

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL
CIRCUIT IN AND FOR ORANGE COUNTY, FLORIDA

INTERNET SOLUTIONS CORPORATION, CASE NO.: _____

Plaintiff,

vs.

ARCHIE GARGA-RICHARDSON

Defendant.

COMPLAINT

Plaintiff, INTERNET SOLUTIONS CORPORATION (hereinafter referred to as "ISC") by and through its undersigned counsel, files this Complaint for damages against Defendant, ARCHIE GARGA-RICHARDSON (hereinafter referred to as "RICHARDSON"), and alleges:

INTRODUCTION

1. This is an action for damages in excess of \$15,000 as a result of Defendant's malicious, willful and intentional defamation. Via email to ISC employees, RICHARDSON published false and inflammatory statements designed to intentionally attack and discredit ISC. Defendant's defamatory attacks and false statements have caused damages to ISC in the past and such damages will continue in the future.

JURISDICTION AND VENUE

2. The Court has personal jurisdiction over the Defendant pursuant to *Fla. Stat. § 48.193(1)(b)* as Defendant has entered into the State of Florida, via intentional and purposeful

electronic communications, with sufficient minimal contacts and committed an intentional tort, or in the alternative, has committed tortious conduct outside of the state of Florida with the specific intent and knowledge that an injury would occur in the state of Florida.

3. Venue is proper in this judicial as a result of Defendant's intentional, tortious and unlawful conduct substantially occurred within this judicial district and Plaintiff, who resides in and transacts its principal business within this judicial district, has suffered tortious injuries within this district as a result of Defendant's conduct.

PARTIES

4. ISC is a Nevada corporation authorized to do business in Florida with its principal place of business in Orlando, Florida.

5. Upon information and belief, RICHARDSON is a resident of Glendale, California.

STATEMENT OF FACTS

6. ISC operates an internet marketing business under various fictitious names.

7. ISC previously filed a lawsuit against RICHARDSON in the State of California as a result of RICHARDSON's willful publishing to the public, via his website www.scamfraudalert.com, false, derogatory and defamatory statements regarding ISC and its business practices.

8. In relation to the California action filed by ISC against RICHARDSON, RICHARDSON filed a Motion to Strike Plaintiff's Complaint, which the presiding California court granted and which ISC has appealed.

9. After the court in the aforementioned California action granted RICHARDSON's Motion to Strike, on December 8, 2008, RICHARDSON sent an email to four ISC employees in which he stated:

"This is to let you know you are working for a scam, I have exposed the scam on my site www.scamfraudalert.com and have been vindicated in court. You will alls [sic] be in so much trouble by contumeously [sic] doing evil work for this terrible company. You must immediately seaze [sic] what you arte [sic] doing or I will expose you as such scammeres [sic]. Archie"

10. The court in the California action made no findings whatsoever that ISC was involved in or perpetrated "scams" as alleged by RICHARDSON.

11. RICHARDSON has never been to ISC's place of business and does not have any first-hand knowledge of ISC and its business operations.

COUNT I
DEFAMATION- PER QUOD

12. Plaintiff repeats and realleges Paragraphs 1-12 as if fully restated herein.

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

14. RICHARDSON's false, defamatory and injurious statements exposed Plaintiff to distrust, hatred, contempt, ridicule and embarrassment.

15. RICHARDSON's false, defamatory and injurious statements harm the reputation of Plaintiff so as to lower Plaintiff in the estimation of Plaintiff's employees and interfere with the employment relationship between Plaintiff and its employees.

16. RICHARDSON's false and defamatory statements were made with knowledge of

their falsity or reckless disregard of the truth or falsity of the statements.

17. RICHARDSON directed the false and defamatory statements to Plaintiff and Plaintiff's employees in the State of Florida with the specific intent and knowledge that the statements would damage Plaintiff in the State of Florida.

18. RICHARDSON made the false and defamatory statements with actual malice toward Plaintiffs with the specific intent to damage and harm Plaintiff.

19. Plaintiff suffered substantial damages in the State of Florida as a result of Defendant's actions.

COUNT II
DEFAMATION PER SE

20. Plaintiffs repeat and reallege Paragraphs 1-12 as if fully restated herein.

21. RICHARDSON has made false statements about Plaintiff which are *per se* injurious as they accuse the Plaintiff of perpetrating ongoing scams and illicit business dealings.

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

23. RICHARDSON published the false statements to third-parties via email directed to ISC employees who are residents in the State of Florida.

24. RICHARDSON's false, defamatory and injurious statements harm the reputation of Plaintiff so as to lower Plaintiff in the estimation of Plaintiff's employees and interfere with the employment relationship between Plaintiff and its employees.

25. Plaintiffs suffered damages in the State of Florida as a result of Defendant's actions.

PRAYER FOR RELIEF

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

- A. For an award of compensatory damages, punitive damages and prospective damages against Defendant;
- B. For an award of Plaintiffs' attorney's fees and costs incurred in prosecution of this action;
- C. For such other and further relief as this Court deems just and proper.

JURY DEMAND

Plaintiff's request trial by jury in the above-styled action.

Respectfully submitted this 8th day of January, 2009.



Keith E. Kress, Esq.
Florida Bar No.: 0380600
2295 South Hiawassee Road
Suite 407
Orlando, Florida 32835
Tel: (321) 293-3236
Fax: (321) 293-3203
email: kkress@kress-law.com
Attorney for Plaintiff