

- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Third Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**TWENTY-FOURTH CAUSE OF ACTION FOR DEFAMATION**

412. Plaintiff repeats the allegations contained in paragraphs 1 through 411 hereof with the same force and effect as though set forth at length herein.

413. On April 4, 2011, McKinney Law, through McKinney, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, "Lessons in Choosing Your Criminal Attorney," that "Rakofsky encouraged his investigator to undertake unethical behavior and then refused to pay the investigator." However, Rakofsky never "encouraged his investigator to undertake unethical behavior and then refused to pay the investigator," as McKinney Law, through McKinney would have known had they read the "motion" submitted (but not formally filed) by Bean, as Bean attached to it a copy of

Rakofsky's email. Further, Rakofsky had no obligation to pay the investigator, given that he never provided any services.

414. As a direct result of the past conduct and continuing conduct of defendants McKinney Law, through McKinney, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

415. As a direct result of the conduct of the defendants McKinney Law, through McKinney, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

416. As a direct result of the conduct of the defendants McKinney Law, through McKinney, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

417. As a direct result of the conduct of the defendants McKinney Law, through McKinney, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

418. As a direct result of the conduct of defendants McKinney Law, through McKinney, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

419. As a direct result of the conduct of defendants McKinney Law, through McKinney, plaintiff Rakofsky was caused to have general damages, including, but not

limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

420. The damages of plaintiff are, or may be, permanent.

421. The aforementioned acts and omissions of defendants McKinney Law, through McKinney, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

422. Punitive damages are justified because of the aforesaid conduct of defendants McKinney Law, through McKinney, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Fourth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**TWENTY-FIFTH CAUSE OF ACTION FOR DEFAMATION**

423. Plaintiff repeats the allegations contained in paragraphs 1 through 422 hereof with the same force and effect as though set forth at length herein.

424. On April 4, 2011, Thomson Reuters, through Slater, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, "Young and Unethical," that "Washington D.C. Superior Court Judge William Jackson declared a mistrial in a murder case on Friday after throwing defense attorney Joseph Rakofsky, 33, off the case for inexperience." However, the record is clear that Rakofsky requested that he be permitted to withdraw as lead counsel and was so permitted, and that Judge Jackson granted Rakofsky's motion, solely because Rakofsky moved for his own withdrawal because a conflict existed between him and his client and Rakofsky's was not "throw[n]...off the case for inexperience" as both Thomson Reuters, through Slater maliciously published.

425. As a direct result of the past conduct and continuing conduct of defendants Thomson Reuters, through Slater, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

426. As a direct result of the conduct of the defendants Thomson Reuters, through Slater, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

427. As a direct result of the conduct of the defendants Thomson Reuters, through Slater, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

428. As a direct result of the conduct of the defendants Thomson Reuters, through Slater, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

429. As a direct result of the conduct of defendants Thomson Reuters, through Slater, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

430. As a direct result of the conduct of defendants Thomson Reuters, through Slater, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

431. The damages of plaintiff are, or may be, permanent.

432. The aforementioned acts and omissions of defendants Thomson Reuters, through Slater, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

433. Punitive damages are justified because of the aforesaid conduct of defendants Thomson Reuters, through Slater, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Fifth Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**TWENTY-SIXTH CAUSE OF ACTION FOR DEFAMATION**

434. Plaintiff repeats the allegations contained in paragraphs 1 through 433 hereof with the same force and effect as though set forth at length herein.

435. On April 23, 2011, Banned Ventures and Banni through Tarrant 84, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, "How to Pay for a Lawyer, by t84," that "The judge declared a mistrial because he was so bad -- something that never ever happens." However, the record is clear that Rakofsky requested that he be permitted to withdraw as lead counsel for the defendant and was so permitted, and that Judge Jackson granted Rakofsky's motion solely because Rakofsky moved for his own withdrawal because a conflict existed between him and his client, and Judge Jackson did not grant a mistrial, either in whole or in part, because Rakofsky was "so bad," something that, whether it "never ever happens" did not occur in the case referred to in their article.

436. As a direct result of the past conduct and continuing conduct of defendants Banned Ventures and Banni through Tarrant 84, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

437. As a direct result of the conduct of the defendants Banned Ventures and Banni through Tarrant 84, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

438. As a direct result of the conduct of the defendants Banned Ventures and Banni through Tarrant 84, plaintiff Rakofsky, was caused to have general damages,

including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

439. As a direct result of the conduct of the defendants Banned Ventures and Banni through Tarrant 84, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

440. As a direct result of the conduct of defendants Banned Ventures and Banni through Tarrant 84, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

441. As a direct result of the conduct of defendants Banned Ventures and Banni through Tarrant 84, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

442. The damages of plaintiff are, or may be, permanent.

443. The aforementioned acts and omissions of defendants Banned Ventures and Banni through Tarrant 84, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.



444. Punitive damages are justified because of the aforesaid conduct of defendants Banned Ventures and Banni through Tarrant 84, and the following facts:
- a. defendants' acts were intentional;
  - b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
  - c. defendants knew or should have known that their statements were illegal;
  - d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
  - e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Sixth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**TWENTY-SEVENTH CAUSE OF ACTION FOR DEFAMATION**

445. Plaintiff repeats the allegations contained in paragraphs 1 through 444 hereof with the same force and effect as though set forth at length herein.

446. On April 8, 2011, Michael T. Doudna Law, through Doudna, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of

information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, “D.C.’s Lawyer’s Inexperience Obvious; Judge Declares Mistrial” that “Rakofsky described his inexperience to the jury, saying that “he had never tried a case before”. This behavior, as well as other tell-tale signs of inexperience led the judge on this case to declare a mistrial. Another disquieting fact is that Rakofsky fired an investigator for refusing to get a witness to lie about the crime in question. Talk about a breach of ethics. The Defendant in this case suffers the most, as his right to a fair trial is compromised by Rakofsky’s lack of experience and his behavior. However, the record is clear that Rakofsky requested that he be permitted to withdraw as lead counsel for the defendant and was so permitted, and that Judge Jackson granted Rakofsky’s motion solely because Rakofsky moved for his own withdrawal because a conflict existed between him and his client, and Judge Jackson did not grant a mistrial, either in whole or in part, because of “Rakofsky’s lack of experience and his behavior.”

447. As a direct result of the past conduct and continuing conduct of defendants Michael T. Doudna Law, through Doudna, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

448. As a direct result of the conduct of the defendants Michael T. Doudna Law, through Doudna, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

449. As a direct result of the conduct of the defendants Michael T. Doudna Law, through Doudna, plaintiff Rakofsky, was caused to have general damages,

including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

450. As a direct result of the conduct of the defendants Michael T. Doudna Law, through Doudna, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

451. As a direct result of the conduct of defendants Michael T. Doudna Law, through Doudna, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

452. As a direct result of the conduct of defendants Michael T. Doudna Law, through Doudna, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

453. The damages of plaintiff are, or may be, permanent.

454. The aforementioned acts and omissions of defendants Michael T. Doudna Law, through Doudna, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

455. Punitive damages are justified because of the aforesaid conduct of defendants Michael T. Doudna Law, through Doudna, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Seventh Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**TWENTY-EIGHTH CAUSE OF ACTION FOR DEFAMATION**

456. Plaintiff repeats the allegations contained in paragraphs 1 through 455 hereof with the same force and effect as though set forth at length herein.

457. On April 13, 2011, Yampolsky & Associates, through Yampolsky, with malice and hate, in a grossly irresponsible manner without due consideration for the

standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, "I Never Tried a Case Before...But What's the Big Deal?" that "the attorney told the investigator via an attached e-mail to 'trick' a government witness into testifying in court that she did not see his client at the murder scene." However, no such email was ever written and therefore, neither Yampolsky & Associates, nor YAMPOLSKY, could ever have seen such an email.

458. As a direct result of the past conduct and continuing conduct of defendants Yampolsky & Associates, through Yampolsky, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

459. As a direct result of the conduct of the defendants Yampolsky & Associates, through Yampolsky, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

460. As a direct result of the conduct of the defendants Yampolsky & Associates, through Yampolsky, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

461. As a direct result of the conduct of the defendants Yampolsky & Associates, through Yampolsky, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

462. As a direct result of the conduct of defendants Yampolsky & Associates, through Yampolsky, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

463. As a direct result of the conduct of defendants Yampolsky & Associates, through Yampolsky, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

464. The damages of plaintiff are, or may be, permanent.

465. The aforementioned acts and omissions of defendants Yampolsky & Associates, through Yampolsky, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

466. Punitive damages are justified because of the aforesaid conduct of defendants Yampolsky & Associates, through Yampolsky, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Eighth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**TWENTY-NINTH CAUSE OF ACTION FOR DEFAMATION**

467. Plaintiff repeats the allegations contained in paragraphs 1 through 466 hereof with the same force and effect as though set forth at length herein.

468. On April 8, 2011, O'Halleran Law, through O'Halleran, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, "Mistrial in Murder Case Because of Atty Incompetence" that "A judge recently declared a mistrial in a murder case because of the defense attorney's incompetance. [*sic*]" However, the record is clear that Rakofsky requested that he be permitted to withdraw as counsel and was so

permitted, and that Judge Jackson granted Rakofsky's motion solely because Rakofsky moved for his own withdrawal because a conflict existed between him and his client and that no mistrial was ever granted by Judge Jackson, either in whole or in part, "because of the defense attorney's incompetence, [*sic*]" whether the reference to the "defense attorney" be intended to refer to Rakofsky or to his co-counsel, Grigsby, who was not permitted to replace Rakofsky as lead counsel.

