

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA  
Tampa Division

Case Number: 8:09-cv-2120-T-23AEP CIV-MERRYDAY/PORCELLI

DEBORAH R. DOLEN, AKA Mabel White,

Plaintiff,

VS

COMPLAINT  
JURY TRIAL DEMANDED

JULIE RYALS, AKA [Larry Anderson, Mary W., MomPack.com, Busted Scammers.com, TheDesignShoppe.com, DIYShoppes.com, Sweet Chef, Curious & Sweet Lady.

Defendant.

10 JUN 17 PM 12:12  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

FILED

**SECOND AMENDED COMPLAINT FOR VIOLATIONS OF LANHAM ACT, 15 USC §1125, & OTHER TORTS**

Plaintiff, Proper Personom, Deborah R. Dolen also known as author Mabel White, and owner of the common law trademarks, “Deborah Dolen” and “Mabel White” sues Defendants Julie Ryals, “AKA” Larry Anderson,” “Mary W.” “Chef” personally and in Ryals official capacity as owner of DBA’s MomPack.com, TheDesignShoppe.com, DIYShoppes.com, BustedScammers.com, and states;

**JURISDICTION**

1. This court has Jurisdiction by and through 15 USC §1125, Federal Communications Law, known as the Lanham Act.
2. Damages exceed the amount of \$75,000.00.

## VENUE

3. Venue is proper because (a) Plaintiff and Defendant reside and work in the Middle District of Florida, counties of Manatee and Pasco.

## PARTIES

4. **Plaintiff Deborah Dolen**, also known as author “Mabel White” was a resident of the State of Texas, county of Brazoria when the actionable causes in this case began, and a part time resident of Manatee County, Florida. Deborah Dolen is now a full time resident of Manatee County, State of Florida where this case was transferred.

5. **Defendant Julie Ryals**, also known as “Larry Anderson” and “Mary W.” is a resident of the State of Florida, New Port Richey, County of Pasco whose occupation is conducting for profit business over the internet via DBA and owner of **TheDesignShoppe.com**, **MomPack.com**, **BustedScammers.com** and **DIYShoppes.com**, which are all interconnected divisions of the for profit **TheDesignShoppe.com**. At all times Julie Ryals is owner and main benefactor of all four named web sites used in commerce.

### Facts Common to All Causes of Action

#### History of Deborah Dolen and Mabel White

6. At the time of the actionable activity began in this case Deborah Dolen was a overall a highly regarded author of 25 “Do It Yourself” Craft Books, several DIY films, hundreds of DIY related published articles, and DIY websites under the common law trademarks “**www.DeborahDolen.com**” and “**www.MabelWhite.com**,” which sells film footage, books, website design, website space and other web “Do It Yourself” related services and products on the world wide web. Deborah enjoyed a peaceful life and substantial good will from her trade names.

7. Plaintiff, as author Mabel White had over 100,000 DIY type commercial internet subscribers/customers/members when this action began, and whose demographics are fairly identical and appealing to Defendant Julie Ryal's websites, which had about 2,000-4,000 total subscribers/customers/members between all of Ryals web sites to date.

8. The demographics of Plaintiff's and Defendant's businesses are very similar if not the same; women with children, 90% married, some education between the ages of 18-50.

*History of www.BustedScammers.com*

9. At all times herein Defendant Julie Ryals was the owner of TheDesignShoppe.com a for profit business, which through profit and/or assets and resources supports her other related businesses DIYShoppes.com, MomPack.com, bustedscammers.com and they are all just extensions of TheDesignShoppe.com.

10. Defendant Julie Ryals was the owner founder and sole operator of DIYShoppes.com hereafter known as the **"Infringing website."**

11. Defendant Julie Ryals was the founder and sole operator of BustedScammers.com, hereinafter known as **"offending website."**

12. Defendant Julie Ryals created the offending web site name and bought the name www.bustedscammers.com from an ICANN registrar, on **August 17, 2006** and placed it in her name as "Registrant" "Technical Contact" and all other titles, "Registrant" being the owner of asset identifier. *Exhibit "A"*

13. Julie Ryals did not purchase this site on behalf of anyone else, and does not have immunity under the CDA 1996.

14. At all times relevant to the actionable content or acts herein, mainly August 17<sup>th</sup>, 2006 to January 10<sup>th</sup>, 2008 unless otherwise noted- Defendant Julie Ryals was the owner of bustedscammers.com, as Larry Anderson, operating under a fraudulent name to conceal ownership and potential liability from evil acts that that bustedscammers.com may incur.

