

**SUMMONS
(CITACION JUDICIAL)**

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

ARCHIE GARGA-RICHARDSON, an individual; and DOES 1 through 25, Inclusive

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

INTERNET SOLUTIONS CORPORATION, a Nevada corporation

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**CONFORMED COPY
OF ORIGINAL FILED**
Los Angeles Superior Court

JUL 10 2008

John A. Clarke, Executive Officer/Clerk

By B.M. SWAIN Deputy

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

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

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

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

The name and address of the court is:

(El nombre y dirección de la corte es):
Los Angeles County Superior Court
111 North Hill Street
Los Angeles, California 90012

CASE NUMBER:
(Número del Caso):

BC394102

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

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
W. Gary Kurtz, CSB #57546, Law Offices of W. Gary Kurtz
2625 Townsgate Road, Suite 330, Westlake Village, CA 91361 Telephone: 805-449-8765

DATE:

(Fecha) JUL 10 2008

Clerk, by

(Secretario)

John A. Clarke

B.M. Swain

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

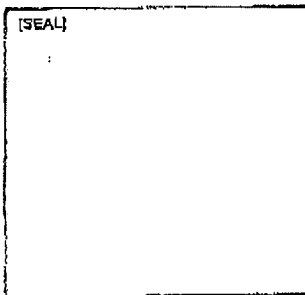
NOTICE TO THE PERSON SERVED: You are served

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

3. on behalf of (specify):

- under: CCP 416.10 (corporation) CCP 416.60 (minor)
- CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
- CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
- other (specify):

4. by personal delivery on (date):



1 W. GARY KURTZ, State Bar # 57546
2 LAW OFFICES OF W. GARY KURTZ
2625 Townsgate Road, Suite 330
Westlake Village, California 91361
3 Telephone: (805) 449-8765 Fax: (805) 449-1626
4 Email: wgarykurtz@earthlink.net

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

JUL 10 2008

John A. Clarke, Executive Officer/Clerk
By D.M. Swain, Deputy
D.M. SWAIN

Attorneys for Internet Solutions Corporation

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF LOS ANGELES

10 CENTRAL DIVISION--STANLEY MOSK COURTHOUSE

BC394102

11 INTERNET SOLUTIONS CORPORATION, a)
12 Nevada Corporation,)
13 Plaintiffs,)
14 vs.)
15 ARCHIE GARGA-RICHARDSON, an individual;)
and DOES 1 through 25, Inclusive,)
16 Defendants)

Case No.

COMPLAINT FOR (1) LIBEL PER QUOD; (2) LIBEL PER SE; (3) INTENTIONAL INTERFERENCE WITH BUSINESS RELATIONS; (4) INJURIOUS FALSEHOOD--TRADE LIBEL; (5) VIOLATION OF BUSINESS AND PROFESSIONS CODE SECTION 17200 ET SEQ; AND (6) INJUNCTIVE RELIEF

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20 Plaintiff INTERNET SOLUTIONS CORPORATION (hereinafter "ISC" or "Plaintiff")

21 alleges:

22 NATURE OF ACTION

23 1. This is an action for damages and injunctive relief as a result of Defendant ARCHIE
24 GARGA-RICHARDSON's (hereinafter "Richardson" or "Defendant") malicious, willful and
25 intentional defamation, interference with business relationships, trade libel and wholesale violation
26 of the Unfair Competition Act. Via his website, www.scamfraudalert.com, Richardson published
27 and actively continues to publish false and inflammatory statements designed to intentionally attack
28 and discredit ISC. Defendant's repeated attacks and false statements have caused damages to

1 Plaintiff in the past and such damages will continue in the future unless enjoined by this Court.

2 **PARTIES AND JURISDICTION**

3 2. Plaintiff alleges based upon information and belief, that jurisdiction is proper in this
4 Court since (a) the Defendant Richardson resides in Los Angeles County, California and (b) the
5 damages alleged exceed the jurisdictional minimums of this Court.