469. As a direct result of the past conduct and continuing conduct of defendants O'Halleran Law, through O'Halleran, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

470. As a direct result of the conduct of the defendants O'Halleran Law, through O'Halleran, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

471. As a direct result of the conduct of the defendants O'Halleran Law, through O'Halleran, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

472. As a direct result of the conduct of the defendants O'Halleran Law, through O'Halleran, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

473. As a direct result of the conduct of defendants O'Halleran Law, through O'Halleran, plaintiff Rakofsky was caused to have special damages, including, but not



limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

474. As a direct result of the conduct of defendants O'Halleran Law, through O'Halleran, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

475. The damages of plaintiff are, or may be, permanent.

476. The aforementioned acts and omissions of defendants O'Halleran Law, through O'Halleran, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

477. Punitive damages are justified because of the aforesaid conduct of defendants O'Halleran Law, through O'Halleran, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Twenty-Ninth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

### **THIRTIETH CAUSE OF ACTION FOR DEFAMATION**

478. Plaintiff repeats the allegations contained in paragraphs 1 through 477 hereof with the same force and effect as though set forth at length herein.

479. On April 13, 2011, Reiter & Schiller, through Weaver, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published in their article entitled, "Competence" that "The final straw for Judge Jackson was a filing he received on Friday, April 1 from an investigator hired by Rakofsky, who Rakofsky later fired and refused to pay when the investigator failed to carry out his request to "trick" a witness "to say that she did not see the shooting or provide information to the lawyers about the shooting." However, Rakofsky neither "fired" nor "refused to pay" an investigator "when the investigator failed to carry out his request to 'trick' a witness 'to say that she did not see the shooting or provide information to the lawyers about the shooting,'" which Rakofsky never did as

Reiter & Schiller and Weaver would have known had they read the email containing the alleged request to the “investigator.”

480. Further, on April 13, 2011, Reiter & Schiller, through Weaver, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published “Judge Jackson declared a mistrial and fired Rakofsky and his local counsel that day, and will appoint new counsel for Deaner.” However, the record is clear that Rakofsky moved the court to be permitted to withdraw as counsel for his client because a conflict existed between him and his client and Judge Jackson granted Rakofsky’s motion solely upon Rakofsky’s motion to withdraw as counsel because a conflict existed between him and his client. However, Judge Jackson never “fired Rakofsky” and never declared a mistrial.

481. As a direct result of the past conduct and continuing conduct of defendants Reiter & Schiller, through Weaver, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

482. As a direct result of the conduct of the defendants Reiter & Schiller, through Weaver, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

483. As a direct result of the conduct of the defendants Reiter & Schiller, through Weaver, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

484. As a direct result of the conduct of the defendants Reiter & Schiller, through Weaver, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

485. As a direct result of the conduct of defendants Reiter & Schiller, through Weaver, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

486. As a direct result of the conduct of defendants Reiter & Schiller, through Weaver, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

487. The damages of plaintiff are, or may be, permanent.

488. The aforementioned acts and omissions of defendants Reiter & Schiller, through Weaver, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

489. Punitive damages are justified because of the aforesaid conduct of defendants Reiter & Schiller, through Weaver, and the following facts:

- a. defendants' acts were intentional;

- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Thirtieth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-FIRST CAUSE OF ACTION FOR DEFAMATION**

490. Plaintiff repeats the allegations contained in paragraphs 1 through 489 hereof with the same force and effect as though set forth at length herein.

491. On May 13, 2011, Accela, through Samuels, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published "TGIS: Thank G-d It's Schadenfreude" that "This week's joy in the misfortune of others comes courtesy of infamously-incompetent lawyer

Joseph Rakofsky....” However, the record is clear that Rakofsky requested that he be permitted to withdraw as counsel and was so permitted, and that Judge Jackson granted Rakofsky’s motion solely because Rakofsky moved for his own withdrawal because a conflict existed between him and his client and that no mistrial was ever granted by Judge Jackson, either in whole or in part, because Rakofsky is or was “infamously-incompetent.” Further, this malicious publication and offensive act was perpetrated after the Complaint, which alleged defamation, was already filed, making such new defamation of Rakofsky and RLF even more inexcusable.

492. As a direct result of the past conduct and continuing conduct of defendants Accela, through Samuels, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

493. As a direct result of the conduct of the defendants Accela, through Samuels, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

494. As a direct result of the conduct of the defendants Accela, through Samuels, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

495. As a direct result of the conduct of the defendants Accela, through Samuels, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

496. As a direct result of the conduct of defendants Accela, through Samuels, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

497. As a direct result of the conduct of defendants Accela, through Samuels, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

498. The damages of plaintiff are, or may be, permanent.

499. The aforementioned acts and omissions of defendants Accela, through Samuels, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

500. Punitive damages are justified because of the aforesaid conduct of defendants Accela, through Samuels, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;

- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Thirty-First Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-SECOND CAUSE OF ACTION FOR DEFAMATION**

501. Plaintiff repeats the allegations contained in paragraphs 1 through 500 hereof with the same force and effect as though set forth at length herein.

502. On May 12, 2011, Burney Law, through Burney, with malice and hate, in a grossly irresponsible manner without due consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties, in reckless disregard for the truth, published "Feeling Left Out," in which Burney expresses disappointment for not having been named as a defendant in the Complaint alleging defamation originally filed herein and praises the commission of defamation. They state that "You've probably heard, by now, of this Joseph Rakofsky kid. You know the one ...whose performance was so bad that the judge had to declare a mistrial." However, the record is clear that Rakofsky moved the court to be permitted to withdraw as counsel for



his client because a conflict existed between him and his client and Judge Jackson granted Rakofsky's motion solely upon Rakofsky's motion to withdraw as counsel because a conflict existed between him and his client and not because "[Rakofsky's] performance was so bad that the judge had to declare a mistrial."

503. Further, in "Feeling Left Out," Burney Law, through Burney, praises the commission of defamation and published "[B]eing on that complaint is going to be something of a badge of pride. And we're not there. Dammit. Maybe he'll amend his complaint to include us now, or maybe one of the defendants can do one of those... uh, civil procedure thingies... where you bring someone else into a case? Whatever." Burney Law through Burney thereby perpetrated a patent ethical violation by bringing the legal profession into disrepute. Further, this malicious publication and offensive act was perpetrated after the Complaint was already filed, making such defamation of Rakofsky and RLF even more inexcusable.

504. As a direct result of the past conduct and continuing conduct of defendants Burney Law, through Burney, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

505. As a direct result of the conduct of the defendants Burney Law, through Burney, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

506. As a direct result of the conduct of the defendants Burney Law, through Burney, plaintiff Rakofsky, was caused to have general damages, including, but not

limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

507. As a direct result of the conduct of the defendants Burney Law, through Burney, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

508. As a direct result of the conduct of defendants Burney Law, through Burney, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

509. As a direct result of the conduct of defendants Burney Law, through Burney, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

510. The damages of plaintiff are, or may be, permanent.

511. The aforementioned acts and omissions of defendants Burney Law, through Burney, were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

512. Punitive damages are justified because of the aforesaid conduct of defendants Burney Law, through Burney, and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Thirty-Second Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-THIRD CAUSE OF ACTION INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS**

513. Plaintiff hereby repeats the allegations of paragraphs 1-512, inclusive, with the same force and effect as though set forth at length herein.

514. Washington Post, Alexander, Jenkins, Creative, City Paper, Smith, Media, ATL, Mystal, ABA, ABA Journal, Weiss, Randag, Shingle, Elefant, Kravet, Simple, Blog Simple, Greenfield, Mayer Law, Mayer, GHH, Gamso, C & F, Cernovich, Accident Lawyer, “John Doe #2,” Faraji Law, Faraji, Bennett & Bennett, Mark Bennett, Sed Law, Seddiq, Allbritton, TBD, RDTTL, J-Dog, Bean, Koehler Law, Koehler, TLF, Turkewitz, Beasley Firm, Kennerly, Steinberg Morton, Pribetic, Tannebaum Weiss, Tannebaum, Wallace Brown, Wallace , Wells P.C., Wells, McKinney Law, McKinney, Thomson Reuters, Slater, Banned Ventures, Banni, Tarrant 84, Michael T. Doudna Law, Doudna, Yampolsky & Associates, Yampolsky, O’Halloran Law, O’Halloran, Reiter & Schiller, Weaver, Avvo, King, Accela, Samuels, Burney Law, Burney and Washington Post, LLC (hereinafter referred to as “Defendants”) engaged in intentional or reckless conduct, which was extreme and outrageous and exceeding all bounds acceptable in a civilized society.

515. Defendants caused Rakofsky to suffer severe and debilitating emotional injury and anguish.

516. Further, as mentioned above, on May 12, 2011, Burney Law, through Burney, published “Feeling Left Out.” As previously mentioned, Burney Law, through Burney, effectively asked in it to be included as a defendant in a law suit and then purposely defamed Rakofsky and RLF to achieve such an end, demonstrating a patent ethical violation by bringing the legal profession into disrepute. Burney Law, through Burney, published “You’ve probably heard, by now, of this Joseph Rakofsky kid. You know the one ...whose performance was so bad that the judge had to declare a mistrial.” Necessarily, this malicious and defamatory statement was published after Rakofsky and RLF filed their Complaint, which clearly provided the facts concerning Dontrell Deaner’s

trial, yet such facts were purposely ignored and Burney Law's and Burney's article was specifically published to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, thereby making Burney Law and Burney actors in the intentional infliction of emotional distress upon Rakofsky.

517. On May 13, 2011, Accela, through Samuels, published "TGIS: Thank G-d It's Schadenfreude" that "This week's joy in the misfortune of others comes courtesy of infamously-incompetent lawyer Joseph Rakofsky...." Accela's malicious and defamatory statement was published after Rakofsky and RLF filed their Complaint, which clearly provided the facts concerning Dontrell Deaner's trial, yet such facts were purposely ignored and their article was specifically published to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, thereby making Accela and Samuels actors in the intentional infliction of emotional distress upon Rakofsky.

518. On May 10, 2011, Media and ATL, through Mystal, published in "Lawyer of the Month: April Reader Poll" that "[Rakofsky] litigated a case to a mistrial because of his own incompetence, according to a judge." Because of this, 219 votes were cast by Media's and ATL's readers in favor of Rakofsky becoming "Lawyer of the Month," thereby prevailing over the competition with 59%. This clearly reveals their intent to damage Rakofsky and RLF and thereby, inflict both emotional and economic harm. Further, that Media and ATL, through Mystal, continued to maliciously publish articles defaming Rakofsky long after the Dontrell Deaner's trial failed to be "news worthy" evidences their sole intent to inflict emotional harm upon Rakofsky.

