IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

GUADAGNINI VIOLIN SHOP and CHUNYEE LU		
v.	2012L000802 CALENDAR/ROOM X TIME 00:00 Libel/Slander	_
TRUTHTELLER1790, a/k/a TRUTH TELLER, a/k/a TRUTH T., a/k/a Individual using IP address 24.248.68.16 on January 21, 2011	63	
CIVIL ACTION COVER SHEET - CASE INITIATION	CLEB D	
A Civil Action Cover Sheet - Case Initiation shall be filed with the complain all civil actions. The information contained herein is for administrative purposes only and cannot be introduced into evidence. Please check the bofront of the appropriate case type which best characterizes your action. ONE (1) CASE TYPE MAY BE CHECKED WITH THIS COVER SHEET	box in ONLY	
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036 Administrative Review Action 085 Petition to Register Foreign Judgment 099 All Other Extraordinary Remedies	By: Verney) (Pro Se)	-
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

GUADAGNINI VIOLIN SHOP, and CHUNYEE LU)			
Plaintiffs,)	CALEND TIME O	AR/ROO	M X
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Defendant.)		용로를	ZE ;-
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Plaintiffs, GUADAGNINI VIOLIN	SHOP and CHUN	YEE LU G	collectively	. 63

Plaintiffs, GUADAGNINI VIOLIN SHOP and CHUNYEE LU (collectively "Plaintiffs") by their attorneys, Litchfield Cavo LLP, hereby complain against the Defendant, as follows:

PARTIES, JURISDICTION AND VENUE

- 1. Plaintiff, Guadagnini Violin Shop, is an Illinois business, located in the City of Chicago, which specializes in the restoration and repair of various musical instruments and bows. Guadagnini is also an authorized dealer for many fine instrument makers. Guadagnini serves musicians and collectors worldwide.
- 2. Plaintiff, CHUNYEE LU ("Lu"), is a current resident of Chicago, Illinois. Lu is the owner of Guadagnini Violin Shop. Lu possesses decades of daily experience in restoring fine instruments and bows. Lu has served some of the most influential musicians throughout the world and has performed very important restoration works on some of the world's finest and rarest instruments for a large number of high profile clientele. He also serves as an identification, authentication, and valuation connoisseur

and scholar for concert artists, musicians for major orchestras, and private collectors all over the world. Guadagnini Violin Shop's appraisals are highly regarded and respected by major insurance companies. Lu is the person who interacts with customers and performs the work at Guadagnini Violin Shop so that any statements about practices of the shop are statements directed personally to Lu.

- 3. On information and belief, TruthTeller1790 a/k/a Truth Teller a/k/a Truth T., a/k/a the individual using IP Address 24.248.68.163 on January 21, 2011 ("Truth Teller" or "Defendant") to post on the internet certain defamatory statements about Plaintiffs is a real live individual who has adopted the foregoing names to identify himself or herself to the public.
- 4. Venue is proper in this Court pursuant to Illinois Supreme Court Rule 224(a)(ii) as this is a Court in which an action or proceeding might be brought to address the harm done to Guadagnini and Lu, as well as the county in which the Defendant used a computer with IP Address 24.248.68.163 to post the defamatory misrepresentations, as well as the county in which Plaintiffs incurred injury and thus where the cause of action arose.

BACKGROUND FACTS

5. On January 21, 2011, Defendant, using the name "TruthTeller1790," anonymously posted a review of Plaintiffs on the CityGrid website, Citysearch.com. Specifically, Defendant posted the following false statement about Plaintiffs entitled "Dangerously Dishonest:"

This violin 'shop' is in the habit of selling instruments and bows which are outrageously overpriced and even worse, not made by the makers advertised. They often sell unneeded, super expensive repair jobs to unsuspecting customers. It amazes me that a person would run their business in such an immoral, underhanded way, preying on working musicians and students who need honest help and guidance. Please, please avoid this shop!

A copy of the January 21, 2011, Citysearch.com review created by Defendant is attached hereto as Exhibit A. The misrepresentation expressly but falsely accused the Plaintiffs of regularly engaging in dishonest, fraudulent and/or criminal activity in their business and thus constitutes defamation *per se*. Plaintiffs have never sold instruments or bows that were outrageously overpriced. Plaintiffs have never sold any instruments not made by the maker advertised. Plaintiffs have never sold unneeded, expensive repair jobs.

6. On or about January 21, 2011, Defendant, using the name "TruthT.," anonymously posted a review of Plaintiffs, Guadagnini and Lu, on the website Yelp.com.
Specifically, Defendant posted the following false statement about Plaintiffs:

Would you like to buy a gold mounted tortoise shell bow for \$4500 that is actually worth \$800 and is, in fact, made of gold-colored metal and faux-plastic shell? Then please go to this shop! Would you like to be told that your perfectly sound violin needs a new bassbar, costing over a thousand dollars? Step right up, because a sucker is born every minute. How about buying a 'French' violin for \$20,000 that is actually a \$3000 German factory fiddle? AVOID THIS SHOP.

