

Clerk of the Circuit Court  
 Kane County, IL  
 JUL 27 2009  
 FILED 103  
 ENTERED

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT  
 KANE COUNTY, ILLINOIS

GWENDOLYN & CO., and Illinois corporation d/b/a )  
 THE SALON PROFESSIONAL ACADEMY OF ELGIN, )  
 GWENDOLYN NELSON, and AARON AVEN, )

Plaintiffs, )

vs. )

NICHOLAS BLACCONIERE and JOHN DOE, )

Defendants. )

109L

465

BY ORDER OF COURT THIS CASE IS HEREBY  
 SET FOR CASE MANAGEMENT CONFERENCE  
 BEFORE THE ABOVE NAMED JUDGE  
 ON OCT 15  
2009 AT 9:00 A.M./P.M.  
 FAILURE TO APPEAR MAY RESULT IN THE  
 CASE BEING DISMISSED OR AN ORDER OF  
 DEFAULT BEING ENTERED.

COMPLAINT AT LAW

NOW COME the Plaintiffs, GWENDOLYN & CO., an Illinois corporation d/b/a THE  
 SALON PROFESSIONAL ACADEMY OF ELGIN, GWENDOLYN NELSON, and AARON  
 AVEN, by and through their attorneys, ROBERT J. WAGNER, P.C., and as their complaint  
 against the Defendants, NICHOLAS BLACCONIERE and JOHN DOE, allege as follows:

1. That at all times herein the Defendant, NICHOLAS BLACCONIERE, was and is  
 a resident of Algonquin, Kane County, Illinois, and Defendant JOHN DOE is and was a person  
 whose identity is presently unknown, but who collaborated with Defendant BLACCONIERE to  
 commit the wrongful publication of defamatory statements as alleged herein.

2. That at all times herein, the Plaintiff, GWENDOLYN & CO, was an Illinois  
 corporation d/b/a THE SALON PROFESSIONAL ACADEMY OF ELGIN, ("TSPA Elgin") was  
 and is a cosmetology school with its principal place of business in Elgin, Kane County, Illinois.

3. At all relevant times, the Plaintiff, GWENDOLYN NELSON, was the  
 Admissions Director at TSPA Elgin.

4. At all relevant times, Plaintiff, AARON AVEN, was the Dean of Students of  
 TSPA Elgin.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

5. That at all relevant times prior and subsequent to the wrongful acts alleged herein, Plaintiff TSPA Elgin created, posted, and maintained an internet website on Facebook, known as "TSPA Elgin" using its well-established and familiar The Salon Professional Academy logo to advertise and promote its salon academy.

6. That on June 10, 2009, and at all relevant times prior thereto, Defendant, NICHOLAS BLACCONIERE and Defendant JOHN DOE created a Facebook website known as TSPA RobinHood to mimic the TSPA Elgin Facebook website, also using The Salon Professional Academy logo.

7. That on June 10, 2009, and at all relevant times prior thereto, Defendant, NICHOLAS BLACCONIERE and Defendant JOHN DOE, published, publicized, and posted certain statements on the TSPA RobinHood website that were published and distributed through the internet to third parties that defamed all of the Plaintiffs.

8. A copy of the statements posted on the TSPA RobinHood website on June 10, 2009, is attached hereto as Exhibit "A" and incorporated herein as if fully set forth in this paragraph.

9. The aforesaid statements set forth in Exhibit "A" constitute "libel per se" because these statements are unfounded, untrue, wrongful, debasing, debilitation and defamatory to the business, professions and reputations of the Plaintiffs.

10. The Defendants NICHOLAS BLACCONIERE and JOHN DOE, at the time of the publication of the statements of "libel per se", made no reasonable effort to inquire as to the truthfulness of their statements.

11. The Plaintiffs are not public figures, and are not involved in any public controversy in connection with its or their professions or businesses or private lives. The

1-1-2009 12:56 PM

Defendants' defamatory statements do not involve a matter of any public concern.