519. On May 13, 2011, Shingle, through Elefant, published in "MyShingle's Been Sued in Rakofsky v. the Internet" that "I stand by everything I've written on the

matter and I have a longstanding policy of not taking down blog posts... I will continue to write posts sharing my opinion.” However, when Shingle, through Elefant, maliciously published in their April 3, 2011 aforementioned article that “Joseph Rakofsky of The Rakofsky Law Firm...was dismissed by a Superior Court judge for a performance that the judge described as ‘below what any reasonable person would expect in a murder trial,’” she was not merely “sharing [her] opinion”; Shingle, through Elefant, was publishing as fact statements that, on May 13, 2011, she knew had been untrue as stated. Therefore, after the Complaint was already filed, by “stand[ing] by everything [Shingle, through Elefant, have] written” they reaffirmed untrue statements at a time when Shingle knew them to be injurious and defamatory, thereby showing that they had no other purpose then to cause Rakofsky and RLF injury; such a declaration was made to intentionally inflict harm upon Rakofsky and RLF and was not an “opinion.” In addition, Shingle, through Elefant, maliciously published a link to Simple’s website which further defames Rakofsky and RLF and such link was provided to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, thereby making Shingle and Elefant actors in the intentional infliction of emotional distress upon Rakofsky.

520. On May 13, 2011, Avvo, through King, published “Rakofsky tries to muzzle the Blawgosphere” and states that “Here then, for your reading pleasure, are the offending posts from the “Rakofsky 74” defendants. I’m sure I’ve missed some; let me know and I will add them” and then, after acknowledging that such posts are “offending,” maliciously published 27 links to the abovementioned articles, which malicious publication and offensive conduct further defamed Rakofsky and RLF and was provided and intended to cause Rakofsky to suffer severe and debilitating emotional injury and

anguish, after the Complaint was already filed, thereby making Avvo and King actors in the intentional infliction of emotional distress upon Rakofsky. Avvo's and King's act clearly demonstrates their intention to repeat and republish defamatory and malicious statements that, on May 13, 2011, they knew had been untrue as stated, thereby showing that they had no other purpose then to cause Rakofsky and RLF injury.

521. On May 13, 2011, Mayer Law, through Mayer, published in "The Rakofsky 74," which reflects the 74 defendants named in the Complaint, that "Badges of honor come in many shapes and sizes...Now, I have mine.... It seems there may be a litigation party for those of us involved. Sounds like fun. There might even be an inflatable bouncy house. You know how it goes—any excuse for a party." Mayer Law's statement, through Mayer, praises the commission of defamation and demonstrates a patent ethical violation by bringing the legal profession into disrepute. In addition, Mayer Law, through Mayer, published, "For my part, it originates from my analysis of a Washington Post article [here](#). The Washington Post is also a member of the '74.'" Mayer Law, through Mayer, posted a link to Washington Post's April 1, 2011 article. By providing such link, Mayer Law and Mayer were stating as fact statements that, on May 13, 2011, Mayer knew had been untrue as stated, thereby showing that they had no other purpose then to cause Rakofsky and RLF injury. Their act clearly demonstrates their intention to repeat and republish defamatory and malicious statements and was perpetrated to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, after the Complaint was already filed, thereby making Mayer Law and Mayer actors in the intentional infliction of emotional distress upon Rakofsky.

522. On May 13, 2011, Koehler Law, through Koehler, published “Resuscitating the Joseph Rakofsky Fiasco” and in it posted a link to Washington Post’s April 1, 2011 abovementioned article, as well as to others, which further defamed Rakofsky and RLF and was provided and intended to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, after the Complaint was already filed, thereby making Koehler Law and Koehler actors in the intentional infliction of emotional distress upon Rakofsky.

523. On May 13, 2011, Steinberg Morton, through Pribetic, published “To My Fellow ‘Rakofsky 74’ers”: I Salute You.” This publication praises the commission of defamation and demonstrates a patent ethical violation by bringing the legal profession into disrepute and was provided to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, after the Complaint was already filed, thereby making Koehler Law and Koehler actors in the intentional infliction of emotional distress upon Rakofsky.

524. On May 13, 2011, Bennett & Bennett, through Mark Bennett, published “Compendium of Rakofsky v. Internet Blog Posts” and thereby posted a link to articles written for the purpose of intentionally inflicting emotional distress upon Rakofsky, including:

“Feeling Left Out” – Burney Law, through Burney

“To My Fellow Rakofsky 74ers: I Salute You - Steinberg Morton, through Pribetic

“TGIS: Thank God It’s Schadenfreude!” -- Accela, through Samuels

“Rakofsky v. Internet\*” -- Kravet and Simple, through Greenfield

“MyShingle’s Been Sued in Rakofsky v. Internet” – Shingle, through



Elefant

“The Rakofsky 74” -- Mayer Law, through Mayer

“Rakofsky Tries to Muzzle the Blawgosphere” – Avvo, through King

This publication praises the commission of defamation and demonstrates a patent ethical violation by bringing the legal profession into disrepute and was provided to cause Rakofsky to suffer severe and debilitating emotional injury and anguish, after the Complaint was already filed, thereby making Bennett & Bennett and Mark Bennett actors in the intentional infliction of emotional distress.

525. The defendants, by publishing statements made by others at a time when they knew them to be untrue shows that their sole intention was to cause harm and damage to Rakofsky.

526. As a direct result of the past conduct and continuing conduct of Defendants, Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

527. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

528. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

529. As a direct result of the conduct of Defendants, Rakofsky was caused to be unable to do activities and things now that he could do before, including professional

activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

530. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorney fees, and court costs, now and into the future.

531. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

532. The damages of plaintiff are, or may be, permanent.

533. The aforementioned acts and omissions of Defendants were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

534. Punitive damages are justified because of the aforesaid conduct of Defendants and the following facts:

- a. Defendants' acts were intentional;
- b. Defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. Defendants knew or should have known that their statements were illegal;
- d. Many of the defendants are lawyers, professional and professional licensees, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. Defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Defendants on this Thirty-Third Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-FOURTH CAUSE OF ACTION FOR INTENTIONAL  
INTERFERENCE WITH A CONTRACT**

535. Plaintiff repeats the allegations of paragraphs 1-534, inclusive, hereof with the same force and effect as though set forth at length herein.

536. Rakofsky had valid business contracts with existing clients; however, Defendants interfered with their ability to satisfy the terms of such contracts and with Rakofsky's establishment of contractual relations with other clients.

537. By so doing, Defendants interfered with Rakofsky's ability to practice law.

538. Rakofsky relied on their existing clients and their internet presence to gain new clients.

539. Defendants knew that Rakofsky relied on their existing clients and internet presence to gain new clients. For example, as previously mentioned, Kravet and Simple, through Greenfield, maliciously stated: “The internet will not be kind to Rakofsky, nor should it. If all works as it should, no client will ever hire Rakofsky again. Good for clients. Not so much for Rakofsky...” Further, other Defendants posted links to Kravet, Simple and Greenfields’ websites as well as to other websites which presumed to interfere with Rakofsky’s and RLF’s existing and prospective contracts.

540. As a direct, proximate and specific result of the Defendants intentional interference with Rakofsky’s existing and prospective contracts, Rakofsky and RLF were injured thereby.

541. As a direct result of the past conduct and continuing conduct of Defendants, Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

542. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

543. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

544. As a direct result of the conduct of Defendants, Rakofsky was caused to be unable to do activities and things now that he could do before, including professional

activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

545. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

546. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

547. The damages of plaintiffs are, or may be, permanent.

548. The aforementioned acts and omissions of Defendants were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

549. Punitive damages are justified because of the aforesaid conduct of Defendants and the following facts:

- a. Defendants' acts were intentional;
- b. Defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. Defendants knew or should have known that their statements were illegal;
- d. Many of the defendants are lawyers, professional and professional licensees, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. Defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Defendants on this Thirty-Fourth Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-FIFTH CAUSE OF ACTION FOR VIOLATION OF THE CIVIL  
RIGHTS LAW**

550. Plaintiff hereby repeats the allegations of paragraphs 1-549, inclusive, with the same force and effect as though set forth at length herein.

551. Defendants jointly and severally violated the provisions of Sections 50 and 51 of the New York Civil Rights Law in that each defendant used for advertising purposes, or the purposes of trade, the name, portrait or picture of plaintiff a living person without first having obtained the written consent of plaintiff.

552. As a direct and proximate result of the violation of Sections 50 and 51 of the New York Civil Rights Law plaintiff may maintain this action to prevent and restrain the use thereof and seek damages for injuries sustained by reason of such use.

553. As a direct result of the past conduct and continuing conduct of Defendants, Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

554. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

555. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

556. As a direct result of the conduct of Defendants, Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

557. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorney fees, and court costs, now and into the future.

558. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss

of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

559. The damages of plaintiffs are, or may be, permanent.

560. The aforementioned acts and omissions of Defendants were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

561. Punitive damages are justified because of the aforesaid conduct of Defendants and the following facts:

- a. Defendants' acts were intentional;
- b. Defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. Defendants knew or should have known that their statements were illegal;
- d. Many of the defendants are lawyers, professional and professional licensees, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. Defendants knew or should have known of the serious and significant consequences of their wrongful conduct.



**WHEREFORE**, the plaintiff prays judgment against the defendants on this Thirty-Fifth Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-SIXTH CAUSE OF ACTION FOR INTENTIONAL  
INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE**

562. Plaintiff repeats the allegations contained in paragraphs 1 through 561 hereof with the same force and effect as though set forth at length herein.

563. Rakofsky had a valid economic relationship with other parties containing the probability of future economic benefit to plaintiffs.

