

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

OFFICE OF THE CLERK
WESTERN DISTRICT OF VIRGINIA
FBI

MAY 12 2000

MORGAN E. BOGGS, JR., CLERK

BY: *[Signature]*
DEPUTY CLERK

STANLEY YOUNG,)
Plaintiff,)

VS.)

THE NEW HAVEN ADVOCATE,)
Defendant,)

and)

GAIL THOMPSON,)
Defendant,)

and)

CAMILLE JACKSON,)
Defendant,)

and)

MICHAEL LAWLOR,)
Defendant,)

and)

CAROLYN NAH,)
Defendant,)

and)

NATIONAL ASSOCIATION FOR THE)
ADVANCEMENT OF COLORED PEOPLE,)
Defendant,)

and)

ALVIN PENN,)
Defendant,)

and)

CASE NO.: 2:00CV00086
COMPLAINT

Judge Glen M. Williams

THE HARTFORD COURANT,)
 Defendant,)
)
 and)
)
BRIAN TOOLAN,)
 Defendant,)
)
 and)
)
AMY PAGNOZZI,)
 Defendant,)
)
 and)
)
THE CONNECTICUT POST,)
 Defendant,)
)
 and)
)
RICK SAWYERS,)
 Defendant,)
)
 and)
)
KEN DIXON,)
 Defendant.)

COUNT I

Plaintiff, Stanley Young, says against defendants *The New Haven Advocate*, Gail Thompson and Camille Jackson:

1. Plaintiff is a citizen and resident of the County of Wise, State of Virginia, and at all times herein mentioned plaintiff was, and still is, residing in Big Stone Gap, Virginia. The matter in controversy exceeds, exclusive of interest and costs, the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

2. Plaintiff is, and was at the time of the publication of such defamatory words, a member of the work force of Wallens Ridge State Prison, Big Stone Gap, Virginia, duly employed as the Warden of said facility.

3. Defendant, *The New Haven Advocate*, is a corporation and existing under and by virtue of the laws of the State of Connecticut, having its principal place of business at 1 Long Wharf Drive, New Haven, Connecticut, City of New Haven, State of Connecticut. Said defendant *The New Haven Advocate* is a newspaper of general circulation in the City of New Haven and its surrounding area and has a circulation throughout the State of Connecticut and the world through the newspaper's website. Said newspaper has a daily circulation and its editorial and news items are extensively copied and commented on by all the leading newspaper presses, radio and television stations, and other media of communication in the State of Connecticut and the world through the newspaper's website.

4. Defendant Gail Thompson is, and was at the time of the publication in controversy an agent, employee, or servant of *The New Haven Advocate* in the position of editor.

5. Defendant Camille Jackson is, and was at the time of the publication in controversy an agent, employee, or servant of *The New Haven Advocate* in the position of reporter.

6. Defendants maliciously prepared and composed, of and concerning, plaintiff, the following writing: "Welcome to the Confederacy", a copy of which is attached hereto as Plaintiff's Exhibit "1". Said words so published were generally read by the subscribers to *The New Haven Advocate* as well as others including residents of the State of Connecticut as well as the world through the newspaper's website.

7. Said publication was intended to convey, and did convey, to the community at large, the impression that Warden Stanley Young is a racist, who not only tolerates, but encourages abuse by his guards under his command; and, is unsuited, unfit, and without the ability or capacity to hold the position of Warden of a prison; and, it was calculated to, and did, hold plaintiff up to public scorn, hatred, and ridicule, and by such publication, defendants meant, and intended to mean, that Warden Young is a racist who advocates racism as well as a person who tolerates and encourages abuse of inmates by the guards under his control; and, is unsuited, unfit, and without ability or capacity to hold the position of Warden of a prison. The persons to whom said defamatory matter was communicated as aforesaid understood defendants's words to have said meaning.