12. That the Defendants NICHOLAS BLACCONIERE and JOHN DOE wrote, posted, publicized, disseminated, and published the aforesaid written statements, but were negligent in the past and now, in that they failed and were otherwise unable to discern and recognize that from a legal perspective, the aforesaid statements constituted libel and or "libel per se" against the Plaintiffs – because they simply perceived their said statements as being criticisms of the Plaintiffs – and they as well negligently failed to understand or perceive the legal consequences to themselves of making such statements, and failed to understand or perceive the harm and damage that could and would result to the Plaintiffs' reputations, business and other damage.

13. That at all times herein, the Defendants NICHOLAS BLACCONIERE and JOHN DOE had a duty to refrain from any actions or conduct on their part that would cause any damages, including damage to the general reputation, or the business reputation of the Plaintiffs, or cause them any emotional stress and upset, or otherwise damage their reputations, and/or cause injury or damage to their property rights and business rights, and to refrain from making unwarranted and uncredited and false statements about them, and writing and disseminating and publishing those said untrue and false statements in various media, that could or would likely result in members of the public being exposed to such statements and/or reading such statements.

14. That notwithstanding their duty in the premises to refrain from acting in a negligent fashion as aforesaid, the Defendants NICHOLAS BLACCONIERE and JOHN DOE committed one or more of the following acts of negligence:

(a) Wrote, authored, drafted, published and disseminated various written statements against the Plaintiffs embodied in Exhibit "A" in this Complaint, and in doing so, negligently failed to perceive that such statements constituted libel or "libel per se" against the Plaintiffs, and would be likely to cause great harm to their general reputations, business reputation and

emotional stress and upset;

(b) Negligently caused to publish and disseminate and send the aforesaid written statements regarding the Plaintiffs to their website, TSPA RobinHood when they knew or should have known that the statements were not true;

(c) Negligently failed to understand and perceive that they statements embodied in Exhibit "A" herein, written and published as aforesaid by the Defendants, NICHOLAS BLACCONIERE and JOHN DOE, constituted in the eyes of the law, libel or "libel per se" against the Plaintiffs - but rather, negligently perceived and understood these aforesaid statements to be nothing other than criticisms or a critique of the Plaintiffs;

(d) Negligently misunderstood and misperceived the likely damages that would be caused or could be caused to the Plaintiffs as a result of her statements and criticisms, to wit: their emotional suffering and distress, a general decline in their business attributable to these aforesaid statements and criticisms by the Defendants NICHOLAS BLACCONIERE and JOHN DOE, and the diminishment of their personal and professional reputation in the eyes of the public, their clients, and other members of their profession.

14. As a result of the aforesaid negligent actions and conduct on the part of the Defendants NICHOLAS BLACCONIERE and JOHN DOE as aforesaid, all of the Plaintiffs have suffered and continue to suffer emotional stress, upset, substantial, extreme and permanent damages to their professional and personal reputations and great diminishment and decline in their business, and moreover, the Plaintiffs GWENDOLYN NELSON and AARON AVEN have suffered and continue to suffer substantial, extreme and permanent damages to their personal reputation for morality and integrity.

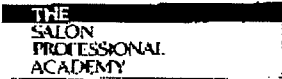
WHEREFORE, the Plaintiffs, GWENDOLYN & CO., d/b/a THE SALON PROFESSIONAL ACADEMY OF ELGIN, GWENDOLYN NELSON, and AARON AVEN pray that judgment enter against the Defendants, NICHOLAS BLACCONIERE and JOHN DOE, jointly and severally, for compensatory damages to the Plaintiffs, GWENDOLYN & CO., d/b/a THE SALON PROFESSIONAL ACADEMY OF ELGIN, GWENDOLYN NELSON, and AARON AVEN for injury to their professional reputation, their personal reputation, for a decline and business, and for emotional distress in an amount in excess of \$50,000.00 plus costs.

Home Profile Friends Inbox

Tspa RobinHood Settings Logout

Search

Vertical text on the right edge of the page.



Edit My Profile

Write something about yourself.

Information

Networks: Chicago, IL

Friends

10 friends

See All



Rebecca Krueger



Danikka Preradovic



Danielle D'Addabbo



Jordan Protz



Jen J



Theresa Simonik

Create a Profile Badge

Tspa RobinHood

Wall Info Photos Events

What's on your mind?

