

Bruce L. Campbell, OSB No. 925377
bruce.campbell@millernash.com
Elisa J. Dozono, OSB No. 063150
elisa.dozono@millernash.com
Miller Nash LLP
3400 U.S. Bancorp Tower
111 S.W. Fifth Avenue
Portland, Oregon 97204-3699
Telephone: (503) 224-5858
Fax: (503) 224-0155

FILED 08 OCT 9 14 05 USDC-ORP

Attorneys for Defendant WYBS, Inc.,
dba MerchantCircle, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CV '08 - 6313 - 16

KEITH GOODRIDGE CONSTRUCTION,
and **KEITH GOODRIDGE,**

CV No. _____

Plaintiffs,

NOTICE OF REMOVAL OF ACTION
UNDER 28 USC §§ 1332, 1441, and 1446

v.

WYBS, INC., a Delaware Corporation, doing
business as **MERCHANTCIRCLE** and
JOHN DOE 1,

Defendants.

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF OREGON, EUGENE DIVISION:

Pursuant to 28 USC §§ 1332, 1441 and 1446, defendant WYBS, Inc.,
dba MerchantCircle, Inc. ("MerchantCircle"), hereby gives notice of removal of the action
entitled *Keith Goodridge Construction, and Keith Goodridge v. WYBS, Inc., a Delaware
Corporation, doing business as MerchantCircle and John Doe 1*, Case No. 082581, pending in

Page 1 - Notice of Removal of Action Under 28 USC §§ 1332, 1441, and 1446

#234119

the Circuit Court of the State of Oregon for the County of Linn to the United States District Court for the District of Oregon, Portland Division. A true and correct copy of the summons and complaint received are attached as Exhibit 1.

BASIS FOR REMOVAL

1. At all relevant times, defendant WYBS, Inc. is and was a Delaware corporation doing business as MerchantCircle.com. WYBS owns the Web site www.merchantcircle.com, is registered to do business in the state of California, and has its principal place of business in Los Altos, California. WYBS has no employees in the state of Oregon.
2. Pursuant to 28 USC § 1446, this notice of removal is timely filed within 30 days after service of the summons and complaint.
3. The United States District Court for the District of Oregon has original jurisdiction over this case pursuant to 28 USC § 1332. Complete diversity exists between the parties: Goodridge is a citizen of Oregon and defendant is a citizen of Delaware. John Doe 1 is a fictitious party, and pursuant to 28 USC § 1441 (a), is disregarded as to citizenship. Plaintiffs seek damages in the amount of \$1,000,000 which exceeds the \$75,000 threshold of the amount in controversy.
4. Defendant is therefore entitled to remove this action to the United States District Court for the District of Oregon pursuant to 28 USC § 1441 and according to the procedure contained in 28 USC § 1446.
5. Promptly after filing this notice of removal, defendant will serve a copy upon plaintiffs and will file a copy with the Clerk of the Circuit Court of Linn County, Oregon.

WHEREFORE, defendant removes the above-entitled action now pending in the Circuit Court of Linn County, State of Oregon, to the United States District Court for the District of Oregon.

DATED this 9th day of October, 2008.

MILLER NASH LLP



Bruce L. Campbell, OSB No. 925377

bruce.campbell@millernash.com

Elisa J. Dozono, OSB No. 063150

elisa.dozono@millernash.com

Miller Nash LLP

3400 U.S. Bancorp Tower

111 S.W. Fifth Avenue

Portland, Oregon 97204-3699

Telephone: (503) 224-5858

Fax: (503) 224-0155

Attorneys for Defendant WYBS, Inc.,
dba MerchantCircle, Inc.

I HEREBY CERTIFY THAT THE FOREGOING IS A COMPLETE AND EXACT COPY OF THE ORIGINAL AND THE WHOLE THEREOF

Matthew P. Zanotelli
Of Attorneys For Plaintiffs

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF LINN

KEITH GOODRIDGE CONSTRUCTION,)
and KEITH GOODRIDGE,)
Plaintiffs,)
WYBS, INC., a Delaware Corporation,)
doing business as MERCHANTCIRCLE)
and JOHN DOE 1,)
Defendants.)

