

FILED
ENDORSED

The annexed instrument is a correct copy of the original on file in my office.

Attest: March 16, 2004

Certified
Superior Court of California
County of Sacramento

By Denise Velazquez
(Seal) Deputy

LEGAL PROCESS #2

1 K. Greg Peterson, Esq. (SBN 18287)
2 James A. Clinchard, Esq. (SBN 200746)
3 LAW OFFICES OF K. GREG PETERSON
4 1716 L Street
5 Sacramento, California 95814
6 Telephone: (916) 443-3010
7 Facsimile: (916) 492-2680



8 Attorneys for Plaintiff, GLENN HAGELE

CIVIL DIVISION
0088 - 000128255
03/03/2006 09:38:47 AM
06AS00839 - Fee PAID: \$320.00
\$320.00 - Civil New Filing -

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SACRAMENTO

06AS00839

11 GLENN HAGELE,
12 Plaintiff,
13 v.
14 BRENT HANSON, and DOES 1 through 20,
15 Defendants.

Case No.
COMPLAINT FOR DEFAMATION
(UNLIMITED CIVIL CASE)
Amount demanded exceeds \$25,000.00

16
17 Plaintiff, GLENN HAGELE, complains and alleges of Defendants, BRENT HANSON
18 and DOES 1 through 20, (collectively "Defendants") inclusive as follows:

19 GENERAL ALLEGATIONS

- 20 1. Plaintiff GLENN HAGELE, ("Plaintiff") is, and at all times herein mentioned
21 was, an individual residing in Sacramento County, California.
22 2. Plaintiff is informed and believes, and therefore alleges, Defendant BRENT
23 HANSON ("Hanson") is, and at all times herein mentioned was, an individual currently residing
24 in the County of Durham, North Carolina.
25 3. Plaintiff is unaware of the true names, capacities, or basis for liability of
26 Defendants DOES 1 through 20, inclusive, and therefore sues said defendants by their fictitious
27 names. Plaintiff will amend this complaint to allege their true names, capacities, or basis for
28 liability when the same have been ascertained. Plaintiff is informed and believes and on that

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SUMMONS ISSUED

basis alleges that Defendants DOES 1 through 20, inclusive, and each of them, are in some manner liable to Plaintiff, and/or are proper and necessary parties to this action in light of the relief requested.

4. At all times relevant to this action, each defendant, including those fictitiously named, was the agent, principal, employee, employer, partner, joint venturer, or surety of the other defendants and was acting within the scope of said agency, employment, partnership, venture, or suretyship, with the knowledge and consent or ratification of each of the other defendants in doing the things alleged in this complaint.

9 5. On or about January 3, 2003, Defendant Hanson filed a complaint in the Circuit
10 Court of Cook County, Illinois, case No. 03M300136 against Plaintiff claiming \$2,850 in
11 damages ("Illinois Case"). On June 27, 2003, the Honorable James T. Ryan dismissed the
Illinois Case.

14 6. Plaintiff is informed and believes, and therefore alleges, in or about May 2005,
15 Defendant Hanson published on websites he controls a false and unprivileged letter which
16 proclaimed to be from "ACE Judgment Recovery Services" seeking to collect \$2,850 relating to
17 the dismissed Illinois Case ("Defamatory Letter"). The Defamatory Letter falsely asserts that
18 Defendant Hanson has a successful claim against Plaintiff in the Illinois Case and that "ACE"
will collect this judgment.

19 7. Plaintiff is informed and believes, and therefore alleges, Defendants, and each of
20 them published, and continue to publish, the Defamatory Letter, and associated false allegations
21 contained therein, on various websites, Internet bulletin boards, public newsgroups, email, and
other publicly accessible forums.

8. Plaintiff has repeatedly demanded that Defendant Hanson remove the offending material and cease all further publication of such defamatory statements. Defendant Hanson has failed to comply with these demands.

9. Plaintiff is informed and believes, and therefore alleges, Defendant Hanson, intended, or reasonably could have been expected, to cause injury in California. Defendant's actions injured, and continues to injure, Plaintiff in California.

FIRST CAUSE OF ACTION

(Defamation/Libel California Civil Code § 45)

2
3 10. Plaintiff incorporates those allegations set forth in paragraphs 1 through 9 above,
4 as though fully set forth herein.

5 11. Plaintiff is informed and believes, and therefore alleges, Defendants, and each of
6 them, published, republished, and communicated the defamatory statements to persons other than
7 Plaintiff with reckless disregard for the truth.

8 12. Plaintiff is informed and believes, and therefore alleges, Defendants' defamatory
9 statements are and were of a nature which would be reasonably understood by others to be about
10 Plaintiff.

11 13. Plaintiff is informed and believes, and therefore alleges, Defendants' defamatory
12 statements are and were of a nature which would be reasonably understood by others to mean
13 that Plaintiff has unpaid debts and a judgment against him resulting therefrom.

14 14. These defamatory statements have caused injury to Plaintiff in his occupation and
15 expose him to hatred, contempt, ridicule, shame, and discouraged others from associating and
16 dealing with him.

17 15. Defendants' defamatory statements are and were false.

18 16. Plaintiff is informed and believes, and therefore alleges, Defendants, and each of
19 them, knew or should have known that the defamatory statements were false, or had serious
20 doubts about the truth of the statements, and failed to use reasonable care to determine the truth
or falsity of such statements.