6 3. ISC is a Nevada corporation authorized to do business in Florida with its principal
7 place of business in Orlando, Florida. Plaintiff ISC is not required to qualify to do business in
8 California for purposes of availing itself of the exercise of jurisdiction by this Court since the claims
9 pursued herein do not arise out of business operations conducted by it in California.

10 4. Upon information and belief, Richardson is the owner, moderator, author and host
11 of the Internet website www.scamfraudalert.com.

12 5. Plaintiff does not presently know the true identities of defendants DOES 1 through
13 25, inclusive, and will amend this complaint at such time as the same are ascertained.

14 6. Plaintiff is informed and believe and based thereon allege that each of the defendants
15 named herein as DOES 1 through 25 was acting as the agent of the remaining defendants in
16 performing the wrongful acts herein alleged. Plaintiff is further informed and believe and based
17 thereon alleges, that defendants, and each of them, engaged in a conspiracy with each other to cause
18 Plaintiff to sustain the injuries herein alleged.

19 7. Plaintiff is informed and believe and based thereon allege that defendants DOES 1
20 through 25, inclusive, in performing the acts set forth below, were acting under the direct authority
21 and direction of Richardson and within the scope of their employment. Alternatively, Plaintiff
22 allege that the conduct of DOES 1 through 25 was ratified by Richardson.

23 **FACTS COMMON TO ALL CAUSES OF ACTION**

24 8. ISC operates an internet marketing business under various fictitious names, including
25 but not limited to, the following:

- 26 A. VeriResume;
- 27 B. World Voice News (formerly known as USA Voice); and
- 28 C. Instant Human Resource.

1 9. ISC is not the subject of any criminal or government action relating to its business
2 practices.

3 10. Richardson's website, www.scamfraudalert.com, purports to be dedicated to internet
4 security and exposing internet scams and fraudulent internet employment advertisements.

5 11. Via his website, www.scamfraudalert.com, Richardson willfully published and
6 continues to publish to the public false, derogatory and defamatory statements regarding ISC.

7 12. Via his website, www.scamfraudalert.com, Richardson published internet postings
8 that falsely claim that ISC participates in, *inter alia*, phishing (*i.e.*, attempting via use of the Internet
9 to obtain personal information from an individual under false pretenses), identity theft and
10 perpetration of fraudulent employment scams.

11 13. On his website, www.scamfraudalert.com, Richardson published internet postings
12 that falsely claim ISC is operated by "thugs" and "crooks, criminals, scumbags targeting the
13 unemploy [sic], elderly, students, stay-at-home moms, retirees and the innocent. Luring them into
14 cashing fraudulent checks."

15 14. Richardson published and continues to publish the aforementioned defamatory
16 statements regarding Plaintiff in an attempt to cause injure ISC's business operations.

17 15. Prior to filing this Complaint, Plaintiff's attorney contacted Richardson, via email and
18 written correspondence, and informed Richardson of the false, defamatory and injurious statements
19 posted on the www.scamfraudalert.com website and requested that Richardson remove the
20 defamatory statements from the www.scamfraudalert.com website. Nonetheless, Richardson refused
21 and continues to refuse to remove the defamatory statements regarding ISC from the
22 www.scamfraudalert.com website.

23 16. Plaintiffs are informed and believe that at all times material hereto, Richardson posted
24 the false and defamatory statements regarding ISC in an attempt to lure advertisers and readers to
25 his website in order to realize advertising income and personally benefit from his willful and
26 malicious conduct.

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FIRST CAUSE OF ACTION
FOR LIBEL PER QUOD
(Against all Defendants)

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17. Plaintiff repeats and realleges Paragraphs 1 through 16 as if fully restated herein.

18. Richardson has repeatedly made false and defamatory statements regarding Plaintiffs' business operations and professional conduct.

19. Richardson's publications of the false, defamatory and injurious statements were not subject to any available publication or legal privilege.

20. Richardson's false, defamatory and injurious statements exposed Plaintiff to distrust, hatred, contempt, and ridicule.

21. Richardson's false, defamatory and injurious statements harm the reputation of Plaintiff so as to lower the readers' opinion of Plaintiff and to deter third-persons from associating or dealing with Plaintiff.