Case No. 082581

SUMMONS

TO: WYBS, Inc., doing business as
MerchantCircle
201 Main Street, Suite 100
Los Altos, CA 94022

YOU ARE HEREBY REQUIRED TO APPEAR and defend the Complaint filed against you in the above-entitled action within thirty (30) days from the date of service of this Summons upon you, and in the case of your failure to do so, for want thereof, Plaintiffs will apply to the Court for relief demanded in the Complaint.

DATED this the 15 day of August, 2008.

Matthew P. Zanotelli
Matthew P. Zanotelli, OSB #06156
The VanderMay Law Firm
of Attorneys for Plaintiffs

Papers in this action may be served upon Plaintiffs by mail to:

THE VANDERMAY LAW FIRM
388 State Street, Suite 340
Salem, Oregon 97301

The telephone number of the above law office is:

(503) 588-8053

1 SUMMONS

The VanderMay Law Firm
388 State Street, Suite 340
Salem, Oregon 97301
(503) 588-8053

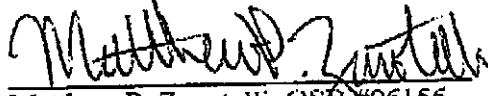
NOTICE TO DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer". The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the Plaintiffs' attorney or, if the Plaintiffs do not have an attorney, proof of service upon the Plaintiffs.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503)684-3763 or toll-free in Oregon at (800)452-7636.

STATE OF OREGON)
) ss.
County of Marion)

I, the undersigned attorney of record for the Plaintiffs, certify that the foregoing is an exact and complete copy of the original Summons in the above-entitled action.


Matthew P. Zanutelli, OSB #06156
The VanderMay Law Firm
of Attorneys for Plaintiffs

2 **SUMMONS**

The VanderMay Law Firm
388 State Street, Suite 340
Salem, Oregon 97301
(503) 588-8053

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I HEREBY CERTIFY THAT THE FOREGOING IS A COMPLETE AND EXACT COPY OF THE ORIGINAL AND THE WHOLE THEREOF

Matthew P. Zantelli
Of Attorneys For Plaintiffs

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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF LINN

KEITH GOODRIDGE CONSTRUCTION,
and KEITH GOODRIDGE,

Plaintiffs,

WYBS, INC., a Delaware Corporation,
doing business as MERCHANTCIRCLE
and JOHN DOE 1,

Defendants.

Case No. 082581

COMPLAINT
(Defamation, IIED, Interference with
Business Relations)

(Not Subject to Mandatory Arbitration)

COMES NOW, Keith Goodridge and Keith Goodridge Construction, by and through their counsel of record, Matthew P. Zantelli and The VanderMay Law Firm, and complains and alleges as follows:

COMMON FACTUAL ALLEGATIONS

1.

At all times relevant herein, Keith Goodridge is and was a natural person living just outside the City of Lebanon, County of Linn, State of Oregon.

1 COMPLAINT (Defamation, IIED, Interference with
Business Relations)

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2.

At all times relevant herein, Keith Goodridge Construction is and was a sole proprietorship wholly owned by Plaintiff Keith Goodridge, with its principal place of business located just outside the City of Lebanon, County of Linn, State of Oregon.

3.

At all times relevant herein, WYBS, Inc., is and was a Delaware corporation doing business under the fictitious name MerchantCircle, who owns the web site www.merchantcircle.com, registered to do business in the State of California. Both WYBS, Inc. and MerchantCircle advertise a principal place of business at 201 Main Street, Suite 100, Los Altos, CA 94022. Neither entity name is registered to do business in the State of Oregon to the knowledge of Plaintiffs.

4.

Despite having a principal place of business within the State of California, Defendant WYBS, Inc., doing business as MerchantCircle (hereinafter "Defendant MerchantCircle") solicits web site business to local merchants in the State of Oregon and advertises on its web site that it performs such services for companies located in the State of Oregon.

