantial and not isolated activities in Florida and this district; (d) committed tortious acts within Florida and this district; (e) caused injury to persons located in Florida and this district, while at the same time they engaged in solicitation and service activities within Florida and this district; and/or (f) engaged in unlawful conduct in this Florida and this district, specifically, by publishing false and defamatory statements about Saadi within Florida and this district, and/or using computers and servers located in Florida and this district.

PARTIES

5. Saadi is an individual and citizen of the United States and a resident and citizen of the State of Ohio.

6. Defendant Pierre A. Maroun is an individual and citizen of the United States and a resident and citizen of the State of Florida.

7. Defendant [REDACTED] is an individual and is, on information and belief, a citizen of the United States and a resident of the State of Florida.

8. The true name of Defendant JOHN DOE #3, aka "Bashir4Eever," is unknown to Saadi, who therefore sues this Defendant under such fictitious name. Saadi will ask leave of court to amend this Amended Complaint and insert Defendant JOHN DOE #3's true name in place of the fictitious name when the same has become known to Saadi.

9. The true name of Defendant JOHN DOE #4, aka "Bush," is unknown to Saadi, who therefore sues this Defendant under such fictitious name. Saadi will ask leave of court to amend this Amended Complaint and insert Defendant JOHN DOE #4's true name in place of the fictitious name when the same has become known to Saadi.

10. The true name of Defendant JOHN DOE #5, aka "b2a3kafra," is unknown to Saadi, who therefore sues this Defendant under such fictitious name. Saadi will ask leave of court to amend this Amended Complaint and insert Defendant JOHN DOE #5's true name in place of the fictitious name when the same has become known to Saadi.

11. The true names of Defendants JOHN DOES #6-12, are unknown to Saadi, who therefore sues said Defendants under such fictitious names. Saadi is informed and believes, and on such information and belief alleges, that each of Defendants JOHN DOES #6-12 published false and defamatory statements concerning Saadi on an internet "blog," on internet forums, and/or other internet sites or assisted or participated in the doing of same by other Defendants. Saadi will seek leave of court to amend this Amended Complaint and insert their true names in place of their fictitious names when the same have become known to Saadi.

COMMON ALLEGATIONS

12. Saadi is a 1993 graduate of Georgetown University and a 1996 graduate of the Georgetown University School of Law. Saadi is an attorney licensed to practice law in state and/or federal courts in Ohio, California, Michigan, and the District of

Columbia. Saadi is the sole member of a law firm located in Boardman, Ohio.

13. The Internet is the world's largest network of computer networks. It is a decentralized, global medium of communications that links people and businesses around the world, allowing instantaneous sharing of information. In recent years, the commercial aspects of the Internet have mushroomed, with millions upon millions of individuals and commercial enterprises engaging in daily transactions and making financial and business decisions based upon information found on the Internet. Currently, tens of millions of computers in the United States alone are linked directly to the Internet, and more than 100 million users connect to the Internet worldwide. Countless users spend hours browsing the Internet each day, scouring different sites for information relevant to their business, financial and personal decisions.

14. The World Wide Web (the "Web") is the most popular way to provide and retrieve information on the Internet. Anyone with access to the Internet and proper software can post content on the Web, which may contain many different types of digital information—text, images, sound, and even video. The Web is comprised of millions of separate but interconnected "Web sites" which in turn may have hundreds of separate "Web pages" that display content provided by particular persons or organizations.

15. Google, Inc. ("Google") is a global Internet media company, whose "Google" Web Site (<http://www.google.com>) is one of the most popular destinations on the Web.

16. Among Google's most popular offerings is its Web site known as "BlogSpot" (<http://www.blogspot.com>), in which users can design, build, and publish an on-line publicly accessible diary known as a "blog." Such blogs can be viewed and read by anyone with access to the Web. Each day, countless users around the world read these blogs.

17. One blog available on Google's "BlogSpot" Web site is located at <http://biggestlosers.blogspot.com> (hereinafter the "Blog").

18. Other Web sites contain "forums" in which users can engage in anonymous interactive written public discussions. Such forums can be viewed and read by anyone with access to the Web. Each day countless users around the world read and post contributions to these forums. Two Web sites which contain such forums are located at www.lebforces.org and www.bachirgemayel.org (hereinafter the "Forums").

19. Defendants PIERRE A. MAROUN, [REDACTED], and JOHN DOES #3-12 have posted false and defamatory statements regarding Saadi on the Blog using the alias "Losers." Examples of these postings are attached hereto as Exhibits "A," "B," and "C."

20. Defendants PIERRE A. MAROUN, [REDACTED], and JOHN DOES #3-12 have re-posted said false and defamatory statements regarding Saadi to the Forums using the aliases "Bashir4Ever," "Bush," and "b2a3kafra." Examples of these re-postings are attached hereto as Exhibits "D" and "E."

21. Since their posting, the false and defamatory statements regarding Saadi have remained available to millions of Internet users, many of whom may have made copies of the false and defamatory statements and/or redistributed them by electronic mail or other means and/or re-posted them on other Web sites, forums, and blogs, and

Saadi has no means of removing these false and defamatory statements from the Internet.