15. At all times herein, Julie Ryals operated the site bustedscammers.com for the express purpose of committing malicious, evil and anonymous unlawful torts against other unsuspecting people she did not like, (which later included Plaintiff.)

16. At all times herein Julie Ryals had total control of every decision at bustedscammers.com, including paying for a renewal of ownership of the web site, each year with Enom, INC.

17. At all times Julie Ryals also had sole control of all content writing, editing, copy, pasting, linking, graphic creation and selection, publication and marketing bustedscammers.com, on the web ensuring that all actionable material located on bustedscammers.com was published and circulated as broadly as possible, and answering e-mail for bustedscammers.com.

18. From time to time Defendant Ryals would use her ownership of her list at MomPack.com to generate "alert" e-mails containing bustedscammers.com content, to her MomPack.com list that consisted of about 3,000 members and/or linked MomPack.com to other sites she owned such as bustedscammers.com. *Exhibit "J"*

19. BustedScammers.com was initially inspired in year 2006 by Julie Ryals at MomPack.com to terrorize and publically ruin a member of the Mompack.com named Angela. *Exhibit "D"*

20. On 09/01/06 Julie Ryals announced in a Mompack.com newsletter, posted on Mompack.com That **“Mom pack opens BustedScammers. We are tired of Angela Ledke and her nonsense lies, scams, fraud, etc. We dedicated a site to keep everyone updated on where to protect your selves. This also serves as a reminder and proof.”** *Exhibit “D”*

21. The very published contents of bustedscammers.com prove from inception to January 10<sup>th</sup>, 2009 show Defendant Julie Ryals, either alone or with agents acting on behalf of Julie Ryals, met her goal to anonymously terrorize the former member of Mompack.com. **“How it all began...”** *Exhibit “D”*

22. Further, Defendants Ryals used the **“Offending Website”** site as a weapon to maliciously harass, torment, persecute, cause public ridicule and distrust to the former MomPack.com member and to cause her financial harm, or any harm possible, for a period of years, up until the Plaintiff filed an action against bustedscammers.com and Julie Ryals on Christmas Eve 2008. *Exhibit “D”*

23. The offending website allowed the Defendant Julie Ryals a platform to be anonymous **“Judge, Trial, Jury, and Executioner”** over a few select and targeted people, always women, which later included and **“featured”** the Plaintiff herein.

24. The offending website also made sure the content would **“convict a person”** and that no one would ever **“trust”** or want to do business with any woman featured on bustedscammers.com, and cause those posted such as Plaintiff intense emotional and financial harm.

25. At all times the choice of website name alone “BustedScammers.com” is custodial and defamatory in nature and convicts or cast a person in an “unfavorable light” of being a scammer or fraud-without anything else being placed on the page.

26. bustedscammers.com is its own “sentence” of sorts, the site complete with hand cuffs and caricatures of people being hauled off to jail. It is evil and rises above “just being mean” or protected activity. They falsely portray they “busted” a fraud and they falsely portray they know how to “protect” people.

27. At all times the bustedscammers.com web site is not a blog where people can leave in put or leave a rebuttal. It is also not a news site where they would communicate objective public concerns or that content is regularly displayed of public interest stories.

28. At all times Defendant Ryals proclaims that the bustedscammers.com is for **“information to help you protect yourself from getting yourself involved with a scammer.”** This motto basically found on every Google search for Busted Scammers and incidentally they come up first, and a false designation of origin in itself.

29. At all times is selective in nature: At present date bustedscammers.com basically only targets five women, Plaintiff Dolen being one, the other four fairly hard to tell if they ever existed, even if so, the web site is still selective and not a real blog or news event.

30. At all times the BustedScammers.com web site solicited and solicits the general public to circulate the offending sites content and interact by “show support” and directs readers to copy and paste any content on their site, or linking any images on the site to 3<sup>rd</sup> party sites in an attempt the “legitimize it” and make the content appear to be “recent” of popular belief, and legitimate public concern, such as using the alarming word “Alert” which use is a false designation of origin, and not legitimate.

“Please feel free to select, copy, and paste any of the following image links and place them on your website to show your continued support!” <http://www.bustedscammers.com/linktous.htm>.