5.

Under information and belief, Defendant John Doe 1 "Attorney" operates under the fictitious name "Attorney" and under information belief and as Defendant John Doe 1 "Attorney" states he has knowledge of persons who have done business with Plaintiffs, they probably reside in or around Linn County, Oregon. Plaintiffs reserve the right to amend this complaint to include the true identity of "Attorney" when it becomes known.

6.

On or about Thursday, July 10, 2008, Plaintiff Keith Goodridge Construction was bidding a construction job.

COMPLAINT (Defamation, IIED, Interference with Business Relations)

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7.

While bidding this job, the potential client of Plaintiff Keith Goodridge Construction, Inc., informed Plaintiff Keith Goodridge that he had heard Plaintiff Keith Goodridge Construction had killed a teenager. Potential client told Plaintiff Keith Goodridge that he read this information on www.MerchantCircle.com, and would not do business with Plaintiffs unless he know how the teenagers death had occurred.

8.

Plaintiff then asked potential client to show him the posting. Plaintiff viewed the following posting on www.MerchantCircle.com on July 10, 2008:

“KEITH GOODRIDGE CONSTRUCTION UNSAFE-CAUSED DEATH OF TEENAGER

I am not at liberty to disclose all the facts as of this time, so I will share what information I can.
Keith A Goodridge Construction Manufactured/Built an outdoor arena located in Lebanon, Oregon. There was a teenager riding in the arena and due to lack of proper building materials and lack of solid foundation for the structure it collasped when the teenager and the horse bumped one of the main beams on the corner of the structure. The teen was killed and the horse struggled free only to be humanely destroyed later due to injuries. Parents of the teenager are seeking an undisclosed amount for obvious reasons.

June 04, 2008 by Attorney”

9.

Plaintiffs then conducted a reasonable investigation into all prior horse arena construction performed by Plaintiffs. Plaintiffs have reasonably determined that the posting on www.MerchantCircle.com has no merit.

FIRST CLAIM FOR RELIEF
(Defamation: Against Defendant MerchantCircle)

10.

Plaintiffs incorporate paragraphs 1-9 as if fully incorporated and set forth herein.

11.

COMPLAINT (Defamation, IIED, Interference with Business Relations)

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1 After learning of the posting on www.MerchantCircle.com, Plaintiffs, by and through their
2 counsel of record, sent a certified mail and regular U.S. mail letter to MerchantCircle at their
3 principal place of business as listed on their web site, 201 Main Street, Suite 100, Los Altos, CA
4 94022 in accordance with ORS 31.215.

5 12.

6 The return receipt for the for the certified mailing described in paragraph eleven (11) was
7 received by counsel for Plaintiffs on July 23, 2008 and was apparently signed by a "Nava
8 Bromberger," though no date of delivery was acknowledged by that individual. This return receipt
9 is attached as Plaintiff's Exhibit 1. The return receipt was received July 23, 2008, back at the offices
10 of The VanderMay Law Firm, indicating that this notice was received by Defendant MerchantCircle
11 no later than July 22, 2008. Despite the request for a correction or a retraction at least as
12 conspicuous as the original posting, no such correction or retraction has been made by Defendant
13 MerchantCircle.

14 13.

15 As www.MerchantCircle.com is an Internet web site that is not password protected, it is
16 opened to the public and has therefore been published to third persons. This can be substantiated
17 by the "activity tracker" icon published in the lower right-hand corner of the web page.

18 14.

19 Plaintiffs, under information and belief, do not believe that this was a privileged
20 communication despite an assertion that this was made by an individual identifying himself as
21 "Attorney," as this information was publically available and not made by an individual who is an
22 identified public official subject to immunity under Oregon or Federal Law.

23 15.

24 After the two week period which Defendant MerchantCircle had to remove this information
25 from their web site in order to be subject to general damages under Oregon law, this information is
26

27 4 COMPLAINT (Defamation, IIED, Interference with
28 Business Relations)

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1 still available when one performs a google search through www.google.com in a different directory
2 online than it was previously posted on. Plaintiffs, under information and belief, assert that
3 Defendant MerchantCircle has effectively republished the statement posted by "Attorney" and made
4 it their own statement by having it appear in a different location than it was originally posted on.