8. The articles printed, published, and circulated by defendant *The New Haven Advocate* as set out above, of and concerning plaintiff, were purely fictional and untrue. Defendants failed to investigate the truth of the statements published concerning plaintiff and inmates at Wallens Ridge State Prison. Defendants failed to make any reasonable inquiry and were grossly negligent and reckless in such failure to inquire into the truth of the statements so published concerning plaintiff, other employees and the inmates of Wallens Ridge State Prison. The falsity of the above-described articles would have been disclosed to defendants had defendants made any proper or reasonable inquiry concerning the statements published. The articles were printed, published, and circulated by defendants with reckless disregard of the rights of plaintiff; and, with reckless disregard for the consequences of defendants' actions, maliciously, negligently, and inexcusably exposed plaintiff to public hatred, contempt, and ridicule, and impeached plaintiff's honesty, integrity, virtue and reputation as a man and in his profession, and

caused plaintiff substantial and great injury and damage including, but not limited to, the fact that as a direct result of defendants' acts, plaintiff's reputation and his standing in his profession in the correctional community has forever been tarnished and injured.

9. Defendants published said defamatory matter with actual malice and with wrongful and willful intent to injure plaintiff.

10. Plaintiff has always enjoyed a good reputation for uprightness of character, fairness to others, truthfulness and competence in his ability to administer prisons.

11. As a direct and proximate result of the printing, publishing, and circulation of the untrue and libelous statements by defendants in *The New Haven Advocate*, plaintiff has been exposed to public hatred, contempt, and ridicule. Said defamatory and untrue statements have been a source of great embarrassment and humiliation to plaintiff, thereby causing plaintiff to suffer distress of mind and mental anguish. Plaintiff's reputation for honesty and integrity has been impaired, as well as his standing in his profession. Plaintiff has suffered a great wrong and injury in the sum of ONE MILLION DOLLARS (\$1,000,000.00), by reason of which plaintiff has been damaged by defendant in such sum.

12. The printing, publication, and circulation of the articles set forth above was malicious and unwarranted, and such actions were done by defendant, acting through its managing editor in charge and with his knowledge and under his direction, with such recklessness and carelessness as to amount to a wanton disregard of the rights of plaintiff and indifference to the infliction of injury on plaintiff or with such gross negligence and total disregard of the consequences of said acts by defendants that such conduct of defendants is malicious and totally without justification or excuse, and, by reason thereof, plaintiff is entitled to

exemplary or punitive damages in the sum of ONE MILLION DOLLARS (\$1,000,000.00).

13. As a direct and proximate result of the acts of defendants herein complained of, plaintiff's future prospects of employment were materially affected and permanently lessened and decreased. By reason of the foregoing, plaintiff has been further damaged in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000).

COUNT II

The plaintiff, Stanley Young, says against defendant Michael Lawlor:

1. Plaintiff is a citizen and resident of the County of Wise, State of Virginia, and at all times herein mentioned plaintiff was, and still is, residing in Big Stone Gap, Virginia. The matter in controversy exceeds, exclusive of interest and costs, the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)

2. Plaintiff is, and was at the time of the publication of such defamatory words, a member of the work force of Wallens Ridge State Prison, Big Stone Gap, Virginia, duly employed as the Warden of said facility.

3. Defendant, Michael Lawlor, is a resident of the State of Connecticut.

4. That said defendant, acting for himself and in his capacity as a Legislator of the State of Connecticut came to Wise County, Virginia, where plaintiff resided, and upon his return to the State of Connecticut, in the presence of various members of the media, broadly published by word of mouth the following malicious, false and slanderous accusations:

"Whether or not the staff at Wallens Ridge is intentionally trying to provoke a problem, they're provoking a problem." *The Roanoke Times*, "Supermax Warden Criticized"

"Democratic Rep. Michael Lawlor likened the display to 'waving a red flag in the face of a bull when you're talking about young black and Puerto Rican kids from Connecticut'. Whether or not the staff at Wallens ridge is intentionally trying to provoke a problem, they're provoking a problem.'" *The Roanoke Times*, "Supermax Warden Criticized"

"There's no question in the mind of Connecticut Rep. Michael Lawlor that the Virginia department of corrections is at least 'covering up for mistakes being made' regarding David's death, in which he was strangled by a noose made of bed sheets." *The Hartford Courant*, "Prison Policy Cost A Life, But Goes On"

"My gut tells me that in this suicide situation that the Virginia DOC really screwed up big time - - - not that it's a murder, but they waited around way too long [to remove the noose], " Lawlor said. "Under the same circumstances, Connecticut would try to save the guy's life." *The Hartford Courant*, "Prison Policy Cost A Life. But Goes On"