 17. Plaintiff is informed and believes, and therefore alleges, Defendants, and each of
them, acted with malice, oppression, and fraud.

 18. Plaintiff is informed and believes, and therefore alleges, Defendants, and each of
them, intentionally misrepresented and concealed material facts, and did so intending to deprive
Plaintiff of a legal right and otherwise to cause Plaintiff injury.

 19. Plaintiff suffered harm, and continues to suffer harm, to his business, profession,
and occupation as a result of Defendants' defamatory statements.

1 20. Defendants' wrongful conduct was a substantial factor in causing Plaintiff's harm
2 and special damages as a result thereof.

3 21. Plaintiff is entitled to injunctive relief prohibiting Defendants, and each of them,
4 from publishing defamatory statements in any way that injures or tends to injure Plaintiff's
5 reputation or interfere with his business activities.

6 22. Plaintiff is further entitled to an award of punitive damages from Defendants, and
7 each of them, in an amount to be determined at that the time of trial, and to compensate Plaintiff
8 for Defendants' improper, extreme and outrageous conduct which injured, and continues to
9 injure, Plaintiff.

10 PRAYER

11 WHEREFORE, Plaintiff prays for a judgment to be entered against Defendant Hanson
12 and Does 1 through 20, as follows:

- 13 1. For an injunction mandating Defendants:
- 14 a. Immediately remove or cause to be removed all publicly accessible
15 Internet newsgroup, bulletin board, or chat room statements about
16 Plaintiff, his employer, and/or his business associates, which may be
17 decided by the court as defamatory and refrain from publishing or
18 republishing any and all future statements that may be considered
19 defamatory;
 - 20 b. Immediately remove or cause to be removed those portions of all
21 publicly accessible Internet web pages Defendants control that include
22 statements about Plaintiff, his employer, and/or his business associates,
23 which may be decided by the court as defamatory and refrain from
24 publishing or republishing any and all future statements that may be
25 considered defamatory; and,
 - 26 c. Immediately privately retract all statements about Plaintiff, his employer,
27 and/or his business associates that may be decided by the court as
28 defamatory and were distributed via email, conventional mail, or any other

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private means and refrain from publishing or republishing any and all future statements that may be considered defamatory.

2. For an award of general damages in an amount to be determined by this court at the time of trial;

3. For an award of special damages in an amount to be determined by this court at the time of trial;


4. For an award of exemplary damages in an amount to be determined by this court at the time of trial;

5. For an award of Plaintiff's costs; and

6. For any other further relief that the Court may deem just and appropriate under the circumstances of this case.

Dated: March 2, 2006

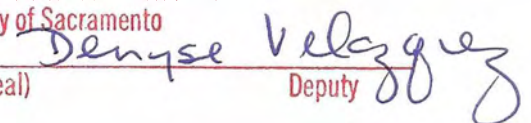
LAW OFFICES OF K. GREG PETERSON

By: 
K. Greg Peterson, Esq.,
James A. Clinchard, Esq., attorneys for
Plaintiff, GLENN HAGELE



The annexed instrument is a correct copy of the original on file in my office.
Attest: March 16, 2006

Certified
Superior Court of California
County of Sacramento

By: 
(Seal) Deputy

**SUMMONS
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

Brent Hanson, and DOES 1 through 20

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Glenn Hagele



You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:
(El nombre y dirección de la corte es):

Sacramento County Superior Court
720 9th Street, Room 102
Sacramento, CA 95814

CASE NUMBER: 03AS07039
(Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

K. Greg Peterson, Esq.
Law Offices of K. Greg Peterson, 1716 L Street, Sacramento, CA 95814, 916-443-3010

DATE: MAR 2 - 2006
(Fecha)

Clerk, by [Signature], Deputy
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

- as an individual defendant.
- as the person sued under the fictitious name of (specify):
- on behalf of (specify):

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
- by personal delivery on (date):



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): K. Greg Peterson, Esq. (SBN: 118287) Law Offices of K. Greg Peterson 1716 L Street, Sacramento, CA 95814 TELEPHONE NO.: 916-443-3010 FAX NO.: 916-492-2680 ATTORNEY FOR (Name): Plaintiff, Glenn Hagele		<div style="text-align: center; border: 1px solid black; padding: 2px;">FOR COURT USE ONLY</div> <div style="text-align: center; border: 1px solid black; padding: 2px;">FILED</div> <div style="text-align: center; border: 1px solid black; padding: 2px;">MAR 2 2006</div> <div style="text-align: center; border: 1px solid black; padding: 2px;">LEGAL PROCESS #?</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 720 9th Street, Room 102 MAILING ADDRESS: CITY AND ZIP CODE: Sacramento, CA 95814 BRANCH NAME:		CASE NUMBER <div style="text-align: center; border: 1px solid black; padding: 2px;">AS01080</div> JUDGE DEPT
CASE NAME: Glenn Hagele v. Brent Hanson, et al.		
CIVIL CASE COVER SHEET Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) <input type="checkbox"/>	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 1811)	

Items 1-5 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input checked="" type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 1800-1812) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 1800 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Type of remedies sought (check all that apply):
 a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify): Six
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 2, 2006

K. Greg Peterson, Esq.

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 201.8.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 1800 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a complex case, this cover sheet will be used for statistical purposes only.