5 16.

6 As Defendant MerchantCircle is a web site encouraging the posting of reviews of local
7 merchants which adds value to Defendant MerchantCircle's website as a business review service,
8 any immunity it might receive under applicable law is lost as this company profits from the postings
9 themselves.

10 17.

11 Under information and belief of Plaintiffs, Plaintiffs have suffered damage to their reputation
12 and business in the following ways:

- 13 A. Potential clients of Plaintiff Keith Goodridge Construction have brought up the
14 posting on MerchantCircle.com;
- 15 B. Plaintiff Keith Goodridge's and Plaintiff Keith Goodridge Construction's reputation
16 in the community has been harmed by this posting;
- 17 C. Plaintiffs have noticed an extreme decrease in the amount of business that Plaintiffs
18 have been even able to bid for, let alone obtain;
- 19 D. Plaintiff Keith Goodridge has suffered emotional distress as a result of the
20 defamatory statement by Defendant MerchantCircle;
- 21 E. Plaintiffs have had to divert a large amount of time and resources to the investigation
22 and prosecution in this claim;
- 23 F. And all damages continue to accrue in an amount to be proven at trial.

24 18.

25 As a result of Defendant MerchantCircle's failure to print a retraction in this matter,

26
27 5 COMPLAINT (Defamation, IIED, Interference with
28 Business Relations)

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1 Plaintiffs request general damages in the amount of \$1,000,000.00.

2 **SECOND CLAIM FOR RELIEF**
3 (Defamation: Against Defendant John Doe 1 "Attorney")

4 19.

5 Plaintiffs incorporate paragraphs 1 through 9 and 11 through 18 as if fully incorporated and
6 set forth herein.

7 20.

8 As described above in paragraph eight (8) above, a posting was made on the Internet by
9 Defendant John Doe 1 "Attorney" on or about June 4, 2008, which was discovered by Plaintiffs
10 Keith Goodridge and Keith Goodridge Construction, Inc. on or about July 10, 2008.

11 21.

12 After the reasonable investigation of the content of the posting made by Defendant John Doe
13 1 "Attorney" on the www.MerchantCircle.com web site, Plaintiffs, under information and belief,
14 assert the posting to be false.

15 22.

16 Defendant John Doe 1 "Attorney" posted the alleged defamatory statement on
17 www.MerchantCircle.com, an Internet web site that is not password protected and is open to the
18 public. The statement therefore has been published to third persons. This can be substantiated
19 by the "activity tracker" icon published in the lower right-hand corner of the Internet web page.

20 23.

21 Under information and belief of Plaintiffs, Plaintiffs have suffered damage to their reputation
22 and business in the following ways:

- 23 A. Potential clients of Plaintiff Keith Goodridge Construction have brought up the
24 posting made by Defendant John Doe 1 "Attorney" on MerchantCircle.com;
- 25 B. Plaintiff Keith Goodridge and Plaintiff Keith Goodridge Construction reputation in
26 the community has been harmed by this posting of Defendant John Doe 1

27 6 COMPLAINT (Defamation, IIED, Interference with
28 Business Relations)

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1 "Attorney;"

2 C. Plaintiffs have noticed an extreme decrease in the amount of business that Plaintiffs
3 have been even able to bid for, let alone obtain;

4 D. Plaintiff Keith Goodridge has suffered emotional distress as a result of the
5 defamatory statement by Defendant John Doe "Attorney;"

6 E. Plaintiffs have had to divert a large amount of time and resources to the investigation
7 and prosecution in this claim;

8 24.

9 Plaintiffs request general damages against Defendant John Doe 1 "Attorney" in the
10 amount of \$1,000,000.00.

11 **THIRD CLAIM FOR RELIEF**

12 (Intentional Infliction of Emotional Distress: Plaintiff Keith Goodridge against Defendant
13 MerchantCircle)

14 25.

