

STATE OF MICHIGAN  
IN THE 9TH CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

JOSEPH BIRD, individually and  
T & J TOWING,

Plaintiffs

HON. Gary C. Giguere Jr.  
Circuit Court Judge

Vs

FILE NO.: 2010-0206 NZ

JUSTIN KURTZ,

Defendant /

Richard K. Burnham P11427  
Attorney for Defendants  
303 Paw Paw Street  
Center Building, Suite 1  
Paw Paw, MI 49079  
(269) 657-5566

COMPLAINT

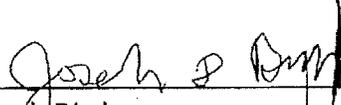
NOW COME Plaintiffs Joseph Bird, individually and T & J Towing, and for their Complaint against Defendant hereby states the follows:

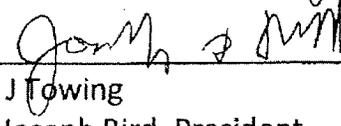
1. That Plaintiffs' are residents of or doing business in Kalamazoo County, Michigan and are in the business of enforcing parking restrictions at apartment developments and various businesses throughout the Kalamazoo area.
2. Defendant is a resident of Kalamazoo County, Michigan.
3. That these apartment developments and business had previously contracted with Plaintiffs to remove vehicles which violated the owners' parking or use restrictions.

4. That Defendant has falsely and publically claimed that Plaintiffs have towed vehicles where no violation has occurred and which claims are untrue which Defendant knew or should have know.
5. That Defendant has made his crusade to post verbal and written claims and misuse of the internet with allegations that are untrue and/or dishonest and without merit.
6. Because of Defendant's continual onslaught of libelous and slanderous claims Plaintiffs have lost several business accounts and suffered economic damage.
7. That Defendant has absolutely no way of knowing whether or not all of the written submissions to his website have any truth or validity to the claims made by responders which magnifies the damage of his libelous conduce.
8. That Defendant is seeking involvement of the IRS in an attempt to further wrongfully vilify Plaintiffs.

NOW THEREFORE, Plaintiffs request that this Court order Defendant to immediately cease and desist any further libelous and slanderous written claims against Plaintiff and further order Defendant to make restitution for the lost income resulting from Defendant's "crusade" in the amount of \$750,000.00.

DATED: April 5, 2010

  
\_\_\_\_\_  
Joseph Bird

  
\_\_\_\_\_  
T & J Towing  
By: Joseph Bird, President

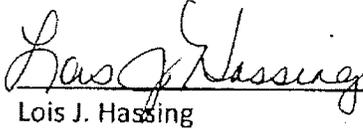
Joseph Bird, individually  
and T & J Towing vs  
Justin Kurtz

COMPLAINT

FILE NO.: 2010 NZ

STATE OF MICHIGAN            )  
COUNTY OF VAN BUREN       )ss.

Subscribed and sworn to before me on this 5<sup>th</sup> day of April, 2010.

  
Lois J. Hassing

Notary Public, Kalamazoo County, Michigan  
Acting in Van Buren County  
My Commission Expires: November 24, 2013

This document prepared by:

Richard K. Burnham P11427  
Attorney at Law  
303 Paw Paw Street  
Center Building, Suite 1  
Paw Paw, MI 49079  
(269) 657-5566

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE 9th	<b>SUMMONS AND COMPLAINT</b>	CASE NO.  2010 <i>OZG</i> NZ <b>Gary C. Giguere Jr.</b>
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Court address  
 227 W. Michigan Ave., Kalamazoo, MI 49007

Court telephone no.  
 (269) 383-8837

Plaintiff's name(s), address(es) and telephone no(s).  
 JOSEPH BIRD, individually and T & J TOWING  
 1325 E. Michigan Avenue  
 Kalamazoo, MI 49048

v

Defendant's name(s), address(es), and telephone no(s).  
 JUSTIN KURTZ  
 4153 Hawthorn Ridge, Apt. 301  
 Kalamazoo, MI 49006

Plaintiff's attorney, bar no., address, and telephone no.  
 Richard K. Burnham P11427  
 303 Paw Paw Street, Center Bldg., Ste. 1  
 Paw Paw, MI 49079  
 269/657-5566

or  
  
 JUSTIN KURTZ  
 14 Myers Avenue  
 Yorkville, NY 13495

**SUMMONS** **NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to file an answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111(C))
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued <i>04/08/10</i>	This summons expires <i>07/08/10</i>	Court clerk <i>Melannia Casey</i>
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\*This summons is invalid unless served on or before its expiration date.

This document must be sealed by the seal of the court.

**COMPLAINT** *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.*

**Family Division Cases**

- There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
- An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in \_\_\_\_\_ Court.

The action  remains  is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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**General Civil Cases**

- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in \_\_\_\_\_ Court.

The action  remains  is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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**VENUE**

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Kalamazoo, Michigan	Kalamazoo, Michigan
Place where action arose or business conducted	
Kalamazoo, Michigan	

4/5/2010  
 Date

*Richard K. Burnham*  
 Signature of attorney/plaintiff Richard K. Burnham

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you to fully participate in court proceedings, please contact the court immediately to make arrangements.