Tspa + Friends Just Tspa Just Friends

Settings

Tspa RobinHood Dont be afraid to post comments on whats going on, this is yor voice too. All for one and one for all right?!



5:49pm · Comment · Like

RECENT ACTIVITY

Tspa and Erin Brunner are now friends. · Comment · Like

Tspa and Danikka Preradovic are now friends. · Comment · Like

Tspa edited his Activities and Quotations. · Comment · Like

Tspa RobinHood -Melanie- We miss you cutie pie. Good luck with the reproduction finale



5:27pm · Comment · Like

Tspa RobinHood Adelaide- Update: Schedule is switched to take NOV2nd basics through to the end. rumor has it, it was due to some sort of distaste with shelly? Any info on this would be appreciated. (messages only please) p.s. OR could this be a way for you to get closer to your favorite? -Jackie- +2 aglilty points for still being pretty cool and avoiding the corporate bitch mentality.



5:24pm · Comment · Like

Tspa RobinHood -Stephanie- Absent. What a lovely day =] Update: Now has a new boytoy, which means shes getting railed and is gonna be to tired to bitch at us. -Shelly- Perfect time for you to be on the floor, only 7 of us to bitch at right? -Lauren- Lookin cute, your cheeriness brightens up our day ♥



5:23pm · Comment · Like

Tspa RobinHood -Gwen- Well today we appreciate the pizza and have nothing but compliments. Time of the month finally end? Gracias♥ -Aven- Why so flustered today buddy? Are your menstruations beginning now? Or did your teenybopper playbuddy get grounded by mommy and daddy last night. -Lara- Stressed much? You and aven might be on the same cycle. awwwwww :-P



5:22pm · Comment · Like

Tspa RobinHood 3. Free pizza today for student apretiation day (free yeah, out of our tuition) not to mention we could wear whatever we want. +3 aglilty points for staff.



5:03pm · Comment · Like

Tspa RobinHood 2. Friends are now private, you can now become friends with the site without anyone from staff seeing your involvement.



5:01pm · Comment · Like

Tspa RobinHood Heres a few updates from today. 1. Tom is now in charge of staff and will be making some changes (go figure right) Meaning either he's going to be around more often or we can just expect things to become more complicated with staff



4:59pm · Comment · Like

Tspa RobinHood TSPA UPDATE: Hey hey hey! How was your day? =D We're excited to see how much of a buz our site has become, everythings spreading like wild flya.



4:54pm · Comment · Like



Jordan Protz Whoa r u... 3:53pm · Comment · Like · See Wall to Wall



Lauren Vago what is this? are you wearing green stretchy pants right now? and more importantly are you giving us our money back? i like

Advertise

Mudvayne In Concert Aug 7



Mudvayne and Black Label Society with Static X, Dope, and more will play the Wireless Center August 7. On sale this Saturday at 10 am

Play Mobsters



Mobsters is the #1 game on Myspace. Click here to play and find out why! Run the street, build your mob, be the boss.

FHA Home Loans



11 Years of full service mortgage lending. Call Gil today to learn more about this unique offer. (847) 873-7295

More Ads



Chat (0)

Applications

facebook | Tspa RobinHood

http://www.facebook.com/inbox/readmessage.php?t=1150023504047...

Facebook © 2009 English (US)

2:19pm · Comment · Like · See Wall-to-Wall

RECENT ACTIVITY

- Tspa and Erin Brunner are now friends. · Comment · Like
- Tspa and Daniel Rosado are now friends. · Comment · Like

4 more similar stories



Jordan Protz It's like TSPA has it's own little trash talking magazine. I ♥ it.

5:52am · Comment · Like · See Wall-to-Wall



Daniel Rosado at 3:36pm June 10  
Yeah seriously, @ least we get to voice our opinion some how. GO TSPA ROBIN HOOD!!!

Write a comment...



KONALTY

Tspa RobinHood Anybody else notice Gwen goes out and smokes right before Aven gets there every time he comes in? That way, her little pose is the first thing he see's coming in. Then she waits a minute or two till he's settled before she struts in to greet him. Best friends my ass..... Fuckbuddies is more like it.