15 Plaintiffs incorporate paragraphs 1 through 9, 11 through 18, and 20 through 24 as if fully
16 incorporated and set forth herein.

17 26.

18 As a result of the posting described in paragraph eight (8) and its subsequent
19 republication by Defendant MerchantCircle, Plaintiff Keith A. Goodridge has suffered emotional
20 distress in the form of grief, shame, humiliation, embarrassment, anger, chagrin, disappointment,
21 and worry which has physically manifested itself as loss of sleep and a lack of energy.

22 27.

23 Plaintiff Keith Goodridge alleges that Defendant MerchantCircle intended to inflict
24 severe mental or emotional distress upon Plaintiff Keith Goodridge by republishing the false
25 statement regarding the death of a teenager in another directory on their web site.

26
27 7 COMPLAINT (Defamation, IIED, Interference with
28 Business Relations)

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28.

Plaintiff Keith A. Goodridge alleges that the republication by Defendant MerchantCircle that Plaintiff Keith Goodridge was responsible for the death of a teenager and a horse is an extraordinary transgression of the boundaries of socially tolerable conduct and exceeds any reasonable limit of social toleration which has caused Plaintiff severe emotional distress.

29.

Plaintiff Keith A. Goodridge alleges that he is a person of ordinary sensibilities, and that only through the extreme content of these postings has Plaintiff felt severe emotional distress.

30.

Plaintiff Keith A. Goodridge hereby demands \$100,000.00 or damages in the amount to be proven at trial.

FOURTH CLAIM FOR RELIEF

(Intentional Infliction of Emotional Distress: Plaintiff Keith Goodridge against Defendant John Doe 1 "Attorney")

31.

Plaintiffs incorporate paragraphs 1 through 9, 11 through 18, 20 through 24, and 26 through 30 as if fully incorporated and set forth herein.

32.

As a result of the posting by Defendant John Doe 1 "Attorney" and its subsequent republication by MerchantCircle, Plaintiff Keith A. Goodridge has suffered emotional distress in the form of grief, shame, humiliation, embarrassment, anger, chagrin, disappointment, and worry which has physically manifested itself as loss of sleep and a lack of energy.

33.

Plaintiff Keith Goodridge alleges that Defendant John Doe 1 "Attorney" intended to inflict severe mental or emotional distress upon Plaintiff Keith Goodridge by publishing the false statement regarding the death of a teenager on www.MerchantCircle.com.

8 COMPLAINT (Defamation, IIED, Interference with Business Relations)

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34.

Plaintiff Keith A. Goodridge alleges that the publication by Defendant John Doe 1 "Attorney" that Plaintiff Keith A. Goodridge was responsible for the death of teenager and a horse is an extraordinary transgression of the boundaries of socially tolerable conduct and exceeds any reasonable limit of social toleration which has caused Plaintiff severe emotional distress.

35.

Plaintiff Keith A. Goodridge alleges that he is a person of ordinary sensibilities, and that only through the extreme content of this posting has Plaintiff felt severe emotional distress.

36.

Plaintiff Keith A. Goodridge hereby demands \$100,000.00 or damages in the amount to be proven at trial.

FIFTH CLAIM FOR RELIEF

(Tort of Interference with Business Relations: Plaintiff Keith Goodridge Construction against Defendant MerchantCircle)

37.

Plaintiffs incorporate paragraphs 1 through 9, 11 through 18, 20 through 24, 26 through 30, and 32 through 36 as if fully incorporated and set forth herein.

38.

As a result of the Internet posting alleging the death of a teenager against Keith Goodridge Construction and the republication by Defendant MerchantCircle in a different directory of their web site, this information is still visible to the public through google searches, which indicates the intent of Defendant MerchantCircle to induce or otherwise cause third persons not to enter into or continue business relationships with Keith Goodridge Construction.

39.