"You have to wonder: Do they know how to run a prison if this is what they have to do? The first time they got one innocent guy. This time, they hit three." *The Hartford Courant*, "Prison Inmate Struck by Rubber Pellets", 5/9/00

In reference to the Warden's pictures in his office:

"Rep. Michael P. Lawlor, D - East Haven, said he was concerned that most of the Connecticut inmates are black and Latino, while most of the guards are young white men with little experience on the job. The guards, he said, come from a community where Confederate flags are seen in car windows, local restaurants and even the warden's office." *The Hartford Courant*, "Families of Inmates Speak Out", 2/18/00

"It's a part of a mindset that is not understood in Connecticut and is easily misinterpreted. If you're a Connecticut person, especially African-American, you don't see the difference between a Confederate flag and a white sheet". *The Connecticut Post*, "Confederate Flag Raises Hackles in Prisoner Transfers", 1/13/00

"Lawlor says he was put off by the visibility of the flag in area restaurants and on car decals in the prison parking lot. 'That's the way everybody thinks,' he says of the Confederate mentality. 'To have young white guards from that area and black and Hispanic inmates from Connecticut - - that's a dangerous combination'." *The New Haven Advocate*, "Welcome to the Confederacy", 3/30/00

The above cited malicious, false and slanderous accusations were subsequently printed in the following articles: "Welcome to the Confederacy", published in *The New Haven Advocate*, "Supermax Warden Criticized", published in *The Roanoke Times*, "Punishment, At A Distance", published in *The Hartford Courant*, "Civil War Prints Removed From Prison Warden's Office", published in *Richmond Times Dispatch*, "Families of Inmates Speak Out" published in *The Hartford Courant* and "Confederate Flag Raises Hackles in Prisoner Transfers" published in *The Connecticut Post*, "Prison Inmate Struck by Rubber Pellets" published in *The Hartford Courant*, "Prison Policy Cost a Life, But Goes On", published in *The Hartford Courant*.

5. That said slanderous accusations were meant and intended to convey, and did convey, to the community at large, the impression that Warden Stanley Young is a racist and a member of the Ku Klux Klan, who not only tolerates, but encourages abuse by the guards under his control; that he is a liar covering up mistakes and acts of abuse at Wallens Ridge State Prison; and, that he is unsuited, unfit, and without ability or capacity to hold the position of Warden of a prison, and it was calculated to, and did, hold plaintiff up to public scorn, hatred, and ridicule, and by such statements, defendant meant, and intended to mean, that the Warden is a racist and a member of the Ku Klux Klan, who advocates racism as well as a person who tolerates and encourages abuse of inmates by the guards under his control; that he is a liar covering up mistakes and acts of abuse at Wallens Ridge State Prison; and, that he is unsuited, unfit, and without ability or capacity to hold the position of Warden of a prison. The persons to whom said defamatory matter was communicated as aforesaid understood defendant's words to have said meaning; that the accusations made by said defendant subjected plaintiff to public hatred, contempt, and ridicule, and caused him to suffer great mental pain, anguish, and humiliation and

damaged his reputation as a citizen in the community in which he resides.

6. That all of said accusations made against plaintiff by defendant were defamatory, false, and untrue, and were maliciously made by said defendant for the purpose of injuring plaintiff's character, reputation and his standing in his profession in the correctional community.

7. Said statements were, and are, false, and were known by defendant to be false when he made them, and were made by him with actual malice and wilful intent to injure plaintiff.

8. Plaintiff has always enjoyed a good reputation for uprightness of character, fairness to others, truthfulness and competence in his ability to administer prisons as well as his standing in his profession in the correctional community.

9. That by reason of the damage to his character and reputation, and by reason of the injuries to his feelings, his humiliation, his mental suffering and anguish, as well as his standing in his profession, all of which were the proximate result of said slanders and wrongs committed by defendant, plaintiff has been damaged to the extent of ONE MILLION DOLLARS (\$1,000,000.00).

10. As a direct and proximate result of the acts of defendant herein complained of, plaintiff's future prospects of employment were materially affected and permanently lessened and decreased. By reason of the foregoing, plaintiff has been further damaged in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00).