A copy of the January 21, 2011, Yelp.com review created by Defendant is attached hereto as Exhibit B. The misrepresentation expressly but falsely accused the Plaintiffs of regularly engaging in dishonest, fraudulent and/or criminal activity in their business and thus constitutes defamation *per se*. Plaintiffs have never sold a gold mounted tortoise shell bow for \$4500, much less one that is actually worth \$800 and made of gold-colored metal and faux-plastic shell. Plaintiffs have never recommended that a perfectly sound

violin needed a new bassbar. Plaintiffs have never sold a \$3000 German factory fiddle as a \$20,000 French violin.

- 7. On or about January 21, 2011, Defendant, using the name "TruthT.," also posted the above-referenced Yelp review of Plaintiffs, Guadagnini and Lu, on the website Dexknows.com. A copy of the January 21, 2011, Dexknows.com review created by Defendant is attached hereto as Exhibit C.
- 8. On or about January 21, 2011, Defendant, using the screen name "Truthteller1790," anonymously posted a review of Plaintiffs, Guadagnini and Lu, on the website Kudzu.com. Specifically, Truthteller1790 posted the following false statement about Plaintiffs entitled "RIPOFF ARTIST:"

Please don't go to this shop unless you want to be sold something which isn't what its purported to be for an outrageous price. They also will try to convince you your instrument needs a super expensive repair when it just need an adjustment. Ripoff.

A copy of the January 21, 2011, Kudzu.com review created by Defendant is attached hereto as Exhibit D. The misrepresentation expressly but falsely accused the Plaintiffs of regularly engaging in dishonest, fraudulent and/or criminal activity in their business and thus constitutes defamation *per se*. Plaintiffs have never sold at any price any products that were not what Plaintiffs purported or represented them to be. Plaintiffs have never attempted to convince anyone that they needed an expensive repair to an instrument when the instrument just needed an adjustment.

9. On or about January 21, 2011, Defendant, using the name "Truth Teller," anonymously posted a review of Petitioners, Guadagnini and Lu, on the website

Merchantcircle.com. Specifically, Defendant posted the following false statement about Plaintiffs entitled "Totally Dishonest:"

Please beware of this shop. They are in the habit of selling overpriced instruments and bows that are often not made by who they say they are. They also convince struggling musicians to spend tons of money on repairs that are not needed. There are so many reputable violin shops in Chicago – avoid this place please.

A copy of the January 21, 2011, Merchantcircle.com review created by Defendant is attached hereto as Exhibit E. The misrepresentation expressly but falsely accused the Plaintiffs of regularly engaging in dishonest, fraudulent and/or criminal activity in their business and thus constitutes defamation *per se*. Plaintiffs have never sold instruments or bows at any price that were not made by whom Plaintiffs said made them. Plaintiffs have never attempted to convince any customer to spend money on repairs that were not needed.

- 10. The above-referenced anonymous reviews posted on the respective websites are accessible from every state in the United States. The false statements were published to harm Plaintiffs' reputation, particularly in the eyes of the musician community, which Plaintiffs serve. The purpose of posting these false statements was to deter Plaintiffs' customers from patronizing Guadagnini's Violin Shop. The false statements impute that Plaintiffs lack the ability to serve customers honestly and have prejudiced Plaintiffs in their profession.
- 11. On a daily basis, numerous individuals have read the defamatory material posted to the respective sites and many of those viewers have chosen to eschew Plaintiffs' services as a result of the false statements. In addition, the false and

defamatory reviews were copied to numerous other websites and continued to be posted on the internet throughout 2011 and until the present.

- 12. All of the defamatory material was posted by Defendant from a computer with the IP address 24.248.68.163 on January 21, 2011.
- Plaintiffs did not learn of the existence of any of the reviews until
 February 7, 2011.

COUNT I – DEFAMATION PER SE

- 14. Plaintiffs incorporate paragraphs 1 through 13 as paragraph 14 of Count I.
- Defendant made the foregoing false statements of fact about Plaintiffs,
 knowing them to be false.
- 16. Defendant made an unprivileged publication of such false defamatory statements to third parties by posting the statements on several websites, and made such publications intentionally, maliciously and knowing the statements were false or in reckless disregard for the truth.
- 17. Plaintiffs have been substantially damaged as a direct and proximate result of Defendant's publication of the false and defamatory statements.

WHEREFORE, Plaintiffs, GUADAGNINI VIOLIN SHOP and CHUNYEE LU, request that this Court enter judgment in their favor and against the Defendant TRUTHTELLER1790, a/k/a TRUTH TELLER, a/k/a TRUTH T., a/k/a Individual using a computer with IP Address 24.248.68.163 on January 21, 2011 in an amount in excess of \$50,000.00 plus attorney's fees, costs and post-judgment interest and such further relief as the Court deems proper.

COUNT II – DEFAMATION PER QUOD

- Plaintiffs incorporate paragraphs 1 through 17 as paragraph 18 of Count II.
- 19. Plaintiffs have been damaged as a direct and proximate result of Defendant's false statements, including losing numerous customers and potential customers as a result of the statements.