31. Beyond the site name, the graphics on the site of BustedScammers.com alone cast an unfavorable light even if no other content was up there with a person’s name. Graphics alone are convicting and include: Placing graphics near Plaintiff’s common law trade names name “**Fraud,**” “**Swindler**” “**Punk**” **Loser**” “**Thief**” “**Forger**” “**Cheat**” “**Liar**” “**Low Life**” **Fake**” “**Bad-Egg**” **Creep**” and false testimonial as if they had done business with anyone they posted saying “**Take it from someone who learned the hard way-Don’t trust this person**”. *Exhibit “G”* which is also false statement is a false designation of origin that was aimed at the Plaintiff and her common law marks that were famous in Plaintiff’s industry of crafts and DIY.

32. bustedscammers.com was conceived on the very basis of express malice, evil and a deliberate reckless disregard for any truth by Defendant Julie Ryals.

33. To underscore Defendant Ryals vindictive nature, and involvement it was not long after the launch of the web site bustedscammers.com Julie Ryals used bustedscammers.com to publically humiliate and torment a web hosting client who disputed her bill.

34. Defendant Julie Ryals posted the customers alleged bill along with all confidential e-mails about the bill, on the offending web site, on the public internet to humiliate, disgrace and extort her customer to pay the bill. The bill was only \$53.70 for web hosting services. *Exhibit “F”*

*History of Plaintiff Being Featured on www.BustedScammers.com*

Paragraphs 9-34 apply to Plaintiff as to how the Defendant's system was set up and collateral impact of anyone being posted on bustedscammers.com, including Plaintiff.

35. On or about September 2<sup>th</sup>, 2008 Julie Ryals began a fight in a chat room known as TOPIX user name "SweetLadyChef" with Plaintiff user name "Gideon63" declaring she was "going to smash Dolen's teeth in" which was the beginning of Defendants rein of terror upon the Plaintiff.

36. About the same time with fraudulent intent Defendant Ryals went into the registry and modified the web site ownership of www.bustedscammers.com from her name [Julie Ryals] into the name of her alias named "Larry Anderson," with a false address of **389 Creek Rd Crossville, TN 38572**, which does not exist and used a false phone number of **+1.4238813219** that actually was non-working at the time but did belong to an unsuspecting web hosting customer of Julie's at TheDesignShoppe.com *Exhibits "B" & "C"*

37. The last person to own the phone number Julie Ryals listed for "Larry Anderson" was **Sherrie Conkel, TheHomeschoolOutlet**, located at **Mountain Creek R, Crossville, Tn, 38572** whose basic data was stolen from an unsuspecting customer of Julie Ryals at TheDesignShoppe.net to populate the false Larry info. *Exhibit "C"*

38. Since the name was placed in alias of Julie Ryals, it could never be legally transferred out of Larry Anderson unless Julie Ryals herself as Larry Anderson transferred it, to further defendant Ryals desire to continue to be a fraud and better conceal her illegal acts.



### **SPECIFIC ACTS AGAINST PLAINTIFF**

39. On or about **September 26<sup>th</sup>, 2008** a totally unprovoked malicious campaign to harm the plaintiff and her business and/or infringe on the Plaintiffs common law trademarks “Deborah Dolen” and “Mabel White” got underway on the **BustedScammers.com** site, and **DIYShoppes.com** site both activities which begins to bring all the causes of action against the Defendants named herein.

40. On or about September 29<sup>th</sup> 2008 to January 10<sup>th</sup>, 2009 Defendant Ryals created web page(s) on [www.BustedScammers.com](http://www.BustedScammers.com) using the Plaintiffs good common law trade names, “Deborah Dolen” and “Mabel White” in keywords, meta tags, description and even using Plaintiff’s common law trade names in the offending sites URL;

[http://www.bustedscammers.com/mabel\\_white.htm](http://www.bustedscammers.com/mabel_white.htm)

[http://www.bustedscammers.com/deborah\\_dolen.htm](http://www.bustedscammers.com/deborah_dolen.htm)

41. When customers of Plaintiff would be lured to click the link (URL);

[http://www.bustedscammers.com/mabel\\_white.htm](http://www.bustedscammers.com/mabel_white.htm) it would automatically redirect them to **DIYShoppes.com** <http://www.diyshoppes.com/> a for profit commerce site also owned by Defendant Ryals. eH Example use of link eI a Google search 12/21/2008

42. When customers of Plaintiff would be lured to click the link (URL);

[http://www.bustedscammers.com/deborah\\_dolen.htm](http://www.bustedscammers.com/deborah_dolen.htm) it would take them to that [www.bustedscammers.com](http://www.bustedscammers.com) page that defamed Plaintiff and/or totally cast the Plaintiff and her business in an unfavorable light.