11. Because of said wilful and malicious publication of slanderous statements by defendant, plaintiff is entitled to recover exemplary and punitive damages in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00).

COUNT III

The plaintiff, Stanley Young, says against defendants Carolyn Nah and the NAACP:

1. Plaintiff is a citizen and resident of the County of Wise, State of Virginia, and at all times herein mentioned plaintiff was, and still is, residing in Big Stone Gap, Virginia. The matter in controversy exceeds, exclusive of interest and costs, the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

2. Plaintiff is, and was at the time of the publication of such defamatory words, a member of the work force of Wallens Ridge State Prison, Big Stone Gap, Virginia, duly employed as the Warden of said facility.

3. Defendant Carolyn Nah is a resident of the State of Connecticut and the President of the Bridgeport Connecticut Chapter of the NAACP.

4. Defendant NAACP is a civil rights organization which is supposed to promote the political, educational, social and economic equality of minority group citizens of the United States.

5. That said defendant Carolyn Nah acting on behalf of herself personally or in her profession as an agent, employee or servant of the NAACP, in the presence of various members of the media, broadly published by word of mouth the following malicious, false and slanderous accusations:

"You're talking about the Civil War, and you're getting ready to see some people out here on the battlefield who are not playing." *The Roanoke Times*, "Supermax Warden Criticized"

"[Young] may have taken down the visible signs, but the mental stuff is still there". *The Connecticut Post*, "Confederate Flag Raises Hackles In Prisoner Transfers", 1/13/00

"The Confederate flag in any form is totally unacceptable. But, Virginia's culture is steeped in oppressing blacks, dating back to the first boatload of slaves who landed there in 1619." *The Connecticut Post*, "Confederate Flag Raises Hackles In Prisoner Transfers", 1/13/00

"Nah charged that the warden needs diversity training to help understand minority issues." *The Connecticut Post*, "Confederate Flag Raises Hackles In Prisoner Transfers", 1/13/00

"That shipping the inmates to Virginia is like sending them to a foreign country. The warden's a Southern man and that's why he's dangerous. I would not expect him to remove anything from his office. And Connecticut has no business [sending] men to Virginia. The silent Civil War is still being fought." *The Connecticut Post*, "Confederate Flag Raises Hackles in Prisoner Transfers", 1/13/00

The above cited malicious, false and slanderous accusations were subsequently printed in the following articles: "Supermax Warden Criticized", published in *The Roanoke Times* and "Confederate Flag Raises Hackles in Prisoner Transfers" published in *The Connecticut Post*.

6. That said slanderous accusations were meant and intended to convey, and did convey, to the community at large, the impression that Warden Stanley Young is a racist and a member of the Ku Klux Klan who not only tolerates, but encourages, abuse by the guards under his command; that he is a liar covering up mistakes and acts of abuse at Wallens Ridge State Prison; and, that he is unsuited, unfit and without the ability or capacity to hold the position of Warden of a Prison, and it was calculated to, and did, hold plaintiff up to public scorn, hatred, and ridicule, and by such publication, defendant Carolyn Nah meant, and intended to mean, that Warden Young is a racist and a member of the Ku Klux Klan who advocates racism as well as a person who tolerates and encourages abuse of inmates by the guards under his command; that he is a liar covering up mistakes and acts of abuse at Wallens Ridge State Prison; and, that he is

unsuited, unfit and without the ability or capacity to hold the position of Warden at a prison. The persons to whom said defamatory matter was communicated as aforesaid understood defendant Carolyn Nah's words to have said meaning; that the accusations made by said defendant to various members of the media subjected plaintiff to public hatred, contempt, and ridicule, and caused him to suffer great mental pain, anguish, and humiliation and damaged his reputation as a citizen in the community in which he resides.

7. That all of said accusations made against plaintiff by defendant Carolyn Nah were defamatory, false, and untrue, and were maliciously made by said defendant for the purpose of injuring plaintiff's character, reputation and standing in his profession in the correctional community.

8. Said statements were, and are, false, and were known by defendant Carolyn Nah to be false when she made them, and were made by her with actual malice and wilful intent to injure plaintiff.

9. Plaintiff has always enjoyed a good reputation for uprightness of character, fairness to others, truthfulness and competence in his ability to administer prisons.