564. Defendants had knowledge of the existence of such relationships.

565. The intentional acts on the part of the Defendants were designed to disrupt such economic relationships.

566. The actual disruption of such relationships resulted thereby.

567. Such disruption resulted in damages to the plaintiffs proximately caused by the acts of the Defendants.

568. As a direct result of the past conduct and continuing conduct of Defendants, Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

569. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

570. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

571. As a direct result of the conduct of Defendants, Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

572. As a direct result of the conduct of Defendants, Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

573. As a direct result of the conduct of Defendants, Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

574. The damages of plaintiffs are, or may be, permanent.

575. The aforementioned acts and omissions of Defendants were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

576. Punitive damages are justified because of the aforesaid conduct of Defendants and the following facts:

- a. Defendants' acts were intentional;
- b. Defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. Defendants knew or should have known that their statements were illegal;
- d. Many of the defendants are lawyers, professional and professional licensees, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. Defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the defendants on this Thirty-Sixth Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-SEVENTH CAUSE OF ACTION FOR INJURIOUS  
FALSEHOOD**

577. Plaintiff repeats the allegations contained in paragraphs 1 through 576 hereof with the same force and effect as though set forth at length herein.

578. As previously mentioned, on April 1, 2011, Washington Post, Washington Post, LLC, Alexander and Jenkins published “D.C. Superior Court judge declares mistrial over attorney’s competence in murder case”; “[Judge Jackson] allowed the defendant to fire his New York-based attorney”; that Rakofsky and RLF wrote a message in an email and sent it to his investigator which stated: “Thank you for your help. Please trick the old lady to say that she did not see the shooting or provide information to the lawyers about the shooting.” Further, on April 8, 2011, Washington Post, Washington Post, LLC, Alexander and Jenkins published “Woman Pays \$7,700 to Grandson’s Attorney Who Was Later Removed for Inexperience”;

579. As previously mentioned, the aforementioned published statements were false and misleading.

580. Such statements were and are harmful to the interests of Rakofsky.

581. Washington Post, Washington Post, LLC, Alexander and Jenkins published such false and misleading statements maliciously and with the intent to harm Rakofsky.

582. Washington Post, Washington Post, LLC, Alexander and Jenkins published such false and misleading statements recklessly and without regard to the harm to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

583. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

584. As a direct result of the past conduct and continuing conduct of defendants Washington Post, Washington Post, LLC, Alexander and Jenkins, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

585. As a direct result of the conduct of the defendants Washington Post, Washington Post, LLC, Alexander and Jenkins, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

586. As a direct result of the conduct of the defendants Washington Post, Washington Post, LLC, Alexander and Jenkins, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

587. As a direct result of the conduct of the defendants Washington Post, Washington Post, LLC, Alexander and Jenkins, Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

588. As a direct result of the conduct of defendants Washington Post, Washington Post, LLC, Alexander and Jenkins, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

589. As a direct result of the conduct of defendants Washington Post, Washington Post, LLC, Alexander and Jenkins, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

590. The damages of plaintiff are, or may be, permanent.

591. The aforementioned acts and omissions of defendants Washington Post, Washington Post, LLC, Alexander and Jenkins were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

592. Punitive damages are justified because of the aforesaid conduct of defendants Washington Post, Washington Post, LLC, Alexander and Jenkins and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Washington Post, Washington Post, LLC, Alexander and Jenkins on this Thirty-Seventh Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-EIGHTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

593. Plaintiff repeats the allegations contained in paragraphs 1 through 592 hereof with the same force and effect as though set forth at length herein.

594. As previously mentioned, on April 4, 2011, City Paper and Smith published "A Friday hearing fell apart when Judge William Jackson declared a mistrial, partially because Rakofsky's investigator filed a motion accusing the lawyer of encouraging him to 'trick' a witness."

595. As previously mentioned, the aforementioned published statements were false and misleading.

596. Such statements were and are harmful to the interests of Rakofsky.

597. City Paper and Smith published such false and misleading statements maliciously and with the intent to harm Rakofsky.

598. City Paper and Smith published such false and misleading statements recklessly and without regard to the harm to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

599. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

600. As a direct result of the past conduct and continuing conduct of defendants City Paper and Smith, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

601. As a direct result of the conduct of the defendants City Paper and Smith, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

602. As a direct result of the conduct of the defendants City Paper and Smith, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

603. As a direct result of the conduct of the defendants City Paper and Smith, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

604. As a direct result of the conduct of defendants City Paper and Smith, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that



sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

605. As a direct result of the conduct of defendants City Paper and Smith, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

606. The damages of plaintiff are, or may be, permanent.

607. The aforementioned acts and omissions of defendants City Paper and Smith were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

608. Punitive damages are justified because of the aforesaid conduct of defendants City Paper and Smith and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against the City Paper and Smith on this Thirty-Eighth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**THIRTY-NINTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

609. Plaintiffs repeat the allegations contained in paragraphs 1 through 608 hereof with the same force and effect as though set forth at length herein.

610. As previously mentioned, on April 4, 2011, Media, ATL and Mystal published "Mistrial After Judge Is 'Astonished' By Touro Grad's Incompetence."

611. As previously mentioned, the aforementioned published statements were false and misleading.

612. Such statements were and are harmful to the interests of Rakofsky.

613. Media, ATL and Mystal published such false and misleading statements maliciously and with the intent to harm Rakofsky and RLF.

614. Media, ATL and Mystal published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

615. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

616. As a direct result of the past conduct and continuing conduct of defendants Media, ATL and Mystal, Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

617. As a direct result of the conduct of the defendants Media, ATL and Mystal, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

618. As a direct result of the conduct of the defendants Media, ATL and Mystal, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

619. As a direct result of the conduct of the defendants Media, ATL and Mystal, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

620. As a direct result of the conduct of defendants Media, ATL and Mystal, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

621. As a direct result of the conduct of defendants Media, ATL and Mystal, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

622. The damages of plaintiff are, or may be, permanent.

623. The aforementioned acts and omissions of defendants Media, ATL and Mystal were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

624. Punitive damages are justified because of the aforesaid conduct of defendants Media, ATL and Mystal and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Media, ATL and Mystal on this Thirty-Ninth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTIETH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

625. Plaintiff repeats the allegations contained in paragraphs 1 through 624 hereof with the same force and effect as though set forth at length herein.

626. As previously mentioned, on April 4, 2011, ABA, ABA Journal, and Weiss published "The judge declared a mistrial after reviewing a court filing in which an investigator had claimed Rakofsky fired him for refusing to carry out the lawyer's emailed suggestion to 'trick' a witness, the story says. Rakofsky's suggestion allegedly read: 'Thank you for your help. Please trick the old lady to say that she did not see the shooting or provide information to the lawyers about the shooting'"; on April 8, they published " Further, on April 8, 2011, ABA, ABA Journal and Randag published "The judge declared a mistrial after reviewing a court filing in which an investigator had claimed Rakofsky fired him for refusing to carry out the lawyer's emailed suggestion to 'trick' a witness, the story says. Rakofsky's suggestion allegedly read: 'Thank you for your help. Please trick the old lady to say that she did not see the shooting or provide information to the lawyers about the shooting'"; "If anything had the legal blogosphere going this week, it was Joseph Rakofsky, a relatively recent law grad whose poor trial

performance as defense counsel in a murder trial prompted the judge to declare a mistrial last Friday.”

627. As previously mentioned, the aforementioned published statements were false and misleading.

628. Such statements were and are harmful to the interests of Rakofsky.

629. ABA, ABA Journal, Weiss and Randag published such false and misleading statements maliciously and with the intent to harm Rakofsky.

630. ABA, ABA Journal, Weiss and Randag published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

631. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

632. As a direct result of the past conduct and continuing conduct of defendants ABA, ABA Journal, and Weiss, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

633. As a direct result of the conduct of the defendants ABA, ABA Journal, and Weiss, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

634. As a direct result of the conduct of the defendants ABA, ABA Journal, and Weiss, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

635. As a direct result of the conduct of the defendants ABA, ABA Journal, and Weiss, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

636. As a direct result of the conduct of defendants ABA, ABA Journal, and Weiss, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

637. As a direct result of the conduct of defendants ABA, ABA Journal, and Weiss, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

638. The damages of plaintiff are, or may be, permanent.

639. The aforementioned acts and omissions of defendants ABA, ABA Journal, and Weiss were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

640. Punitive damages are justified because of the aforesaid conduct of defendants ABA, ABA Journal, and Weiss and the following facts:

- a. defendants' acts were intentional;

- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against ABA, ABA Journal, Weiss and Randag on this Fortieth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-FIRST CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

641. Plaintiff repeats the allegations contained in paragraphs 1 through 640 hereof with the same force and effect as though set forth at length herein.

642. As previously mentioned, on April 3, 2011, Shingle and Elefant published "Joseph Rakofsky of The Rakofsky Law Firm...was dismissed by a Superior Court judge for a performance that the judge described as "below what any reasonable person would expect in a murder trial"; "[Rakofsky] lists other lawyers on his website, holding them out as members, though that wasn't the case for Grigsby."



643. As previously mentioned, the aforementioned published statements were false and misleading.

644. Such statements were and are harmful to the interests of Rakofsky.

645. Shingle and Elefant published such false and misleading statements maliciously and with the intent to harm Rakofsky.

646. Shingle and Elefant published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

647. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

648. As a direct result of the past conduct and continuing conduct of defendants Shingle and Elefant, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

649. As a direct result of the conduct of the defendants Shingle and Elefant, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

650. As a direct result of the conduct of the defendants Shingle and Elefant, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

651. As a direct result of the conduct of the defendants Shingle and Elefant, plaintiff Rakofsky was caused to be unable to do activities and things now that he could

do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

652. As a direct result of the conduct of defendants Shingle and Elefant, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

653. As a direct result of the conduct of defendants Shingle and Elefant, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

654. The damages of plaintiff are, or may be, permanent.

655. The aforementioned acts and omissions of defendants Shingle and Elefant were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

656. Punitive damages are justified because of the aforesaid conduct of defendants Shingle and Elefant and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiffs pray judgment against Shingle and Elefant on this Forty-First Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-SECOND CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

657. Plaintiffs repeat the allegations contained in paragraphs 1 through 656 hereof with the same force and effect as though set forth at length herein.