22. Plaintiff is informed and believe that Richardson's false and defamatory statements were made with knowledge of their falsity or with reckless disregard of the truth or falsity of the statements and with the specific intent and knowledge that the statements would damage Plaintiff.

23. Plaintiff is further informed and believes that Richardson made the false and defamatory statements with actual malice toward Plaintiff with the specific intent to damage and harm Plaintiff.

24. Plaintiffs suffered substantial damages as a result of Defendant's actions in an amount not yet determined but in excess of the jurisdictional minimums of this Court

25. Plaintiff is informed and believes and based thereon alleges that the Defendant in making the false and defamatory statements is guilty of fraud, oppression and malice. Accordingly, Plaintiff is entitled to an award of punitive damages against Defendant in an amount sufficient to punish Defendant and deter future misconduct.

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**SECOND CAUSE OF ACTION FOR
LIBEL PER SE**

(Against all Defendants)

26. Plaintiffs repeat and reallege Paragraphs 1 through 16 and 18 through 23 as if fully restated herein.

27. Richardson has made false statements about Plaintiff which are per se injurious as they accuse the Plaintiff of ongoing criminal misconduct and criminal activity.

28. The nature of the false statements is such that malice and actual damage is presumed.

29. Richardson published the false statements to third-parties via posting the statements on the Internet.

30. The falsity of these statements injured Plaintiffs' reputation in the business community and with the public.

31. As a direct and proximate consequence of Richardson's conduct, Plaintiffs suffered substantial damages in an amount not yet determined but in excess of the jurisdictional minimums of this Court.

32. Plaintiff is informed and believes and based thereon alleges that the Defendant in making the false and defamatory statements is guilty of fraud, oppression and malice. Accordingly, Plaintiff is entitled to an award of punitive damages against Defendant in an amount sufficient to punish Defendant and deter future misconduct.

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THIRD CAUSE OF ACTION

FOR INTERFERENCE WITH BUSINESS RELATIONSHIPS

(Against all Defendants)

33. Plaintiff repeats and realleges Paragraphs 1 through 16, 18 through 23 and 27 through 30 as if fully restated herein.

34. Plaintiff established business relationships with industry professionals, consumers, and advertisers through their various business ventures.

1 35. Plaintiff is informed and believes that at all times material hereto, Richardson knew
2 of the existing business relationships between Plaintiff and its advertisers, business affiliates,
3 employees, independent contractors and internet consumers.

4 36. Plaintiff is informed and believes that Richardson intentionally interfered with the
5 business relationships by posting false and defamatory statements for the express purpose of
6 destroying Plaintiff's established and future business relationships.

7 37. Plaintiff is informed and believes that Richardson's interference with Plaintiff's
8 business relationships was without legal or other justification.

9 38. As a result of Defendant's intentional and unjustified interference, Plaintiff has
10 suffered damages to its existing business relationships and continue to suffer damages in an amount
11 not yet determined but believed to be in an amount excess of the jurisdictional minimums of this
12 Court.

13 39. Plaintiff is informed and believes and based thereon alleges that the Defendant in
14 making the false and defamatory statements is guilty of fraud, oppression and malice. Accordingly,
15 Plaintiff is entitled to an award of punitive damages against Defendant in an amount sufficient to
16 punish Defendant and deter future misconduct.

17 **FOURTH CAUSE OF ACTION**
18 **FOR INJURIOUS FALSEHOOD-TRADE LIBEL**
19 **(Against all Defendants)**

20 40. Plaintiff repeats and realleges Paragraphs 1 through 16, 18 through 23, 27 through
21 30 and 34 through 37 as if fully restated herein.

22 41. Plaintiff is informed and believes that Richardson intentionally made false statements
23 about Plaintiffs' businesses and business practices which are untrue and disparaging as to the nature
24 and manner in which Plaintiff conducts business.

25 42. Richardson published the aforementioned untrue and disparaging statements to third-
26 parties through posting the statements via the Internet.

27 43. Plaintiff is informed and believes that Richardson knew that the false statements were
28 likely to influence prospective users of Plaintiff's businesses to avoid using Plaintiff's businesses.