1:16am · Comment · Like



KONALTY

Tspa RobinHood Want to hear something obnoxious? Jordan P got written up due to something seen on Nick B's facebook about her ditching the penn last Friday SHE WAS CALLED OUT OF SCHOOL! Regardless of how or why she was called out, Don't you think its bullshit that she could get written up for this?

1:11am · Comment · Like



Jordan Protz at 5:51am June 10  
Thanks atleast someone understands ♥

Write a comment...

RECENT ACTIVITY

- Tspa and Jordan Protz are now friends. · Comment · Like
- Tspa edited his Profile Picture, Interests and Activities. · Comment · Like
- Tspa and Nick Blacconiere are now friends. · Comment · Like
- Tspa edited his Education Info, Hometown and Profile Picture. · Comment · Like



Danielle D'Addabbo Why am I the only friend, wtf? Now I look like the culprit, which I am not. ]]=

8:35pm · Comment · Like · See Wall-to-Wall



Tspa RobinHood at 8:38pm June 9  
No one is a culprit!!!! Its just gonna take a while for everyone else to get there invite and accept.



Nick Blacconiere at 12:27am June 10  
groot me too =P

Write a comment...



KONALTY

Tspa RobinHood Student Appreciation day.  
Student Appreciation day? WOW, so we get to wear whatever we want. We finally get something for the money we all paid for.  
Host: Tspa  
Time: 9:00AM Wednesday, June 10th  
Location: TSPA

8:17pm · Comment · Like · Share · Invite guests

RECENT ACTIVITY

- Tspa and Danielle D'Addabbo are now friends. · Comment · Like



KONALTY

Tspa RobinHood Finding more friends!!!!!!!!!!!!!!  
7:51pm · Comment · Like

1150023504047

Home Profile Friends Inbox

Tspa Robinhood Settings Logout

Search

News Feed

Photos

Status Updates

Links

More

Create



What's on your mind?



Danielle D'Addabbo is Canada. I do not want to be apart of drama. It's fun to lurk, no fun to be targeted or involved. Leave me out of it. D: — P.S I don't know shit about shit, so stop asking me. 38 minutes ago · Comment · Like



Danielle D'Addabbo



TTTSPPPAAA 8 new photos

about an hour ago · Comment · Like · Share



Daniel Rosado alright! about an hour ago · Comment · Like



Tspa Robinhood Dont be afraid to post comments on whats going on, this is yor voice too. All for one and one for all right?! about an hour ago · Comment · Like



Jordan Protz court tm :-/ wish me luck. I neeeeed my license !! about an hour ago · Comment · Like



Jessica Gutierrez at 5:45pm June 10 Good luck!



Leanne Strohmaier at 6:20pm June 10 good luck!!!!!!

Write a comment...



Tspa Robinhood -Melanie- We miss you cutie pic. Good luck with the reproduction finale 2 hours ago · Comment · Like

SHOW 7 SIMILAR POSTS



Daniel Rosado Just chillin!! 3 hours ago · Comment · Like



Lauren Vago Tspa Robinhood: what is this? are you wearing green stretchy pants right now? and more importantly are you giving us our money back? I like money. 5 hours ago · Comment · Like · See Wall-to-Wall



Daniel Rosado Haahaahaha... enjoying my day out of hell!!!! 5 hours ago · Comment · Like



Jordan Protz sleeping allday today I feel so sick :( dan is taking me to the doctor ♥ 8 hours ago · Comment · Like



Rebecca Krueger TSPA 1-9 190 hours left babby 9 hours ago · Comment · Like



Stephanie Campbell at 10:13am June 10 go girl! the end is in sight



Melanie Marlett at 10:22am June 10 YEYYYYYYYY

Write a comment...

Suggestions



Melanie Marlett Add as Friend

Sponsored

Thank you Tspa



Thanks to you, many of your friends are now on Facebook. Find your Yahoo friends with your tsparobinhood@yahoo.com account and start connecting.