658. As previously mentioned, on April 4, 2011, Kravet, Simple and Greenfield published "As the Washington Post notes, it proved to be sufficient [for Rakofsky] to gain that peculiar result, a mistrial for ineffective assistance of counsel"; "To put it another way, the judge not only found Rakofsky too incompetent to handle the case, but too dishonest"; "no one should be surprised that Rakofsky's willingness to lie on the internet is reflected in his character as a lawyer"; "It's not to suggest that every young lawyer is as incompetent or dishonest as Joseph Rakofsky. Few are quite this bad. But

many lie about themselves just as this mutt did”; “You aren't willing to pay the price that Joseph Rakofsky is now going to pay. The internet will not be kind to Rakofsky, nor should it. If all works as it should, no client will ever hire Rakofsky again. Good for clients. Not so much for Rakofsky, but few will cry about Rakofsky's career suicide.”

659. As previously mentioned, the aforementioned published statements were false and misleading.

660. Such statements were and are harmful to the interests of Rakofsky.

661. Kravet, Simple and Greenfield published such false and misleading statements maliciously and with the intent to harm Rakofsky.

662. Kravet, Simple and Greenfield published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

663. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

664. As a direct result of the past conduct and continuing conduct of defendants Kravet, Simple and Greenfield, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

665. As a direct result of the conduct of the defendants Kravet, Simple and Greenfield, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

666. As a direct result of the conduct of the defendants Kravet, Simple and Greenfield, plaintiff Rakofsky, was caused to have general damages, including, but not

limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

667. As a direct result of the conduct of the defendants Kravet, Simple and Greenfield, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

668. As a direct result of the conduct of defendants Kravet, Simple and Greenfield, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

669. As a direct result of the conduct of defendants Kravet, Simple and Greenfield, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

670. The damages of plaintiff are, or may be, permanent.

671. The aforementioned acts and omissions of defendants Kravet, Simple and Greenfield were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

672. Punitive damages are justified because of the aforesaid conduct of defendants Kravet, Simple and Greenfield and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiffs pray judgment against Kravet, Simple and Greenfield on this Forty-Second Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-THIRD CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

673. Plaintiff repeats the allegations contained in paragraphs 1 through 672 hereof with the same force and effect as though set forth at length herein.

674. As previously mentioned, on April 4, 2011, Mayer law and Mayer published “Lying Piece of \$%^&. With Screenshot as Evidence”; “the mistrial was because of Rakofsky’s blatant ineptitude.”

675. As previously mentioned, the aforementioned published statements were false and misleading.

676. Such statements were and are harmful to the interests of Rakofsky.

677. Mayer law and Mayer published such false and misleading statements maliciously and with the intent to harm Rakofsky.

678. Mayer law and Mayer published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

679. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

680. As a direct result of the past conduct and continuing conduct of defendants Mayer law and Mayer, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

681. As a direct result of the conduct of the defendants Mayer law and Mayer, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

682. As a direct result of the conduct of the defendants Mayer law and Mayer, plaintiff Rakofsky, was caused to have general damages, including, but not limited to

pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

683. As a direct result of the conduct of the defendants Mayer law and Mayer, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

684. As a direct result of the conduct of defendants Mayer law and Mayer, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

685. As a direct result of the conduct of defendants Mayer law and Mayer, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

686. The damages of plaintiff are, or may be, permanent.

687. The aforementioned acts and omissions of defendants Mayer law and Mayer were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.



688. Punitive damages are justified because of the aforesaid conduct of defendants Mayer law and Mayer and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Mayer law and Mayer on this Forty-Third Cause of Action in the sum of \$2,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-FOURTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

689. Plaintiff repeats the allegations contained in paragraphs 1 through 688 hereof with the same force and effect as though set forth at length herein.

690. As previously mentioned, on April 2, 2011, GHH and Gamso published “Even the Judge Couldn’t Take It”; “lead counsel [Rakofsky] being grotesquely incompetent.”

691. As previously mentioned, the aforementioned published statements were false and misleading.

692. Such statements were and are harmful to the interests of Rakofsky.

693. GHH and Gamso published such false and misleading statements maliciously and with the intent to harm Rakofsky.

694. GHH and Gamso published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

695. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

696. As a direct result of the past conduct and continuing conduct of defendants GHH and Gamso, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

697. As a direct result of the conduct of the defendants GHH and Gamso, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

698. As a direct result of the conduct of the defendants GHH and Gamso, plaintiff Rakofsky, was caused to have general damages, including, but not limited to

pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

699. As a direct result of the conduct of the defendants GHH and Gamso, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

700. As a direct result of the conduct of defendants GHH and Gamso, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

701. As a direct result of the conduct of defendants GHH and Gamso, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

702. The damages of plaintiff are, or may be, permanent.

703. The aforementioned acts and omissions of defendants GHH and Gamso were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

704. Punitive damages are justified because of the aforesaid conduct of defendants GHH and Gamso and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiffs pray judgment against GHH and Gamso on this Forty-Fourth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-FIFTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

705. Plaintiff repeats the allegations contained in paragraphs 1 through 704 hereof with the same force and effect as though set forth at length herein.

706. As previously mentioned, on April 4, 2011, C & F and Cernovich published "Joseph Rakofsky's fraud and incompetence raises a serious question of legal

ethics. Shouldn't someone so incompetent be suspended from the practice of law?"; "He [Rakofsky] was so incompetent that the trial court ordered a mistrial. In other words, the client was deprived of his constitutional right to a fair trial due to attorney incompetence"; "Here's a screen capture of the little snake."

707. As previously mentioned, the aforementioned published statements were false and misleading.

708. Such statements were and are harmful to the interests of Rakofsky.

709. C & F and Cernovich published such false and misleading statements maliciously and with the intent to harm Rakofsky.

710. C & F and Cernovich published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

711. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

712. As a direct result of the past conduct and continuing conduct of defendants C & F and Cernovich, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

713. As a direct result of the conduct of the defendants C & F and Cernovich, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

714. As a direct result of the conduct of the defendants C & F and Cernovich, plaintiff Rakofsky, was caused to have general damages, including, but not limited to

pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

715. As a direct result of the conduct of the defendants C & F and Cernovich, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

716. As a direct result of the conduct of defendants C & F and Cernovich, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

717. As a direct result of the conduct of defendants C & F and Cernovich, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

718. The damages of plaintiff are, or may be, permanent.

719. The aforementioned acts and omissions of defendants C & F and Cernovich were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

720. Punitive damages are justified because of the aforesaid conduct of defendants C & F and Cernovich and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against C & F and Cernovich on this Forty-Fifth Cause of Action in the sum of \$2,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-SIXTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

721. Plaintiff repeats the allegations contained in paragraphs 1 through 720 hereof with the same force and effect as though set forth at length herein.

722. As previously mentioned, on April 8, 2011, Accident Lawyer and John Doe #2 published "If anything had the legal blogosphere going this week, it was Joseph

Rakofsky, a relatively recent law grad whose poor trial performance as defense counsel in a murder trial prompted the judge to declare a mistrial last Friday.”

723. As previously mentioned, the aforementioned published statements were false and misleading.

724. Such statements were and are harmful to the interests of Rakofsky.

725. Accident Lawyer and John Doe #2 published such false and misleading statements maliciously and with the intent to harm Rakofsky.

726. Accident Lawyer and John Doe #2 published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

727. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

728. As a direct result of the past conduct and continuing conduct of defendants Accident Lawyer and John Doe #2, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

729. As a direct result of the conduct of the defendants Accident Lawyer and John Doe #2, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

730. As a direct result of the conduct of the defendants Accident Lawyer and John Doe #2, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.



731. As a direct result of the conduct of the defendants Accident Lawyer and John Doe #2, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

732. As a direct result of the conduct of defendants Accident Lawyer and John Doe #2, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

733. As a direct result of the conduct of defendants Accident Lawyer and John Doe #2, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

734. The damages of plaintiff are, or may be, permanent.

735. The aforementioned acts and omissions of defendants Accident Lawyer and John Doe #2 were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

736. Punitive damages are justified because of the aforesaid conduct of defendants Accident Lawyer and John Doe #2 and the following facts:

- a. defendants' acts were intentional;

- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Accident Lawyer and John Doe #2 on this Forty-Sixth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-SEVENTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

737. Plaintiff repeats the allegations contained in paragraphs 1 through 736 hereof with the same force and effect as though set forth at length herein.

738. As previously mentioned, on April 2, 2011, Faraji Law and Faraji published "The attorney did such a poor job that Judge William Jackson, who was overhearing the case, ordered a mistrial and allowed Mr. Deaner to fire his attorney."

739. As previously mentioned, the aforementioned published statements were false and misleading.

740. Such statements were and are harmful to the interests of Rakofsky.

741. Faraji Law and Faraji published such false and misleading statements maliciously and with the intent to harm Rakofsky.

742. Faraji Law and Faraji published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

743. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

744. As a direct result of the past conduct and continuing conduct of defendants Faraji Law and Faraji, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

745. As a direct result of the conduct of the defendants Faraji Law and Faraji, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

746. As a direct result of the conduct of the defendants Faraji Law and Faraji, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

747. As a direct result of the conduct of the defendants Faraji Law and Faraji, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

748. As a direct result of the conduct of defendants Faraji Law and Faraji, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

749. As a direct result of the conduct of defendants Faraji Law and Faraji, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

750. The damages of plaintiff are, or may be, permanent.

751. The aforementioned acts and omissions of defendants Faraji Law and Faraji were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

752. Punitive damages are justified because of the aforesaid conduct of defendants Faraji Law and Faraji and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;

d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Faraji Law and Faraji on this Forty-Seventh Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-EIGHTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

753. Plaintiff repeats the allegations contained in paragraphs 1 through 752 hereof with the same force and effect as though set forth at length herein.