43. On that page of the offending website [/deborah\\_dolen.htm](http://www.bustedscammers.com/deborah_dolen.htm) was also an advertisement banner ad for **MomPack.com** and for **DIYShoppe.com** which confused customers of Plaintiff to click that link.

44. On that page was also Mabel White was also high lightened which would take a user to **DIYShoppes.com** <http://www.diyshoppes.com/>

45. On the [www.BustedScammers.com](http://www.BustedScammers.com) profile of Deborah Dolen at /deborah\_dolen.htm it claimed and still does to this extent “NEW - ALERT!” The content of the page presented Deborah Dolen’s arrests 22 years ago as if they were “new” and a “cause of alarm” to working mother’s and cast Deborah and her author trademark name and her DIY media in an unfavorable light, calling the Plaintiff **“an admitted prostitute”** who **“was convicted of using the money she stole from a charity for crippled children on luxury cars and a home.”** And these statements were false, defamatory and malicious.

*Exhibit “G”*

46. On November 4<sup>th</sup>, 2008 Plaintiff sent Defendant Ryals a “Cease and Desist” and Ryals wrote back she had nothing to do with [www.BustedScammers.com](http://www.BustedScammers.com) which was a lie and a fraudulent representation to Plaintiff as well as false designation of origin upon which the Plaintiff initially relied. If there was another person, she did not offer it.

*Exhibit “K”*

47. On November 4<sup>th</sup>, 2008 Plaintiff began receiving e-mails from MomPack.com members threatening to “turn you in” and/or “come and get you” and telling Plaintiff she was “wanted” which caused the Plaintiff severe emotional trauma. These e-mails were the direct result of Defendant Ryals submitting the libelous excerpt from her site to all members of MomPack.com about that time, for no legitimate reason and in the alternative, to inflict severe emotional distress upon the Plaintiff, which it did-Plaintiff cut her wrist in despair. The estimated number is 2,000 members around the globe.

*Exhibit “L”*

48. In the communication e-mail to the entire MomPack.com membership was inflammatory, comments about Plaintiff, Deborah Dolen, which claimed Plaintiff had **“stolen money from crippled children and purchased a Mercedes Benz with the**

**proceeds,** ” which was not true, beyond the unfavorable light issue Defendant Ryals falsely made it appear Plaintiff had been recently arrested, and/or trying to do business with anyone at MomPack.com, and appear “recent” or “of immediate concern” when none of that was true. *Exhibit “G”*

49. On November 7<sup>th</sup>, 2008 at 12:33:06 Defendant Ryals created a new page, in addition to the other pages entitled

<http://www.bustedscammers.com/Deborah Dolen aka Mabel White->

[Scammers Exposed!.htm](#) once again using the Plaintiffs common law trade names in an unfavorable light and using the following keywords in the actual URL:

**“Deborah Dolen, Mabel White, scammers busted, exposed scammers, spammers, scammers, fraud, freak, rip off, thief”** and the following page description in the URL **“Busted Scammers offers you the information to help you protect yourself from getting involved with a scammer!”** *Exhibit “N”*

50. On or about December 10<sup>th</sup>, 2008 - December 20<sup>th</sup>, 2008 Plaintiff Ryals removed the offending and/or infringing links and re-directs, at different times “tweaking it” as well as anything about DIYShoppes.com and TheDesignShoppe.com off the bustedscammers.com site.

51. On or about January 10<sup>th</sup>, 2009 Defendant Ryals removed any content on bustedscammers.com about Angela Ledcke, Gail at Blossom Shoppe, and another lady she hated known as Stephie Davies, for the sole reason to distance witnesses and evidence against her.

52. The fact any defamatory or re-directing links were live on the internet during Plaintiffs entire holiday season was catastrophic financially to Plaintiff and caused the Plaintiff a clear loss of \$18,800 she normally enjoys during that holiday stretch each year.

53. 2009 income of Plaintiff's business was down another \$42,000 in normal sales volume for any given prior year, as a direct result of Defendants actions, and all of Defendant Ryal's actions, when totaled together, caused Plaintiff the most severe emotional distress possible.