10. That by reason of the damage to his character, reputation and standing in his profession in the correctional community, and by reason of the injuries to his feelings, his humiliation, his mental suffering and anguish, all of which were the proximate result of said slanders and wrongs committed by defendant Carolyn Nah, acting individually or as an agent, servant or employee of the NAACP, plaintiff has been damaged to the extent of ONE MILLION DOLLARS (\$1,000,000.00).

11. As a direct and proximate result of the acts of defendant herein complained of,

plaintiff's future prospects of employment were materially affected and permanently lessened and decreased. By reason of the foregoing, plaintiff has been further damaged in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00).

12. Because of said wilful and malicious publication of slanderous statements by defendant Carolyn Nah, individually or as an agent, servant or employee of the NAACP, plaintiff is entitled to recover exemplary and punitive damages in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00).

COUNT IV

The plaintiff, Stanley Young, says against defendant Alvin Penn:

1. Plaintiff is a citizen and resident of the County of Wise, State of Virginia, and at all times herein mentioned plaintiff was, and still is, residing in Big Stone Gap, Virginia. The matter in controversy exceeds, exclusive of interest and costs, the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

2. Plaintiff is, and was at the time of the publication of such defamatory words, a member of the work force of Wallens Ridge State Prison, Big Stone Gap, Virginia, duly employed as the Warden of said facility.

3. Defendant, Alvin Penn, is a resident of the State of Connecticut.

4. That said defendant, acting for himself and in his capacity as a Senator of the State of Connecticut came to Wise County, Virginia, where plaintiff resided and upon his return to the State of Connecticut, in the presence of various members of the media, broadly published by word of mouth the following malicious, false and slanderous accusations:

"The man was due to be released in four months. There had to be a whole lot of activity that would take place that would bring the man to the point of depression

where he is suicidal within that time frame." (Evidence Points to Inmate Suicide, 4/12/00)

"I think we see a lot of smokescreening here to cover up some liability and obligations or culpability of things that people did or did not do." (Evidence Points to Inmate Suicide in Virginia, 4/12/00)

"Penn questioned the presence of Civil War paraphernalia in the warden's office, including a ball and chain and a painting of a battle scene with the Confederate flag, a symbol of Southerners who wanted to uphold the institution of slavery." *The New Haven Advocate*, "Welcome to the Confederacy", 3/30/00

"The Civil War scenes in Young's office - - under printed titles that say 'Our Heroes' - - set an ominous, racist tone for the current group of 399 Connecticut inmates, who are predominantly black and Hispanic." *The Connecticut Post* "Confederate Flag Raises Hackles In Prisoner Transfers", 1/13/00

"Those who suffer under the boot of racism know what that means: rape, lynching, generations of prejudice," Penn said of the flag. "That's nothing to be proud of." *The Connecticut Post*, "Confederate Flag Raises Hackles In Prisoner Transfers", 1/13/00

"If you'd been in that office," he said Wednesday, "you'd have thought the South won the Civil War. The paraphernalia should not be on display outside the warden's home." *The Connecticut Post*, "Confederate Flag Raises Hackles in Prisoner Transfers", 1/13/00

The above cited malicious, false and slanderous accusations as well as other statements and comments were subsequently printed in the following articles: "Welcome to the Confederacy", published in *The New Haven Advocate*, "Supermax Warden Criticized", published in *The Roanoke Times*, "Punishment, At A Distance", published in *The Hartford Courant*, "Civil War Prints Removed From Prison Warden's Office", published in the *Richmond Times Dispatch*, "Families of Inmates Speak Out" published in *The Hartford Courant* and "Confederate Flag Raises Hackles in Prisoner Transfers" published in *The Connecticut Post*.