754. As previously mentioned, on April 4, 2011, Bennett & Bennett and Mark Bennett published "Joseph Rakofsky took on a case that he was not competent to handle"; "Once upon a time there was no such thing as bad publicity. With every news story online and accessible forever, that is no longer true."

755. As previously mentioned, the aforementioned published statements were false and misleading.

756. Such statements were and are harmful to the interests of Rakofsky.

757. Bennett & Bennett and Mark Bennett published such false and misleading statements maliciously and with the intent to harm Rakofsky.

758. Bennett & Bennett and Mark Bennett published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

759. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

760. As a direct result of the past conduct and continuing conduct of defendants Bennett & Bennett and Mark Bennett, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

761. As a direct result of the conduct of the defendants Bennett & Bennett and Mark Bennett, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

762. As a direct result of the conduct of the defendants Bennett & Bennett and Mark Bennett, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

763. As a direct result of the conduct of the defendants Bennett & Bennett and Mark Bennett, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

764. As a direct result of the conduct of defendants Bennett & Bennett and Mark Bennett, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for

clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

765. As a direct result of the conduct of defendants Bennett & Bennett and Mark Bennett, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

766. The damages of plaintiff are, or may be, permanent.

767. The aforementioned acts and omissions of defendants Bennett & Bennett and Mark Bennett were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

768. Punitive damages are justified because of the aforesaid conduct of defendants Bennett & Bennett and Mark Bennett and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Bennett & Bennett and Mark Bennett on this Forty-Eighth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FORTY-NINTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

769. Plaintiffs repeat the allegations contained in paragraphs 1 through 768 hereof with the same force and effect as though set forth at length herein.

770. As previously mentioned, on April 5, 2011, Sed Law and Seddiq published "The story is all around the internet. It's the hot topic of the week, and it should be on the lips of every criminal defense practitioner [sic], if not every lawyer who gives a shit about the legal profession -- Joseph Rakofsky, an alleged criminal defense lawyer (with all of one whole year of experience) lied and lied and lied and was grossly incompetent...."

771. As previously mentioned, the aforementioned published statements were false and misleading.

772. Such statements were and are harmful to the interests of Rakofsky.

773. Sed Law and Seddiq published such false and misleading statements maliciously and with the intent to harm Rakofsky.



774. Sed Law and Seddiq published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

775. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

776. As a direct result of the past conduct and continuing conduct of defendants Sed Law and Seddiq, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

777. As a direct result of the conduct of the defendants Sed Law and Seddiq, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

778. As a direct result of the conduct of the defendants Sed Law and Seddiq, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

779. As a direct result of the conduct of the defendants Sed Law and Seddiq, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

780. As a direct result of the conduct of defendants Sed Law and Seddiq, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that

sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

781. As a direct result of the conduct of defendants Sed Law and Seddiq, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

782. The damages of plaintiff are, or may be, permanent.

783. The aforementioned acts and omissions of defendants Sed Law and Seddiq were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

784. Punitive damages are justified because of the aforesaid conduct of defendants Sed Law and Seddiq and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiffs pray judgment against Sed Law and Seddiq on this Forty-Ninth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTIETH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

785. Plaintiff repeats the allegations contained in paragraphs 1 through 784 hereof with the same force and effect as though set forth at length herein.

786. As previously mentioned, on April 2, 2011, Allbritton and TBD published "Joseph Rakofsky, lawyer, declared incompetent in D.C. murder mistrial."

787. As previously mentioned, the aforementioned published statements were false and misleading.

788. Such statements were and are harmful to the interests of Rakofsky.

789. Allbritton and TBD published such false and misleading statements maliciously and with the intent to harm Rakofsky.

790. Allbritton and TBD published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

791. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

792. As a direct result of the past conduct and continuing conduct of defendants Allbritton and TBD, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

793. As a direct result of the conduct of the defendants Allbritton and TBD, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

794. As a direct result of the conduct of the defendants Allbritton and TBD, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

795. As a direct result of the conduct of the defendants Allbritton and TBD, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

796. As a direct result of the conduct of defendants Allbritton and TBD, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

797. As a direct result of the conduct of defendants Allbritton and TBD, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

798. The damages of plaintiff are, or may be, permanent.

799. The aforementioned acts and omissions of defendants Allbritton and TBD were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

800. Punitive damages are justified because of the aforesaid conduct of defendants Allbritton and TBD and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Allbritton and TBD on this Fiftieth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-FIRST CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

801. Plaintiff repeats the allegations contained in paragraphs 1 through 800 hereof with the same force and effect as though set forth at length herein.

802. As previously mentioned, on April 7, 2011, RDTTL and J-Dog published "Joseph Rakofsky: Both an Idiot and a Symptom"; "[Rakofsky] 'won' a mistrial by incompetence"; "Is Joseph Rakofsky an idiot? Absolutely. Let us count the ways"; "Rakofsky may not have even been aware that he was peddling an inferior product." Further, on April 13, 2011, RDTTL and J-Dog published "High-pressure sales tactics? Check. Exaggerated representations to clients to get them to hire a desperate soul? Check"; "As I've said before Rakofsky is an idiot worthy of blame."

803. As previously mentioned, the aforementioned published statements were false and misleading.

804. Such statements were and are harmful to the interests of Rakofsky.

805. RDTTL and J-Dog published such false and misleading statements maliciously and with the intent to harm Rakofsky.

806. RDTTL and J-Dog published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

807. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

808. As a direct result of the past conduct and continuing conduct of defendants RDTTL and J-Dog, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

809. As a direct result of the conduct of the defendants RDTTL and J-Dog, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

810. As a direct result of the conduct of the defendants RDTTL and J-Dog, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

811. As a direct result of the conduct of the defendants RDTTL and J-Dog, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

812. As a direct result of the conduct of defendants RDTTL and J-Dog, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that

sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

813. As a direct result of the conduct of defendants RDTTL and J-Dog, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

814. The damages of plaintiff are, or may be, permanent.

815. The aforementioned acts and omissions of defendants RDTTL and J-Dog were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

816. Punitive damages are justified because of the aforesaid conduct of defendants RDTTL and J-Dog and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards



and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against RDTTL and J-Dog on this Fifty-First Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-SECOND CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

817. Plaintiff repeats the allegations contained in paragraphs 1 through 816 hereof with the same force and effect as though set forth at length herein.

818. As previously mentioned, on or about April 9, 2011, Bean published to Washington Post, Washington Post, LLC, Alexander and Jenkins "He wanted me to persuade this lady to say she didn't see what she said she saw or heard."

819. As previously mentioned, the aforementioned published statements were false and misleading.

820. Such statements were and are harmful to the interests of Rakofsky.

821. Bean published such false and misleading statements maliciously and with the intent to harm Rakofsky.

822. Bean published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

823. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

824. As a direct result of the past conduct and continuing conduct of defendant Bean, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

825. As a direct result of the conduct of the defendant Bean, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

826. As a direct result of the conduct of the defendant Bean, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

827. As a direct result of the conduct of the defendant Bean, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

828. As a direct result of the conduct of defendant Bean, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

829. As a direct result of the conduct of defendant Bean, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

830. The damages of plaintiff are, or may be, permanent.

831. The aforementioned acts and omissions of defendant Bean were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

832. Punitive damages are justified because of the aforesaid conduct of defendant Bean and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Bean on this Fifty-Second Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-THIRD CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

833. Plaintiff repeats the allegations contained in paragraphs 1 through 832 hereof with the same force and effect as though set forth at length herein.

834. As previously mentioned, on April 2, 2011, Koehler Law and Koehler published "The lawyer [Rakofsky] encouraged his investigator to engage in unethical behavior and then refused to pay the investigator when the investigator failed to comply"; "it was in fact disagreements between the two lawyers during the trial that led the defendant to ask for new counsel." Further, on April 10, 2011, Koehler Law and Koehler published "More on Joseph Rakofsky: The Story Keeps Getting Worse"; "Rakofsky's name is bound to become synonymous with a form of ineffective assistance of counsel depending on the predilections of the person assigning the label. Was it hubris for thinking he could effectively represent the defendant on a first-degree murder case despite the lack of any experience whatsoever? Was it false advertising on the Internet? Or was it in-person misrepresentation of his qualifications to the family of the accused? As it turns out, it was all of the above. And more."

835. As previously mentioned, the aforementioned published statements were false and misleading.

836. Such statements were and are harmful to the interests of Rakofsky.

837. Koehler Law and Koehler published such false and misleading statements maliciously and with the intent to harm Rakofsky.

838. Koehler Law and Koehler published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

839. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

840. As a direct result of the past conduct and continuing conduct of defendants Koehler Law and Koehler, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

841. As a direct result of the conduct of the defendants Koehler Law and Koehler, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

842. As a direct result of the conduct of the defendants Koehler Law and Koehler, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

843. As a direct result of the conduct of the defendants Koehler Law and Koehler, plaintiff Rakofsky was caused to be unable to do activities and things now that

he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

844. As a direct result of the conduct of defendants Koehler Law and Koehler, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

845. As a direct result of the conduct of defendants Koehler Law and Koehler, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

846. The damages of plaintiff are, or may be, permanent.

847. The aforementioned acts and omissions of defendants Koehler Law and Koehler were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

848. Punitive damages are justified because of the aforesaid conduct of defendants Koehler Law and Koehler and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Koehler Law and Koehler on this Fifty-Third Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-FOURTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

849. Plaintiff repeats the allegations contained in paragraphs 1 through 848 hereof with the same force and effect as though set forth at length herein.

850. As previously mentioned, on April 5, 2011, TLF and Turkewitz published "Ethics also comes into play with deception, as evidenced by one Joseph Rakofsky, a New York lawyer with scant experience, but whose website sung his praises in oh so many ways. Then he got a real client. Defending a murder case. Which of course, he was utterly incompetent to do..."