54. To demonstrate what control Defendant Ryals had over the site, it was totally taken down as soon as she knew she was being served with papers in this action, between December 24<sup>th</sup> 2008 and January 4<sup>th</sup>, 2009. If she had any immunity from CDA 1996 she lost it at this point. *Exhibit "M"*

55. Simultaneously to featuring Plaintiff on bustedscammers.com Defendant Ryals created over 230 back links on MomPack.com, a commerce site, pointed to bustedscammers.com to make the bustedscammers.com site appear to be relevant and popular to the Google search engine bot. This not only shows great determination on Ryals part, but extreme malice to harm Plaintiff.

56. This deceptive activity alone helped bustedscammers.com stay consistently under both of Plaintiffs common law trademark names in the search engines for 18 months. It is also a practice known as "spamming a server." *Exhibit "J"*

57. In Exhibit J there were so many links from MomPack.com pointed to BustedScammers.com Plaintiff printed link #1 result and link #230 result-the first and the last and this conduct is right up to the amending of this very petition.

58. The 230 back links from www.MomPack.com to bustedscammers.com also show Julie Ryals control, interest in both sites as well as her determination to make bustedscammers.com and its content and keywords appear relevant and popular to search engines and particularly the "Google Bot."

59. Beyond the repetitive and libelous assault of Plaintiff and her trade names on [www.BustedScammers.com](http://www.BustedScammers.com), Defendant Julie Ryals, alone or agents of Julie Ryals (which at times could have been falsely enraged customers of Plaintiff-Ryals manipulated and encouraged) created false complaints on [www.RipOffReport.com](http://www.RipOffReport.com), [www.ResellerRatings.com](http://www.ResellerRatings.com), [www.topix.com](http://www.topix.com), [www.blogger.com](http://www.blogger.com) that are almost too numerous to list, with the goal to make Plaintiff appear “libel proof” and as bad as “Charles Manson” to demoralize Plaintiff as to not to want to sue, or make Defendant appear to be hardly the only one.

60. The hallmark of these postings are links back to [www.bustedscammers.com](http://www.bustedscammers.com) or directions to “just Google Deborah Dolen fraud” which also resulted in Plaintiffs name being made part of a Google search Deborah Dolen fraud as an option when you type in her name or Mabel White’s name. So, as a direct result of Defendant Ryals conduct. “Deborah Dolen fraud” and “Mabel White fraud or scam” is memorialized phrase on the Google search, and alone has caused permanent injury to Deborah Dolen’s common law mark, and these were not phenomenon’s prior to Defendant Ryals attacks.

61. On the platform Topix.com Defendant Ryals as “Chef” or “Sweet Lady Chef” posts that Deborah Dolen ‘Stole millions from the State of Florida’ and in another instance “Killed her husband.” Defendant Ryals as “Chef” also comments she had been “served with a lawsuit” and “it is for real” and for “everybody to watch what they said.”

62. On or about December 28<sup>th</sup>, 2008 Julie Ryals contacted the mother-in-law of the Plaintiff’s late husband Stephen. Julie Ryals pretended to be a Pasco county law enforcement “detective” and “investigating” the death of Plaintiff’s late husband and if he “really” died of cancer.

63. Based on what was told to Plaintiff in Houston it was clear to Plaintiff Julie Ryals had traveled to Plaintiff’s home city of Bradenton, FL to “investigate” Plaintiff, and also

attempted to contact Plaintiff's children through the mother in law, causing Plaintiff inexplicable grief and torture over the 2008 Christmas holiday, making Plaintiff (who was in another state) feel helpless to protect her own children from Defendant Ryals.

64. Defendant Julie Ryals or an agent of Julie Ryals purchased the Google advertising search phrases "Deborah Dolen Fraud" and "Mabel White Scam" which caused a ton of "impressions" on parked web sites in the Google program to state those very words.

Exhibit O.

### COUNT I

#### Lanham Act 15 USC §1125

65. Plaintiff owns common law trademarks "Deborah Dolen" and "Mabel White" evidenced in part by [www.DeborahDolen.com](http://www.DeborahDolen.com) and [www.MabelWhite.com](http://www.MabelWhite.com) which are both sites used in commerce. The Plaintiffs use in business has the same demographics as Defendant Ryals business(es.)