WHEREFORE, Plaintiffs, GUADAGNINI VIOLIN SHOP and CHUNYEE LU, request that this Court enter judgment in their favor and against the Defendant TRUTHTELLER1790, a/k/a TRUTH TELLER, a/k/a TRUTH T., a/k/a Individual using a computer with IP Address 24.248.68.163 on January 21, 2011 in an amount in excess of \$50,000.00 plus attorney's fees, costs and post-judgment interest and such further relief as the Court deems proper.

COUNT III – FALSE LIGHT

- Plaintiffs incorporate paragraphs 1 through 19 as paragraph 20 of Count
 III.
- 21. Defendant's actions placed Plaintiffs in a false light before the public by falsely claiming that Plaintiffs were dishonest and engaged in fraud.
 - The false light would be highly offensive to the reasonable person.
- 23. Defendant acted with actual malice in publishing the false statements and acted for the purpose of injuring Plaintiffs' reputation.
- 24. Plaintiffs have been damaged as a direct and proximate result of Defendant's false statements, including losing numerous customers and potential customers as a result of the false statements.

WHEREFORE, Plaintiffs, GUADAGNINI VIOLIN SHOP and CHUNYEE LU, request that this Court enter judgment in their favor and against the Defendant TRUTHTELLER1790, a/k/a TRUTH TELLER, a/k/a TRUTH T., a/k/a Individual using a computer with IP Address 24.248.68.163 on January 21, 2011 in an amount in excess of \$50,000.00 plus attorney's fees, costs and post-judgment interest and such further relief as the Court deems proper.

COUNT IV - Tortious Interference with Prospective Economic Advantage

- Plaintiffs incorporate paragraphs 1 through 24 as Paragraph 25 of Count
 IV.
- 26. Plaintiffs had a reasonable expectation of valid business relationships with prospective customers who read the foregoing websites.
 - 27. Defendant knew about these prospective economic relationships.
- 28. Defendant intentionally interfered with Plaintiffs' expectancy and prevented the expectancy from ripening into valid business relationships by posting false information about Plaintiffs for the intentional and improper purpose of harming Plaintiffs.
- 29. Defendant's intentional interference injured Plaintiffs by causing prospective customers to not do business with Plaintiffs.

WHEREFORE, Plaintiffs, GUADAGNINI VIOLIN SHOP and CHUNYEE LU, request that this Court enter judgment in their favor and against the Defendant TRUTHTELLER1790, a/k/a TRUTH TELLER, a/k/a TRUTH T., a/k/a Individual using a computer with IP Address 24.248.68.163 on January 21, 2011 in an amount in excess of

\$50,000.00 plus attorney's fees, costs and post-judgment interest and such further relief as the Court deems proper.

Respectfully submitted,

Guadagnini Violin Shop and Chunyee Lu

By one of their attorneys

James R. Branit Litchfield Cavo LLP 303 West Madison Street, Suite 300 Chicago, Illinois 60606 (312) 781-6552

Law Firm No.: 36351

Attorneys for Petitioners Guadagnini Violin Shop and Chunyee Lu

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, I, Chunyee Lu, individually and on behalf of Guadagnini Violin Shop, certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Chunyee Lu

Dated: 01/11/201-

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Guadagnini Violin Shop

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Guadagnini Violin Shop

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Category: Musical Insuruments & Teachers

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Guadagnini Violin Shop Inc

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Guadagnini Violin Shop Inc

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Reviews

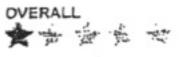


Truthteller1790 Reviews: 1

Posted on 1/23/2013

RIPOFF ARTIST

Please don't go to this shop unless you want to be sold something which isn't what its purported to be for an outrageous price. They also will try to convince you your instrument needs a super expensive repair when it just needs an adjustment. Ripoff.



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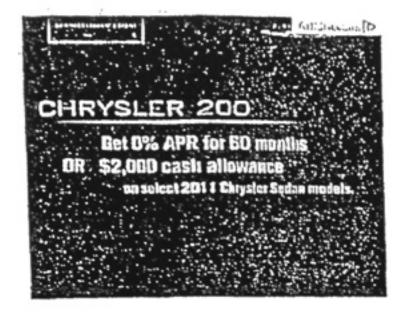
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Guadagnini Violin Shop, Chica L 60605 - MerchantCirola com

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IN THE	CIRCUIT COURT OF COO	K COUNTY, ILLINOIS				
COI	UNTY DEPARTMENT	LAW DISTRICT				
Guadagnini Violin Shop and Chunye	ee Lu Plaintiff	No. 2012L000802 CALENDAR/ROOM X TIME 00:00 Libel/Slander				
v.	Plaintin	Return Date:				
Truthteller 1790	Defendant	Room No.:				
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APPEARANCE AND JURY DEMAND*						
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Guadagnini Violin Shop and Chunyee Lu						
Initial Counsel of Record	(Insert Litigant's ☐ Pro Se (Self-represent ☐ Substitute Appearance	Signature Signature				
✓ ATTORNEY NO.: 36351	☐ PRO SE: 995	00				
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Attorney for

been found by the Court to be in default for failure to plead.