851. As previously mentioned, the aforementioned published statements were false and misleading.

852. Such statements were and are harmful to the interests of Rakofsky.

853. TLF and Turkewitz published such false and misleading statements maliciously and with the intent to harm Rakofsky.

854. TLF and Turkewitz published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

855. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

856. As a direct result of the past conduct and continuing conduct of defendants TLF and Turkewitz, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

857. As a direct result of the conduct of the defendants TLF and Turkewitz, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

858. As a direct result of the conduct of the defendants TLF and Turkewitz, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

859. As a direct result of the conduct of the defendants TLF and Turkewitz, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.



860. As a direct result of the conduct of defendants TLF and Turkewitz, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

861. As a direct result of the conduct of defendants TLF and Turkewitz, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

862. The damages of plaintiff are, or may be, permanent.

863. The aforementioned acts and omissions of defendants TLF and Turkewitz were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

864. Punitive damages are justified because of the aforesaid conduct of defendants TLF and Turkewitz and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;

d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against TLF and Turkewitz on this Fifty-Fourth Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-FIFTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

865. Plaintiff repeats the allegations contained in paragraphs 1 through 864 hereof with the same force and effect as though set forth at length herein.

866. As previously mentioned, on April 5, 2011, Beasley Firm and Kennerly published "In short, a judge declared a mistrial in a murder trial because the defendant's lawyer, who had never tried a case before, didn't understand the rules of evidence and was caught instructing his private investigator to "trick" one of the government's witnesses"; "A lawyer who has never tried a case should not start with an unsupervised felony trial, much less a murder trial. There's no gray area here...."

867. As previously mentioned, the aforementioned published statements were false and misleading.

868. Such statements were and are harmful to the interests of Rakofsky.

869. Beasley Firm and Kennerly published such false and misleading statements maliciously and with the intent to harm Rakofsky.

870. Beasley Firm and Kennerly published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

871. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

872. As a direct result of the past conduct and continuing conduct of defendants Beasley Firm and Kennerly, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

873. As a direct result of the conduct of the defendants Beasley Firm and Kennerly, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

874. As a direct result of the conduct of the defendants Beasley Firm and Kennerly, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

875. As a direct result of the conduct of the defendants Beasley Firm and Kennerly, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

876. As a direct result of the conduct of defendants Beasley Firm and Kennerly, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

877. As a direct result of the conduct of defendants Beasley Firm and Kennerly, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

878. The damages of plaintiff are, or may be, permanent.

879. The aforementioned acts and omissions of defendants Beasley Firm and Kennerly were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

880. Punitive damages are justified because of the aforesaid conduct of defendants Beasley Firm and Kennerly and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;

d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Beasley Firm and Kennerly on this Fifty-Fifth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-SIXTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

881. Plaintiff repeats the allegations contained in paragraphs 1 through 880 hereof with the same force and effect as though set forth at length herein.

882. As previously mentioned, on April 6, 2011, Steinberg Morton and Pribetic published "Many have heard about the recent mistrial in the Dontrell Deaner D.C. murder trial due to the egregious incompetence of Deaner's now former criminal defense lawyer, Joseph Rakofsky."

883. As previously mentioned, the aforementioned published statements were false and misleading.

884. Such statements were and are harmful to the interests of Rakofsky.

885. Steinberg Morton and Pribetic published such false and misleading statements maliciously and with the intent to harm Rakofsky.

886. Steinberg Morton and Pribetic published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

887. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

888. As a direct result of the past conduct and continuing conduct of defendants Steinberg Morton and Pribetic, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

889. As a direct result of the conduct of the defendants Steinberg Morton and Pribetic, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

890. As a direct result of the conduct of the defendants Steinberg Morton and Pribetic, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

891. As a direct result of the conduct of the defendants Steinberg Morton and Pribetic, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

892. As a direct result of the conduct of defendants Steinberg Morton and Pribetic, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for

clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

893. As a direct result of the conduct of defendants Steinberg Morton and Pribetic, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

894. The damages of plaintiff are, or may be, permanent.

895. The aforementioned acts and omissions of defendants Steinberg Morton and Pribetic were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

896. Punitive damages are justified because of the aforesaid conduct of defendants Steinberg Morton and Pribetic and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Steinberg Morton and Pribetic on this Fifty-Sixth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-SEVENTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

897. Plaintiff repeats the allegations contained in paragraphs 1 through 896 hereof with the same force and effect as though set forth at length herein.

898. As previously mentioned, on April 11, 2011, Tannebaum Weiss and Tannebaum published "[Rakofsky] solicited himself for the case."

899. As previously mentioned, the aforementioned published statements were false and misleading.

900. Such statements were and are harmful to the interests of Rakofsky.

901. Tannebaum Weiss and Tannebaum published such false and misleading statements maliciously and with the intent to harm Rakofsky.

902. Tannebaum Weiss and Tannebaum published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.



903. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

904. As a direct result of the past conduct and continuing conduct of defendants Tannebaum Weiss and Tannebaum, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

905. As a direct result of the conduct of the defendants Tannebaum Weiss and Tannebaum, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

906. As a direct result of the conduct of the defendants Tannebaum Weiss and Tannebaum, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

907. As a direct result of the conduct of the defendants Tannebaum Weiss and Tannebaum, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

908. As a direct result of the conduct of defendants Tannebaum Weiss and Tannebaum, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

909. As a direct result of the conduct of defendants Tannebaum Weiss and Tannebaum, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

910. The damages of plaintiff are, or may be, permanent.

911. The aforementioned acts and omissions of defendants Tannebaum Weiss and Tannebaum were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

912. Punitive damages are justified because of the aforesaid conduct of defendants Tannebaum Weiss and Tannebaum and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Tannebaum Weiss and Tannebaum on this Fifty-Seventh Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-EIGHTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

913. Plaintiff repeats the allegations contained in paragraphs 1 through 912 hereof with the same force and effect as though set forth at length herein.

914. As previously mentioned, on April 10, 2011, Wallace Brown and Wallace published "Rakofsky's performance for the defense, including an opening statement to the jury in which he conceded that he was trying his first case (or at least his first murder case), so dismayed the trial judge that the court declared a mistrial on the spot on the ground that the defendant was receiving patently inadequate representation. That would have been trouble enough, but Mr. Rakofsky had touted the mistrial as a positive outcome on Facebook, saying nothing of his own poor performance as the cause"; "Joseph Rakofsky didn't mess up a murder defense because he marketed himself. He messed it up because he messed it up and had, it appears, no business taking it on. But it is clear from his now-absent website that he had convinced himself that it was acceptable to believe, or not to care about, his own hyperbole, and that he confused claiming to be a thing (a well-qualified criminal defense attorney) with actually being it."

915. As previously mentioned, the aforementioned published statements were false and misleading.

916. Such statements were and are harmful to the interests of Rakofsky.

917. Wallace Brown and Wallace published such false and misleading statements maliciously and with the intent to harm Rakofsky.

918. Wallace Brown and Wallace published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

919. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

920. As a direct result of the past conduct and continuing conduct of defendants Wallace Brown and Wallace, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

921. As a direct result of the conduct of the defendants Wallace Brown and Wallace, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

922. As a direct result of the conduct of the defendants Wallace Brown and Wallace, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

923. As a direct result of the conduct of the defendants Wallace Brown and Wallace, plaintiff Rakofsky was caused to be unable to do activities and things now that

he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

924. As a direct result of the conduct of defendants Wallace Brown and Wallace, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

925. As a direct result of the conduct of defendants Wallace Brown and Wallace, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

926. The damages of plaintiff are, or may be, permanent.

927. The aforementioned acts and omissions of defendants Wallace Brown and Wallace were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

928. Punitive damages are justified because of the aforesaid conduct of defendants Wallace Brown and Wallace and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiffs pray judgment against Wallace Brown and Wallace on this Fifty-Eighth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**FIFTY-NINTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

929. Plaintiff repeats the allegations contained in paragraphs 1 through 928 hereof with the same force and effect as though set forth at length herein.

930. As previously mentioned, on April 19, 2011, Wells P.C. and Wells published "it became clear that this was not just a story of a young lawyer who got in over his head. This is also a story of a lawyer who blatantly broke ethical rules and promised more than he could deliver...."

931. As previously mentioned, the aforementioned published statements were false and misleading.

932. Such statements were and are harmful to the interests of Rakofsky.

933. Wells P.C. and Wells published such false and misleading statements maliciously and with the intent to harm Rakofsky.

934. Wells P.C. and Wells published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

935. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

936. As a direct result of the past conduct and continuing conduct of defendants Wells P.C. and Wells, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

937. As a direct result of the conduct of the defendants Wells P.C. and Wells, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

938. As a direct result of the conduct of the defendants Wells P.C. and Wells, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

939. As a direct result of the conduct of the defendants Wells P.C. and Wells, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

940. As a direct result of the conduct of defendants Wells P.C. and Wells, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

941. As a direct result of the conduct of defendants Wells P.C. and Wells, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

942. The damages of plaintiff are, or may be, permanent.

943. The aforementioned acts and omissions of defendants Wells P.C. and Wells were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

944. Punitive damages are justified because of the aforesaid conduct of defendants Wells P.C. and Wells and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;



d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Wells P.C. and Wells on this Fifty-Ninth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

#### **SIXTIETH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

945. Plaintiff repeats the allegations contained in paragraphs 1 through 944 hereof with the same force and effect as though set forth at length herein.

946. As previously mentioned, on April 4, 2011, McKinney Law and McKinney published "Rakofsky encouraged his investigator to undertake unethical behavior and then refused to pay the investigator."

947. As previously mentioned, the aforementioned published statements were false and misleading.

948. Such statements were and are harmful to the interests of Rakofsky.

949. McKinney Law and McKinney published such false and misleading statements maliciously and with the intent to harm Rakofsky.