66. Defendants Julie Ryals intentionally and in bad faith and with express malice did create the following URLs, keywords and web page descriptions with Plaintiffs names in it:

[http://www.bustedscammers.com/mabel\\_white.htm](http://www.bustedscammers.com/mabel_white.htm)

[http://www.bustedscammers.com/deborah\\_dolen.htm](http://www.bustedscammers.com/deborah_dolen.htm)

[http://www.bustedscammers.com/Deborah\\_Dolen\\_aka\\_Mabel\\_White-Scammers\\_Exposed!.htm](http://www.bustedscammers.com/Deborah_Dolen_aka_Mabel_White-Scammers_Exposed!.htm)

[http://www.bustedscammers.com/Deborah\\_Dolen\\_aka\\_Mabel\\_White-Scammers\\_Exposed!.htm](http://www.bustedscammers.com/Deborah_Dolen_aka_Mabel_White-Scammers_Exposed!.htm)

67. Defendant Ryals use of Plaintiff's marks in their URL, meta tags, key words, and content were intended to confuse the public, draw attention and traffic from current and prospective customers of Plaintiff, and ruin the reputation of both

Plaintiff's common law trade names **and/or** attract new business who had demographics almost exact to the Plaintiff; being DIYShoppes.com, MomPack.com, bustedscammers.com and/or TheDesignShoppe.com attempting to profit directly or indirectly by use.

68. Making the statements **"ALERT!"** and **'Take it from someone who knows, don't trust this person"** were both false designation of origins, because it was not true that Defendant ever did business with Plaintiff or that there was a real alert regarding Deborah or her trade name Mabel White.
69. Defendant Ryals did succeed at profiting from the use of Plaintiffs marks, whether by an increase of her own membership and/or financially, and/or tarnishing Plaintiffs common law marks with a false designation of origin.
70. In doing this, at minimum, the Defendant appears to offer **"helpful"** **"advise"** and represent the **"good guys"** and Plaintiff's confused customer would want to join to be **"protected from Plaintiff"**, and **"part of a better group of women"** and at other times Defendant Ryals simply made sales off customers of the Plaintiff by re-directing Plaintiffs traffic and goodwill to her commercial sites, making it appear Plaintiff **"endorsed"** Defendant Ryals business(es) and causing deliberate confusion.
71. Defendants Ryals used the Plaintiff's common law commercial names maliciously, deliberately, fraudulent, and willfully which is a violation of the **15 USC §1125 Lanham Act**.
72. Defendant Ryals has engaged in a continuous illegal assault on Plaintiffs marks.
73. Plaintiff has suffered severe harm and loss of good will associated with her marks as a direct result. Plaintiff has lost approximately \$62,800 in business during the height of the assaults on her marks and not counting loss of countless customers

for years that will never buy again simply over the appearance of a scandal.

“Height” meaning anytime Defendant Ryals web sites were directly under her business, using her names to divert people, in the search engines, Plaintiff lost more money than when they were not.

74. And/or Without permission or a right to use Plaintiffs marks on any of the above items, or advertising on Google, Defendant Ryals or agents of the defendants purchased the Google Advertisements “Deborah Dolen Fraud” and “Mabel White Scam” in commerce again to attract and confuse customers looking for Deborah Dolen or Mabel White, and by doing so, Defendant Ryals gained members, customers or business and/or bought the marks to smear the reputation of the Plaintiff’s marks in the DIY world.

WHEREFORE, Plaintiff demands a trial by JURY and a judgment against Defendant Julie for actual and punitive damages, attorney fees, injunctive relief, Lanham provisions, and all other relief allowed under State of Florida or Federal rules.

## **COUNT II**

### **Defamation/Libel**

Florida § 770.01 Sec. Texas § 73.002

75. Between September 2008 and December 24<sup>th</sup>, 2008 Defendant Julie Ryals, with evil intent authored, published, distributed and circulated false and defamatory statements about the Plaintiff and her common law trade name “Mabel White” that were not true, that were designed and intended with express malice to damage the character and reputation of Plaintiff and/or her common law trade name Mabel White.