Whether or not direct intent of Defendant MerchantCircle's interference with Plaintiff Keith Goodridge Construction business is produced, it can be inferred from the fact that MerchantCircle

9 COMPLAINT (Defamation, IIED, Interference with Business Relations)

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1 (by having more information available on its directory web pages) will receive more "hits" for each
2 part of its web site relating to Keith Goodridge Construction, which prioritizes MerchantCircle's
3 business in a search engine upwards and gets Defendant MerchantCircle a more respectable
4 placement within those search engines, the defamatory postings against Plaintiff Keith Goodridge
5 Construction and Plaintiff Keith Goodridge, have continued to produce benefit for Defendant
6 MerchantCircle.

7 40.

8 Plaintiff Keith Goodridge Construction alleges that the actions by Defendant MerchantCircle
9 have in fact reduced Plaintiff Keith Goodridge Construction's business and profitability.

10 41.

11 Plaintiff Keith Goodridge Construction alleges that Defendant MerchantCircle has no
12 privilege that can assert to interfere with Plaintiff Keith Goodridge Construction's business relations.

13 42.

14 As a result of the foregoing, Plaintiff Keith Goodridge Construction has suffered damages
15 in the amount of \$1,000,000.00 or an increased amount to be proven at trial.

16 **SIXTH CLAIM FOR RELIEF**

17 (Tort of Interference with Business relations: Plaintiff Keith Goodridge Construction against
18 Defendant John Doe 1 "Attorney")

19 43.

20 Plaintiffs incorporate paragraphs 1 through 9, 11 through 18, 20 through 24, 26 through 30,
21 32 through 36, and 38 through 42 as if fully incorporated and set forth herein.

22 44.

23 As a result of the posting alleging the death of a teenager against Plaintiff Keith Goodridge
24 Construction by Defendant John Doe 1 "Attorney" which is still visible to the public through google
25 searches, the intent of Defendant John Doe 1 "Attorney" is clear to induce or otherwise cause third
26 persons not to enter into or continue business relationships with Plaintiff Keith Goodridge

27 10 COMPLAINT (Defamation, IED, Interference with
28 Business Relations)

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1 Construction.

2 45.

3 Whether or not direct intent of Defendant John Doe 1 "Attorney" interference with Plaintiff
4 Keith Goodridge Construction's business is produced, it can be inferred from the fact that Defendant
5 John Doe 1 "Attorney" has informed the public of a false statement that Plaintiff was responsible
6 for killing a teenager that Defendant intended to interfere with Plaintiff Keith Goodridge
7 Construction.

8 46.

9 Plaintiff Keith Goodridge Construction alleges that the actions by Defendant John Doe
10 "Attorney" have in fact reduced Plaintiff Keith Goodridge Construction's business and profitability.

11 47.

12 Plaintiff Keith Goodridge Construction alleges that Defendant John Doe "Attorney" has no
13 privilege that they can assert to forgive interference with Plaintiff Keith Goodridge Construction,
14 Inc.'s business relations.

15 48.

16 As a result of the foregoing, Plaintiff Keith Goodridge Construction has suffered damages
17 in the amount of \$1,000,000.00.

18 WHEREFORE, Plaintiffs pray for relief as follows:

- 19 1. For Plaintiffs' first claim for relief against Defendant MerchantCircle as follows:
 - 20 1. For economic and non-economic damages of \$1,000,000.00;
 - 21 2. For an equitable order of the court requiring Defendant MerchantCircle to
 - 22 remove any and all defamatory postings about Keith Goodridge and Keith
 - 23 Goodridge Construction from their web site;
 - 24 3. For Plaintiffs' reasonable attorney fees;
 - 25 4. For Plaintiffs' costs and disbursements;

27 11 COMPLAINT (Defamation, IED, Interference with
28 Business Relations)

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5. For all other relief the court deems just and proper.

2. For Plaintiffs' second claim for relief against Defendant John Doe 1 "Attorney" as follows:

- 1. For economic and non-economic damages of \$1,000,000.00;
- 2. For Plaintiffs' reasonable attorney fees;
- 3. For Plaintiffs' costs and disbursements;
- 4. For all other relief the court deems just and proper.