22. On February 1, 2008, Saadi served Pierre A. Maroun and [REDACTED] with a written notice pursuant to Fla. Stat. Ann. §770.01 of the false and defamatory material and demanded that defendant remove, and publish a retraction of, said statements, but said Defendants have failed and refused to remove or retract any of the defamatory material. A copy of Saadi's written notice and demand for retraction is attached as Exhibit "F."

23. All conditions precedent to the maintenance of this action have been performed, discharged, waived, or otherwise satisfied.

COUNT I – DEFAMATION

24. Paragraphs 1-23 are hereby re-alleged and incorporated herein by reference.

25. Defendants published, and re-published, false and defamatory statements about Saadi, including those contained in the postings to the Blog and the Forums.

26. The false and defamatory statements published by Defendants regarding Saadi, as reasonably understood, impugn the integrity and competence of Saadi, discredit Saadi's business methods, undermine the confidence of the public and Saadi's clients in Saadi's business, and/or drive away the public and Saadi's clients from using Saadi's services.

27. The false and defamatory statements published by the Defendants, when considered alone, without innuendo, tend to subject Saadi to hatred, distrust, ridicule, contempt, or disgrace, tend to injure Saadi in his trade or profession, and/or attribute to Saadi conduct, characteristics, or conditions incompatible with the proper exercise of a lawful business, trade, profession, or office.

28. The false and defamatory statements published by the Defendants accuse Saadi of having committed, or having participated in the commission of, serious crimes.

29. Defendants owed and owe a duty to Saadi to not publish false and defamatory statements about Saadi. In publishing the false and defamatory statements about Saadi, Defendants breached that duty.

30. In publishing the false and defamatory statements about Saadi, Defendants knew, or in the exercise of reasonable care should have known, that the statements were false.

31. In publishing the false and defamatory statements about Saadi, Defendants acted with malice, actual malice, with knowledge that the statements were false, and/or with reckless disregard for their truth or falsity.

32. As a result of the foregoing publications of defamatory statements by Defendants, Saadi has been damaged, including but not limited to damage to his reputation, and loss of business.

33. In carrying out the foregoing conduct, Defendants acted negligently, willfully, maliciously, and/or with reckless indifference to the consequences of their actions and the rights of Saadi.

WHEREFORE, Saadi demands judgment against Defendants, jointly and severally, for money damages in an amount to be proved at trial but which is in excess of \$75,000.00, punitive damages, pre- and post-judgment interest, attorney's fees, litigation expenses, and costs.

COUNT II -- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

34. Paragraphs 1-33 are hereby re-alleged and incorporated herein by reference.

35. The Defendants, by and through the making of such false, defamatory, and libelous statements, behaved intentionally and/or recklessly.

36. The Defendants, by and through the making of such false, defamatory, and libelous statements, intended to cause emotional distress upon Saadi.

37. The Defendants' making of such false, defamatory, and libelous statements was so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.

38. Saadi suffered severe emotional distress and emotional injury.

39. The Defendants' actions, as aforesaid, were the direct and proximate cause of such severe emotional distress and emotional injury to Saadi.

40. Saadi suffered and continues to suffer mental anguish as a result of being defamed and libeled by the Defendants, and said mental anguish is of a nature that no reasonable person could be expected to endure.

WHEREFORE, Saadi demands judgment against Defendants, jointly and severally, for money damages in an amount to be proved at trial but which is in excess of \$75,000.00, punitive damages, pre- and post-judgment interest, attorney's fees, litigation expenses, and costs.

COUNT III – PRELIMINARY AND PERMANENT INJUNCTION

41. Paragraphs 1-40 are hereby re-alleged and incorporated herein by reference.

42. Upon information and belief, some or all of the improper and unlawful conduct of Defendants alleged above is continuing and will continue in the future absent injunctive relief from the Court, and Saadi will continue to be damaged by same.

43. In the absence of the entry of a preliminary and permanent injunction by the Court, Saadi will suffer serious and irreparable harm and injury, including but not limited to damage to his reputation, and loss of business.

44. The entry of a preliminary and permanent injunction will not unduly harm or burden Defendants because they are required as a matter of law to refrain from disseminating defamatory statements regarding Saadi.

45. Public policy favors the entry of a preliminary and permanent injunction because, *inter alia*, such relief will prevent unlawful conduct, will preserve and protect Saadi's reputation, and will promote business, thereby encouraging economic prosperity.

46. The aforesaid publications of false and defamatory statements by the Defendants has interfered with and is interfering with Saadi's present and prospective business relationships.

WHEREFORE, Saadi demands the entry of a preliminary and permanent injunction preventing the Defendants from disseminating (via the internet or any other means) any false and defamatory statement regarding Saadi and requiring Defendants to take all steps available and necessary to remove the false and defamatory statements published by Defendants from the internet.

Dated this 9th day of February, 2008 s/ Edward T. Saadi .

EDWARD T. SAADI

Pro-Se Plaintiff

970 Windham Court, Ste 7

Boardman, Ohio 44512

(330) 782-1954

(330) 266-7489 (fax)

EdwardSaadi@aol.com

JURY DEMAND

Plaintiff Edward T. Saadi hereby requests a trial by jury.

Dated this 9th day of February, 2008 s/ Edward T. Saadi .

EDWARD TUFIC SAADI

Pro-Se Plaintiff

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