76. Defendant Ryals alone and/or in conjunction with agents of Ryals falsely stated the following by way of actual written content and/or graphics or text on



**www.BustedScammers.com and/or in e-mails generated by Ryals to Members of MomPack.com that:**

- A. Deborah Dolen and/or Mabel White was a “Fraud,” “Swindler” “Punk” Loser” “Thief” “Forger” “Cheater” “Liar” “Low Life” Fake” “Bad-Egg” Creep”**
  - B. Deborah Dolen and/or Mabel White was an “admitted prostitute.”**
  - C. Deborah Dolen and/or Mabel White was “convicted of stealing.”**
  - D. Deborah Dolen and/or Mabel White “stole the money from a charity for crippled children.”**
  - E. Deborah Dolen and/or Mabel White was convicted of using the money she stole from crippled children on luxury homes and cars; and/or**
  - F. And/or In an e-mail Julie Ryals circulated “Dolen bought a Mercedes Benz with the money she stole from crippled children.”**
  - G. And/or in the web page description of [www.bustedscammers.com](http://www.bustedscammers.com) Julie Ryals created for Plaintiff “Deborah Dolen, Mabel White, scammers busted, exposed scammers, spammers, scammers, fraud, freak, rip off, thief” were also defamatory.**
  - F. To evidence express malice and make sure the defamation was effective Defendant Ryals made it appear they had done business with Deborah Dolen and/or Mabel White “take it from someone who knows don’t trust her” and placed “NEW!” “ALERT” to maximize collateral damage to trade names Deborah Dolen and/or Mabel White.**
  - G. To evidence express malice and make sure the defamation was effective Defendant Ryals also created 230+ links pointing from MomPack.com to [bustedscammers.com](http://bustedscammers.com) to make the page appear relevant and popular with the search engines.**
- 77. Defendant Ryals alone and/or in concert with agents of Ryals, published and encouraged member users to re-publish the defamatory statements by email to other third parties with knowledge of the falsity of the statements and with reckless disregard as to the truth of the statements, and express malice to harm Plaintiff and her business “Mabel White.”**

78. Defendant Ryals alone and/or with agent of Ryals failed to properly investigate the subject matter of the defamatory statements prior to publishing them and encouraging others to re-publish them by linking to her site.

79. By publishing defamatory statements with knowledge of their falsity, or with reckless disregard as to their truth, Defendant Ryals alone and/or with agents of Ryals acted with actual malice.

80. Defendant Ryals showed extreme malice simply by creating multiple pages and pointing as many links possible from MomPack.com to BustedScammers.com to ensure the web page looked popular and of recent, legitimate and public concern.

81. Defendant Ryals refused to remove the defamatory statements concerning Deborah Dolen and/or Mabel White from her website even after being notified the statements were false, and it was costing the Plaintiff a lot of lost sales.

82. Defendant Ryals abused any and all conditional privileges that she might have been entitled to assert by failing to use reasonable care and diligence to ascertain the truth before publishing the false communications and by acting with actual malice.

83. As a direct and proximate result of Defendant Ryal's conduct, Dolen has suffered damage to her reputation, and/or her reputation as an author known as Mabel White which is permanent in nature.

84. As a direct and proximate result of Defendant Ryals conduct, Dolen's earning capacity has been impaired and will be impaired in the future.

85. To meet Texas Defamation Defendants Julie Ryals deliberately, willfully and maliciously published information about the Plaintiff long after it had ceased to be of public concern, and maliciously made it "appear" to be of public concern.

WHEREFORE Defendant Ryals and/or with agents acting on behalf of Ryals intentionally and maliciously defamed Deborah Dolen and/or Mabel White causing severe emotional

damages, which caused the cutting of Plaintiff's wrist. Such conduct was extreme and outrageous in character, entitling Plaintiff Dolen to punitive damages.

### COUNT III

#### **Invasion of Privacy/False Light**

Florida Statute § 540.08, Fla. Stat.

#### ***The Restatement (Second) of Torts § 652B***

86. During the 2008 postings and/or e-mails discussed in the complaint Defendant Julie Ryals published **false statements** on the internet about Plaintiff with actual and extreme malice knowing falsity and/or with reckless disregard for the truth placing Plaintiff before the public in a false light and/or published matters about Plaintiff long after they ceased to be of public concern with extreme malice.

87. Specifically Defendant Ryals **falsely portrayed** Deborah Dolen in a false light as actively running a scam by using the name trade name "Mabel White", and/or publishing Plaintiff's past arrests 20 years ago as if they were of legitimate and related to Mabel White DIY media and/or of current public concern when they were not, and/or as if Ryals had any dealings with Plaintiff, which she nor any other person Defendant Ryals knew, never did.

88. The false information posted on the site relating to Plaintiff was posted by Ryals with extreme malice and with the intention to cast a negative image of Plaintiff to the users of the website particularly the misleading "NEW! Alert!" for both Deborah Dolen and Mabel White.