5. That said slanderous accusations were meant and intended to convey, and did convey, to the community at large, the impression that Warden Stanley Young is a racist who not

only tolerates, but encourages, abuse by the guards under his command; that he is a liar covering up mistakes and acts of abuse at Wallens Ridge State Prison; and, that he is unsuited, unfit and without the ability or capacity to hold the position of Warden of a prison, and it was calculated to, and did, hold plaintiff up to public scorn, hatred, and ridicule, and by such publication, defendant meant, and intended to mean, that Warden Young is a racist who tolerates and encourages abuse of inmates by the guards under his command; that he is a liar covering up his mistakes and acts of abuse at Wallens Ridge State Prison; and, that he is unsuited, unfit, and without the ability or capacity to hold the position of Warden of a prison. The persons to whom said defamatory matter was communicated as aforesaid understood defendant's words to have said meaning; that the accusations made by said defendant to various members of the media subjected plaintiff to public hatred, contempt, and ridicule, and caused him to suffer great mental pain, anguish, and humiliation and damaged his reputation as a citizen in the community in which he resides.

6. That all of said accusations made against plaintiff by defendant were defamatory, false, and untrue, and were maliciously made by said defendant for the purpose of injuring plaintiff's character, reputation and standing in his profession in the correctional community.

7. Said statements were, and are, false, and were known by defendant to be false when he made them, and were made by him with actual malice and wilful intent to injure plaintiff.

8. Plaintiff has always enjoyed a good reputation for uprightness of character, fairness to others, truthfulness and competence in his ability to administer a prison.

9. That by reason of the damage to his character, reputation and standing in his

profession in the correctional community, and by reason of the injuries to his feelings, his humiliation, his mental suffering and anguish, all of which were the proximate result of said slanders and wrongs committed by defendant, plaintiff has been damaged to the extent of ONE MILLION DOLLARS (\$1,000,000.00).

10. As a direct and proximate result of the acts of defendant herein complained of, plaintiff's future prospects of employment were materially affected and permanently lessened and decreased. By reason of the foregoing, plaintiff has been further damaged in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00).

11. Because of said wilful and malicious publication of slanderous statements by defendant, plaintiff is entitled to recover exemplary and punitive damages in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00).

COUNT V

Plaintiff, Stanley Young, says against defendants *The Hartford Courant*, Brian Toolan and Amy Pagnozzi:

1. Plaintiff is a citizen and resident of the County of Wise, State of Virginia, and at all times herein mentioned plaintiff was, and still is, residing in Big Stone Gap, Virginia. The matter in controversy exceeds, exclusive of interest and costs, the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

2. Plaintiff is, and was at the time of the publication of such defamatory words, a member of the work force of Wallens Ridge State Prison, Big Stone Gap, Virginia, duly employed as the Warden of said facility.

3. Defendant, *The Hartford Courant*, is a corporation and existing under and by

virtue of the laws of the State of Connecticut, having its principal place of business at 285 Broad Street, Hartford, State of Connecticut. Said defendant *The Hartford Courant* is a newspaper of general circulation in Hartford and its surrounding area and has a circulation throughout the State of Connecticut and the world through the newspaper's website. Said newspaper has a daily circulation and its editorial and news items are extensively copied and commented on by all the leading newspaper presses, radio and television stations, and other media of communication in the State of Connecticut and the world through the newspaper's website.

4. Defendant Brian Toolan is, and was at the time of the publication in controversy an agent, employee, or servant of *The Hartford Courant* in the position of editor.

5. Defendant Amy Pagnozzi is, and was at the time of the publication in controversy an agent, employee, or servant of *The Hartford Courant* in the position of reporter.

6. Defendant Amy Pagnozzi maliciously prepared and composed, of and concerning, plaintiff, the following writings: "Prison Policy Cost A Life, But Goes On", "Treatment of Inmates an Outrage" and "Any Time Is Bad Time In Virginia", copies of which are attached hereto collectively as Plaintiff's Exhibit (2). Said words so published were generally read by the subscribers to *The Hartford Courant* as well as others including residents of the State of Connecticut as well as the world through the newspaper's website

7. Said publication was intended to convey, and did convey, to the community at large, the impression that Warden Stanley Young is a racist, who not only tolerates, but encourages abuse by his guards under his command, and is unsuited, unfit, and without the ability or capacity to hold the position of Warden of a prison, and it was calculated to, and did, hold plaintiff up to public scorn, hatred, and ridicule, and by such publication, defendants meant,

and intended to mean, that Warden Young is a racist who advocates racism as well as a person who tolerates and encourages abuse of inmates by the guards under his control, and is unsuited, unfit, and without ability or capacity to hold the position of Warden of a prison. The persons to whom said defamatory matter was communicated as aforesaid understood defendants's words to have said meaning.