Highlights

TTTSPPPAAA by Danielle D'Addabbo

Wedding Festivitics '09 Erin Brunner is tagged. 2

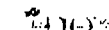
Do You Know Me?

How Well Do You Know Me? 3 friends use this application.

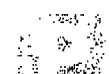
My neices by Rebecca Krueger

Chia Obama - UPDATE WEEK 3 - Look at that fro... Danikka Preradovic likes this. 3

The Andersons & Friends Erin Brunner is tagged.



I DO invitations by michelle Rebecca Krueger is a fan. Become a Fan



Ping.fm Daniel Rosado is a fan. Become a Fan

Zachery Danielle D'Addabbo commented on this.

Mural (thus far) Danielle D'Addabbo commented on this.

Fires, Camping, hanging out, ect. Rebecca Krueger commented on this.

Events

Student Appreciation day. New

Connect With Friends

Invite friends to join Facebook.

To find people you know who are already using Facebook, check out the Friend FINDER.

Applications Home Profile Friends Inbox

Gwendolyn Nelson Settings Logout Search

**THE SALON PROFESSIONAL ACADEMY**

Add Tspa as a friend  
Send Tspa a Message  
Poke Tspa

Information

Networks:  
Chicago, IL

Mutual Friends

2 friends in common See All



Danielle D'Addabbo



Jordan Protz

Friends

3 friends See All



Danielle D'Addabbo



Jordan Protz



Nick Blacconiere

Report this Person

Share

Tspa RobinHood Add as Friend

Wall Info Photos Events



Jordan Protz It's like TSPA has it's own little trash talking magazine. I ♥ it. 5:52am See Wall to Wall



Tspa RobinHood Anybody else notice Gwen goes out and smokes right before Aven gets there every time he comes in? That way, her little pose is the first thing he sees coming in. Then she waits a minute or two till he's settled before she struts in to greet him. Best friends my ass..... Fuckbuddies is more like it. 1:16am



Tspa RobinHood Want to hear something obnoxious? Jordan P got written up due to something seen on Nick B's facebook about her ditching the perm last Friday SHE WAS CALLED OUT OF SCHOOL! Regardless of how or why she was called out, Don't you think its bullshit that she could get written up for this? 1:11am



Jordan Protz at 7:51am June 10 Thanks atleast someone understands v

RECENT ACTIVITY

- Tspa and Jordan Protz are now friends
- Tspa edited his Profile Picture, Interests and Activities
- Tspa and Nick Blacconiere are now friends
- Tspa edited his Education Info, Hometown and Profile Picture

filter

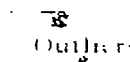
Advertise

Stop Killing Plants



Are you tired of wasting hundreds of dollars on landscaping that dies? Find out how to get the right plants at www.easylbloom.com

Download a Free Audiobook



Download this audiobook free for use on your iPod or MP3 player, or choose from over 60,000 other titles in







Home Profile Friends Inbox

Tspa Robin Hood Settings Logout

Search

Friends

Search Friends

Create New List

Edit List

Delete List

10 Friends

Advertise

All Friends

Find Friends

Browse

Phonebook

Recently Added

Recently Updated

Daniel Rosado  
Chicago, IL

Add to list

Danielle D'Addabbo  
Rockford, IL

Add to list

Danikka Preradovic  
Chicago, IL

Add to list

Erin Brunner  
Chicago, IL

Add to list

Jen J  
Chicago, IL

Add to list

Jordan Protz

K

Add to list

Lauren Vago

Add to list

Nick Blacconiere  
Chicago, IL

K

Add to list

Rebecca Krueger  
Rockford, IL

Add to list

Teresa Simonic  
Waukegan, IL

Add to list

Lists

You have no lists. Create a list to organize and filter your friends.

Create

Invite Friends to join Facebook

FHA Home Loans



11 Years of full service mortgage lending. Call Gill today to learn more about this unique offer: (847) 873-7295

Play Mobsters



Mobsters is the #1 game on MySpace. Click here to play and find out why! Run the street, build your mob, be the boss.

Bored at Work?



Fish Wrangler is a passive and addicting fishing game. It's a great way to waste time at work!

More Ads