89. As a direct and proximate result of Ryals's conduct, Plaintiffs' image and reputation were placed in a false light. The postings made sarcastic references all of which is highly offensive and repugnant to the reputation of a reasonable person.

90. As a direct and proximate result of Ryal's tortious conduct, Dolen suffered damages, including severe emotional distress, pain and suffering, fear, anxiety, embarrassment, and humiliation.

#### **COUNT IV**

##### **Intentional Infliction of Emotional Distress**

91. Defendant Julie Ryals intentionally operated her website [www.bustedscammers.com](http://www.bustedscammers.com) with the express purpose of causing severe emotional distress to Plaintiff Dolen by creating and publishing defamatory statements, graphics, meta tags, and or advertising aim at Plaintiff Dolen. In the alternative, Defendant Julie Ryals acts with reckless disregard to the fact that her conduct causes severe emotional distress to Plaintiff and others.

92. Plaintiff Dolen has suffered severe and extreme emotional distress as the direct and proximate result of Defendant Julie Ryals intentional tortuous conduct.

93. Defendant Julie Ryals intended to harass Plaintiff Dolen by her conduct, whether independent or in concert, as outlined herein. The severe emotional distress Dolen suffers is an actual, foreseeable and proximate result of Defendant Ryals wrongful conduct.

94. Defendant Ryal's conduct in actively encouraging "Alarmed" readers to link to her site and in doing so, better circulate her false, derogatory, defamatory, illegal, and malicious statements about Plaintiff is outrageous and extreme conduct that civilized society is not prepared to accept.

WHEREFORE As a proximate result of Ryals outrageous and extreme conduct, of repeatedly trying to injure the Plaintiff with malicious acts, Plaintiff Dolen has suffered, and will suffer in the future, damages, including severe emotional distress, which translated into physical suffering and cutting of Plaintiffs wrist, and other stress related physical manifestations, pain and suffering, fear, anxiety, embarrassment, and humiliation and should be compensated.

**Respectfully submitted,**

**Deborah R. Dolen**



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**Certificate of Service:** I HEREBY CERTIFY that on this 18th day of June, 2010 a true and correct copy of the foregoing Second Amended Complaint was served via United States Postal Service priority mail upon counsel for the Defendants *Pro Hac Vice* and also via electronic mail to Counsel *Pro Hac Vice* customary e-mail address.

**Deborah R. Dolen**



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## **SECOND AMENDED COMPLAINT**

### **EXHIBIT LIST**

- A** Registration for BustedScammers.com on 8/17/2006 with Julie Ryals on all titles including registrant.
- B** Registration alteration for BustedScammers.com on 09/26/2008 with Julie Ryals taken off every title and replaced in total with “Larry Anderson.”
- C** Website registration info from customer of Defendant Ryals whose information was used to populate the 96/26/2008 Larry Anderson address.
- D** Announcement on MomPack.com November 14<sup>th</sup>, 2006 that they bought BustedScammers.com. This is linked from MomPack.com over to BustedScammers.com and then takes the viewer over to “How it all got started” which is 4 page of incredibly mean stuff against another member of MomPack.
- E** Domain Servers where BustedScammer.com is hosted in Jacksonville, FL.
- F** Publications of Julie Ryals on BustedScammers.com posting private e-mails and bills owed by a customer she felt had better pay her.
- G** Libel against Plaintiff that appeared on BS.com Sept-Jan 2009.
- H** Re-Direct from BustedScammers.com and link to Ryals DIYShoppes.com Website.
- I** Google search 1/21/09 showing use of common law Mabel White name.
- J** Back links from MomPack to BustedScammers – 230 of them.
- K** Cease and Desist e-mails from Plaintiff to Ryals asking her to cease, and Ryals denial.
- L** Threatening e-mails that began from Mom Pack sent to Plaintiff via e-mail.
- M** Notice December 24<sup>th</sup>, 2008 Julie Ryals had taken the BustedScammers.com website down due to Plaintiff’s lawsuit being served.
- N** Source code and keywords for:  
[http://www.bustedscammers.com/Deborah Dolen aka Mabel White-Scammers Exposed!.htm](http://www.bustedscammers.com/Deborah_Dolen_aka_Mabel_White-Scammers_Exposed!.htm)
- O** Google AdSense search “Deborah Dolen Fraud” “Mabel White Scam”