8. The articles printed, published, and circulated by defendant *The Hartford Courant* as set out above, of and concerning plaintiff, were purely fictional and untrue. Defendants recklessly failed to investigate the truth of the statements published concerning plaintiff and inmates at Wallens Ridge State Prison. Defendants recklessly failed to make any reasonable inquiry and were grossly negligent in such failure to inquire into the truth of the statements so published concerning plaintiff, other employees and the inmates of Wallens Ridge State Prison. The falsity of the above-described articles would have been disclosed to defendants had defendants made any proper or reasonable inquiry concerning the statements published. The articles were printed, published, and circulated by defendants with reckless disregard of the rights of plaintiff; and, with reckless disregard for the consequences of defendants' actions, thereby maliciously, negligently, and inexcusably exposed plaintiff to public hatred, contempt, and ridicule, and impeached plaintiff's honesty, integrity, virtue and reputation as a man and in his profession, and caused plaintiff substantial and great injury and damage including, but not limited to, the fact that as a direct result of defendant's acts, plaintiff's reputation has forever been tarnished and injured.

9. Defendants published said defamatory matter with actual malice and with wrongful and willful intent to injure plaintiff.

10. Plaintiff has always enjoyed a good reputation for uprightness of character, fairness to others, truthfulness and competence in his ability to administer a prison.

11. As a direct and proximate result of the printing, publishing, and circulation of the untrue and libelous statements by defendants in its newspaper, plaintiff has been exposed to public hatred, contempt, and ridicule. Said defamatory and untrue statements have been a source of great embarrassment and humiliation to plaintiff, thereby causing plaintiff to suffer distress of mind and mental anguish. Plaintiff's reputation for honesty and integrity has been impaired, as well as his standing in his profession in the correctional community. Plaintiff has suffered a great wrong and injury in the sum of ONE MILLION DOLLARS (\$1,000,000.00), by reason of which plaintiff has been damaged by defendant in such sum.

12. The printing, publication, and circulation of the articles set forth above was malicious and unwarranted, and such actions were done by defendant, acting through its managing editor in charge and with his knowledge and under his direction, with such recklessness and carelessness as to amount to a wanton disregard of the rights of plaintiff and indifference to the infliction of injury on plaintiff or with such gross negligence and total disregard of the consequences of said acts by defendant that such conduct of defendant is malicious and totally without justification or excuse, and, by reason thereof, plaintiff is entitled to exemplary or punitive damages in the sum of ONE MILLION DOLLARS (\$1,000,000.00).

13. As a direct and proximate result of the acts of defendant herein complained of, plaintiff's future prospects of employment were materially affected and permanently lessened and decreased. By reason of the foregoing, plaintiff has been further damaged in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000).

COUNT VI

Plaintiff, Stanley Young, says against defendants *The Connecticut Post*, Rick Sawyers and Ken Dixon:

1. Plaintiff is a citizen and resident of the County of Wise, State of Virginia, and at all times herein mentioned plaintiff was, and still is, residing in Big Stone Gap, Virginia. The matter in controversy exceeds, exclusive of interest and costs, the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

2. Plaintiff is, and was at the time of the publication of such defamatory words, a member of the work force of Wallens Ridge State Prison, Big Stone Gap, Virginia, duly employed as the Warden of said facility.

3. Defendant, *The Connecticut Post*, is a corporation existing under and by virtue of the laws of the State of Connecticut, having its principal place of business at 410 State Street, Bridgeport, State of Connecticut. Said defendant is a newspaper of general circulation in Bridgeport and its surrounding area and has a circulation throughout the State of Connecticut and the world through the newspaper's website. Said newspaper has a daily circulation and its editorial and news items are extensively copied and commented on by all the leading newspaper presses, radio and television stations, and other media of communication in the State of Connecticut and the world through the newspaper's website.

4. Defendant Rick Sawyers is, and was at the time of the publication in controversy an agent, employee, or servant of *The Connecticut Post* in the position of editor.

5. Defendant Ken Dixon is, and was at the time of the publication in controversy an

agent, employee, or servant of *The Connecticut Post* in the position of reporter.