3. For Plaintiff Keith A. Goodridge, individually, for his third claim for relief against Defendant MerchantCircle:

- 1. For economic and non-economic damages of \$100,000.00;
- 2. For an equitable order of the court requiring Defendant MerchantCircle to remove any and all defamatory postings about Keith Goodridge and Keith Goodridge Construction from their web site;
- 3. For Plaintiff Keith A. Goodridge's reasonable attorney fees;
- 4. For Keith A. Goodridge's reasonable costs and disbursements herein;
- 5. For all other relief the court deems just and proper.

4. Plaintiff Keith A. Goodridge, individually, for his fourth claim for relief against Defendant John Doe 1 "Attorney":

- 1. For economic and non-economic damages of \$100,000.00;
- 2. For Plaintiff Keith A. Goodridge's reasonable attorney fees;
- 3. For Plaintiff Keith A. Goodridge's reasonable costs and disbursements herein;
- 4. For all other relief the court deems just and proper.

5. For Plaintiff Keith Goodridge Construction's fifth claim for relief against Defendant MerchantCircle:

12 COMPLAINT (Defamation, IIED, Interference with
Business Relations)


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1. For economic and non-economic damages of \$1,000,000.00;
 2. For an equitable order of the court requiring Defendant MerchantCircle to remove any and all defamatory postings about Keith Goodridge and Keith Goodridge Construction from their web site;
 3. For Plaintiff Keith Goodridge Construction's reasonable attorney fees;
 4. For Keith Goodridge Construction's reasonable costs and disbursements herein;
 5. For all other relief the court deems just and proper.
6. Plaintiff Keith Goodridge Construction's sixth claim for relief against Defendant John Doe "Attorney" as follows:
1. For economic and non-economic damages of \$1,000,000.00;
 2. For Plaintiff Keith Goodridge Construction's reasonable attorney fees;
 3. For Plaintiff Keith Goodridge Construction's costs and disbursements;
 4. For all other relief the court deems just and proper.

DATED this the 15th day of August, 2008.


 Matthew P. Zanotelli, OSB # 06156
 The VanderMay Law Firm
 of Attorneys for Plaintiff

13 COMPLAINT (Defamation, IED, Interference with
Business Relations)

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The VanderMay Law Firm
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Salcm, Oregon 97301
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Address <i>X Nava Bromberg</i></p> <p>B. Received by (Printed Name) C. Date of Delivery <i>Nava Bromberg</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><i>Merchant Circle Attn: Legal Compliance Officer 201 Main St., Suite 100 Los Altos, CA 94022</i></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7007 2560 0000 0594 2520</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt <i>Shoemaker Contract</i> 02595-02-M-1</p>	



UNITED STATES POSTAL SERVICE

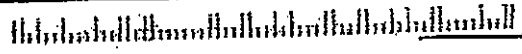


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

The VanderMay Law Firm
388 State Street
Suite 340
Salem, Oregon 97301

R E C E I V E
JUL 23 2008




I hereby certify that I served the foregoing Notice of Removal of Action Under 28 USC §§ 1332, 1441, and 1446 on:

Mr. Matthew P. Zanolli
The VanderMay Law Firm
388 State Street, Suite 340
Salem, Oregon 97301
Fax: (503) 588-3624
E-mail: matt@vandermaylawfirm.com
Attorney for Plaintiffs

by the following indicated method or methods on the date set forth below:

- CM/ECF system transmission.**
- E-mail.** As required by Local Rule 5.2, any interrogatories, requests for production, or requests for admission were e-mailed in Word or WordPerfect format, not in PDF, unless otherwise agreed to by the parties.
- Facsimile communication device.**
- First-class mail, postage prepaid.**
- Hand-delivery.**
- Overnight courier, delivery prepaid.**

DATED this 9th day of October, 2008.



 Bruce L. Campbell
 Oregon State Bar No. 925377
*Of Attorneys for Defendant WYBS, Inc.,
 dba MerchantCircle, Inc.*