1 44. Plaintiffs are informed and believe that the false statements materially and
2 substantially induced third-parties not to utilize Plaintiff's businesses and to not contract with
3 Plaintiff.

4 45. Plaintiff is informed and believes that as a result of Defendant publishing the false
5 and defamatory statements to third parties, Plaintiff has suffered pecuniary loss in the form of lost
6 business revenues and business contracts and lost business opportunities in an amount not yet
7 determined but believed to be in an amount excess of the jurisdictional minimums of this Court.

8 46. Plaintiff is informed and believes and based thereon alleges that the Defendant in
9 making the false and defamatory statements is guilty of fraud, oppression and malice. Accordingly,
10 Plaintiff is entitled to an award of punitive damages against Defendant in an amount sufficient to
11 punish Defendant and deter future misconduct.

12 **FIFTH CAUSE OF ACTION**
13 **FOR VIOLATION OF BUSINESS AND PROFESSIONS CODE**
14 **SECTION 17200 ET SEQ**
15 **(Against all Defendants)**

16 47. Plaintiff repeats and realleges Paragraphs 1 through 16, 18 through 23, 27 through
17 30, 34 through 37 and 41 through 44 as if fully restated herein.

18 48. Business and Professions Code § 17200 *et seq.* defines "unfair competition" as
19 meaning and including any unlawful, unfair or fraudulent business practice or act. Plaintiffs are
20 informed and believes that the conduct described above, constitutes unlawful, unfair and/or
21 fraudulent business practices as defined by California's Unfair Competition Act.

22 49. Plaintiff is entitled to injunctive relief to compel Defendant to cease his unlawful ,
23 unfair and/or fraudulent business practices.

24 50. Plaintiff requests that they be awarded their reasonable attorneys fees incurred in
25 connection with enforcing their rights under Business & Professions Code section 17200 *et seq.*

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1 **SIXTH CAUSE OF ACTION**

2 **FOR INJUNCTIVE RELIEF**

3 **(Against all Defendants)**

4 51. Plaintiff repeats and realleges Paragraphs 1 through 16, 18 through 23, 27 through
5 30, 34 through 37, 41 through 44 and 48 through 49 as if fully restated herein.

6 52. Based on the facts as set forth herein, Plaintiff has a substantial likelihood of success
7 on the merits of the asserted causes of action.

8 53. Plaintiff does not have an adequate remedy at law in order to prevent further harm
9 and injury in the future.

10 54. Monetary damages are inadequate to protect the present and future business interests
11 and reputation of the Plaintiff.

12 55. Injunctive relief would provide a benefit to, and is in the interest of, the public, as it
13 would prevent defamation, libel and other actionable conduct through the use of the Internet.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff requests that this Court grant the following relief:

16 A. On the First, Second, Third, and Fourth Causes of Action, for an award of
17 compensatory damages, punitive damages and prospective damages against Defendant;

18 B. On the Fifth Cause of Action:

19 1. For injunctive relief commanding the Defendant to cease its unlawful, unfair
20 and fraudulent practices;

21 2. For an award of Plaintiff's attorney's fees

22 C. On the Sixth Causes of Action,

23 1. For an immediate, preliminary injunction and permanent injunction enjoining
24 Defendant from hosting, posting, or in any manner publishing or disseminating, whether under his
25 legal identity or under any aliases, whether now created or created in the future, any false defamatory
26 or injurious information regarding Plaintiff; and

27 2. For an Order compelling Defendant to immediately remove from his website,
28 www.scamfraudalert.com, as well as any and all other media and communication conduits, all

1 defamatory and actionable statements posted or published regarding Plaintiff;

2 D. On all Causes of Action

- 3 1. An award of Plaintiff's costs incurred in prosecution of this action;
4 2. For such other and further relief as this Court deems just and proper.

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6 Dated: July 9, 2008

Respectfully submitted,

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LAW OFFICES OF W. GARY KURTZ

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By: 
W. Gary Kurtz
Attorneys for Internet Solutions Corporation

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