6. Defendants published of and concerning plaintiff the following article: "Confederate Flag Raises Hackles In Prisoner Transfers", a copy of which is attached hereto as Plaintiff's Exhibit "3". Said words so published were generally read by the subscribers to *The Connecticut Post* as well as others including residents of the State of Connecticut as well as the world through the newspaper's website.

7. Said publication was intended to convey, and did convey, to the community at large, the impression that Warden Stanley Young is a racist, who not only tolerates, but encourages abuse by his guards under his control; and, is unsuited, unfit, and without the ability or capacity to hold the position of Warden of a prison, and it was calculated to, and did, hold plaintiff up to public scorn, hatred, and ridicule, and by such publication, defendant meant, and intended to mean, that the Warden is a racist who advocates racism as well as a person who tolerates and encourages abuse of inmates by the guards under his control; and, is unsuited, unfit, and without ability or capacity to hold the position of Warden of a prison. The persons to whom said defamatory matter was communicated as aforesaid understood defendants's words to have said meaning.

8. The articles printed, published, and circulated by defendant *The Connecticut Post* as set out above, of and concerning plaintiff, were purely fictional and untrue. Defendants recklessly failed to investigate the truth of the statements published concerning plaintiff and inmates at Wallens Ridge State Prison. Defendants failed to make any reasonable inquiry and was grossly negligent in such failure to inquire into the truth of the statements so published concerning plaintiff, other employees and the inmates of Wallens Ridge State Prison. The falsity

of the above-described articles would have been disclosed to defendants had defendants made any proper or reasonable inquiry concerning the statements published. The articles were printed, published, and circulated by defendants with reckless disregard of the rights of plaintiff; and, with reckless disregard for the consequences of defendants' actions, thereby maliciously, negligently, and inexcusably exposing plaintiff to public hatred, contempt, and ridicule, and impeaching plaintiff's honesty, integrity, virtue and reputation as a man and in his profession, and causing plaintiff substantial and great injury and damage including, but not limited to, the fact that as a direct result of defendant's acts, plaintiff's reputation has forever been tarnished and injured.

9. Defendants published said defamatory matter with actual malice and with wrongful and willful intent to injure plaintiff.

10. Plaintiff has always enjoyed a good reputation for uprightness of character, fairness to others, truthfulness and competence in his ability to administer a prison.

11. As a direct and proximate result of the printing, publishing, and circulation of the untrue and libelous statements by defendant in its newspaper, plaintiff has been exposed to public hatred, contempt, and ridicule. Said defamatory and untrue statements have been a source of great embarrassment and humiliation to plaintiff, thereby causing plaintiff to suffer distress of mind and mental anguish. Plaintiff's reputation for honesty and integrity has been impaired, as well as his standing in his profession. Plaintiff has suffered a great wrong and injury in the sum of ONE MILLION DOLLARS (\$1,000,000.00), by reason of which plaintiff has been damaged by defendant in such sum.

12. The printing, publication, and circulation of the articles set forth above was

malicious and unwarranted, and such actions were done by defendant, acting through its managing editor in charge and with his knowledge and under his direction, with such recklessness and carelessness as to amount to a wanton disregard of the rights of plaintiff and indifference to the infliction of injury on plaintiff or with such gross negligence and total disregard of the consequences of said acts by defendants that such conduct of defendants is malicious and totally without justification or excuse, and, by reason thereof, plaintiff is entitled to exemplary or punitive damages in the sum of ONE MILLION DOLLARS (\$1,000,000.00).

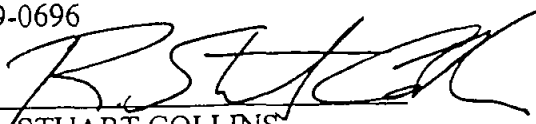
13. As a direct and proximate result of the acts of defendants herein complained of, plaintiff's future prospects of employment were materially affected and permanently lessened and decreased. By reason of the foregoing, plaintiff has been further damaged in the sum of ONE MILLION DOLLARS (\$1,000,000.00).

WHEREFORE, plaintiff respectfully requests judgment be entered against the aforesaid defendants in the amounts requested and further relief deemed appropriate by this Honorable Court.

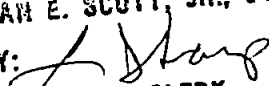
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