950. McKinney Law and McKinney published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

951. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

952. As a direct result of the past conduct and continuing conduct of defendants McKinney Law and McKinney, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

953. As a direct result of the conduct of the defendants McKinney Law and McKinney, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

954. As a direct result of the conduct of the defendants McKinney Law and McKinney, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

955. As a direct result of the conduct of the defendants McKinney Law and McKinney, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

956. As a direct result of the conduct of defendants McKinney Law and McKinney, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for

clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

957. As a direct result of the conduct of defendants McKinney Law and McKinney, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

958. The damages of plaintiff are, or may be, permanent.

959. The aforementioned acts and omissions of defendants McKinney Law and McKinney were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

960. Punitive damages are justified because of the aforesaid conduct of defendants McKinney Law and McKinney and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against McKinney Law and McKinney on this Sixtieth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-FIRST CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

961. Plaintiff repeats the allegations contained in paragraphs 1 through 960 hereof with the same force and effect as though set forth at length herein.

962. As previously mentioned, on April 4, 2011, Thomson Reuters and Slater published "Young and Unethical"; "Washington D.C. Superior Court Judge William Jackson declared a mistrial in a murder case on Friday after throwing defense attorney Joseph Rakofsky, 33, off the case for inexperience."

963. As previously mentioned, the aforementioned published statements were false and misleading.

964. Such statements were and are harmful to the interests of Rakofsky.

965. Thomson Reuters and Slater published such false and misleading statements maliciously and with the intent to harm Rakofsky.

966. Thomson Reuters and Slater published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

967. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

968. As a direct result of the past conduct and continuing conduct of defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

969. As a direct result of the conduct of the defendants Thomson Reuters and Slater, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

970. As a direct result of the conduct of the defendants Thomson Reuters and Slater, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

971. As a direct result of the conduct of the defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

972. As a direct result of the conduct of defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients

that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

973. As a direct result of the conduct of defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

974. The damages of plaintiff are, or may be, permanent.

975. The aforementioned acts and omissions of defendants Thomson Reuters and Slater were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

976. Punitive damages are justified because of the aforesaid conduct of defendants Thomson Reuters and Slater and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Thomson Reuters and Slater on this Sixty-First Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-SECOND CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

977. Plaintiff repeats the allegations contained in paragraphs 1 through 976 hereof with the same force and effect as though set forth at length herein.

978. As previously mentioned, on April 23, 2011, Banned Ventures, Banni and Tarrant 84 published "The judge declared a mistrial because he was so bad -- something that never ever happens."

979. As previously mentioned, the aforementioned published statements were false and misleading.

980. Such statements were and are harmful to the interests of Rakofsky.

981. Banned Ventures, Banni and Tarrant 84 published such false and misleading statements maliciously and with the intent to harm Rakofsky.

982. Banned Ventures, Banni and Tarrant 84 published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

983. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

984. As a direct result of the past conduct and continuing conduct of defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

985. As a direct result of the conduct of the defendants Thomson Reuters and Slater, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

986. As a direct result of the conduct of the defendants Thomson Reuters and Slater, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

987. As a direct result of the conduct of the defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

988. As a direct result of the conduct of defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.



989. As a direct result of the conduct of defendants Thomson Reuters and Slater, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

990. The damages of plaintiff are, or may be, permanent.

991. The aforementioned acts and omissions of defendants Thomson Reuters and Slater were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

992. Punitive damages are justified because of the aforesaid conduct of defendants Thomson Reuters and Slater and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Banned Ventures, Banni and Tarrant 84 on this Sixty-Second Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-THIRD CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

993. Plaintiff repeats the allegations contained in paragraphs 1 through 992 hereof with the same force and effect as though set forth at length herein.

994. As previously mentioned, on April 8, 2011, Michael T. Doudna Law and Doudna published "D.C.'s Lawyer's Inexperience Obvious; Judge Declares Mistrial"; "This behavior, as well as other tell-tale signs of inexperience led the judge on this case to declare a mistrial. Another disquieting fact is that Rakofsky fired an investigator for refusing to get a witness to lie about the crime in question. Talk about a breach of ethics. The Defendant in this case suffers the most, as his right to a fair trial is compromised by Rakofsky's lack of experience and his behavior."

995. As previously mentioned, the aforementioned published statements were false and misleading.

996. Such statements were and are harmful to the interests of Rakofsky.

997. Michael T. Doudna Law and Doudna published such false and misleading statements maliciously and with the intent to harm Rakofsky.

998. Michael T. Doudna Law and Doudna published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

999. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

1000. As a direct result of the past conduct and continuing conduct of defendants Michael T. Doudna Law and Doudna, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1001. As a direct result of the conduct of the defendants Michael T. Doudna Law and Doudna, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1002. As a direct result of the conduct of the defendants Michael T. Doudna Law and Doudna, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1003. As a direct result of the conduct of the defendants Michael T. Doudna Law and Doudna, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1004. As a direct result of the conduct of defendants Michael T. Doudna Law and Doudna, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for

clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1005. As a direct result of the conduct of defendants Michael T. Doudna Law and Doudna, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1006. The damages of plaintiff are, or may be, permanent.

1007. The aforementioned acts and omissions of defendants Michael T. Doudna Law and Doudna were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1008. Punitive damages are justified because of the aforesaid conduct of defendants Michael T. Doudna Law and Doudna and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Michael T. Doudna Law and Doudna on this Sixty-Third Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-FOURTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

1009. Plaintiff repeats the allegations contained in paragraphs 1 through 1008 hereof with the same force and effect as though set forth at length herein.

1010. As previously mentioned, on April 13, 2011, Yampolsky & Associates and Yampolsky published "the attorney told the investigator via an attached e-mail to 'trick' a government witness into testifying in court that she did not see his client at the murder scene."

1011. As previously mentioned, the aforementioned published statements were false and misleading.

1012. Such statements were and are harmful to the interests of Rakofsky.

1013. Yampolsky & Associates and Yampolsky published such false and misleading statements maliciously and with the intent to harm Rakofsky.

1014. Yampolsky & Associates and Yampolsky published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

1015. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

1016. As a direct result of the past conduct and continuing conduct of defendants Yampolsky & Associates and Yampolsky, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1017. As a direct result of the conduct of the defendants Yampolsky & Associates and Yampolsky, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1018. As a direct result of the conduct of the defendants Yampolsky & Associates and Yampolsky, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1019. As a direct result of the conduct of the defendants Yampolsky & Associates and Yampolsky, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1020. As a direct result of the conduct of defendants Yampolsky & Associates and Yampolsky, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of

income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1021. As a direct result of the conduct of defendants Yampolsky & Associates and Yampolsky, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1022. The damages of plaintiff are, or may be, permanent.

1023. The aforementioned acts and omissions of defendants Yampolsky & Associates and Yampolsky were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1024. Punitive damages are justified because of the aforesaid conduct of defendants Yampolsky & Associates and Yampolsky and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Yampolsky & Associates and Yampolsky on this Sixty-Fourth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-FIFTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

1025. Plaintiff repeats the allegations contained in paragraphs 1 through 1024 hereof with the same force and effect as though set forth at length herein.

1026. As previously mentioned, On April 8, 2011, O'Halleran Law and O'Halleran published "Mistrial in Murder Case Because of Atty Incompetence"; "A judge recently declared a mistrial in a murder case because of the defense attorney's incompetence. [*sic*]"

1027. As previously mentioned, the aforementioned published statements were false and misleading.

1028. Such statements were and are harmful to the interests of Rakofsky.

1029. O'Halleran Law and O'Halleran published such false and misleading statements maliciously and with the intent to harm Rakofsky.



1030. O'Halleran Law and O'Halleran published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

1031. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

1032. As a direct result of the past conduct and continuing conduct of defendants O'Halleran Law and O'Halleran, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1033. As a direct result of the conduct of the defendants O'Halleran Law and O'Halleran, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1034. As a direct result of the conduct of the defendants O'Halleran Law and O'Halleran, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1035. As a direct result of the conduct of the defendants O'Halleran Law and O'Halleran, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1036. As a direct result of the conduct of defendants O'Halleran Law and O'Halleran, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for

clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1037. As a direct result of the conduct of defendants O'Halleran Law and O'Halleran, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1038. The damages of plaintiff are, or may be, permanent.

1039. The aforementioned acts and omissions of defendants O'Halleran Law and O'Halleran were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1040. Punitive damages are justified because of the aforesaid conduct of defendants O'Halleran Law and O'Halleran and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards

and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against O'Halleran Law and O'Halleran on this Sixty-Fifth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-SIXTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

1041. Plaintiff repeats the allegations contained in paragraphs 1 through 1040 hereof with the same force and effect as though set forth at length herein.

1042. As previously mentioned, on April 13, 2011, Reiter & Schiller and Weaver published "The final straw for Judge Jackson was a filing he received on Friday, April 1 from an investigator hired by Rakofsky, who Rakofsky later fired and refused to pay when the investigator failed to carry out his request to "trick" a witness "to say that she did not see the shooting or provide information to the lawyers about the shooting"; "Judge Jackson declared a mistrial and fired Rakofsky and his local counsel that day, and will appoint new counsel for Deaner."

1043. As previously mentioned, the aforementioned published statements were false and misleading.

1044. Such statements were and are harmful to the interests of Rakofsky.

1045. Reiter & Schiller and Weaver published such false and misleading statements maliciously and with the intent to harm Rakofsky.

1046. Reiter & Schiller and Weaver published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

1047. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

1048. As a direct result of the past conduct and continuing conduct of defendants Reiter & Schiller, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1049. As a direct result of the conduct of the defendants Reiter & Schiller, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1050. As a direct result of the conduct of the defendants Reiter & Schiller, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1051. As a direct result of the conduct of the defendants Reiter & Schiller, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1052. As a direct result of the conduct of defendants Reiter & Schiller, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1053. As a direct result of the conduct of defendants Reiter & Schiller, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1054. The damages of plaintiff are, or may be, permanent.

1055. The aforementioned acts and omissions of defendants Reiter & Schiller were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1056. Punitive damages are justified because of the aforesaid conduct of defendants Reiter & Schiller and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;

d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Reiter & Schiller and Weaver on this Sixty-Sixth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-SEVENTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

1057. Plaintiff repeats the allegations contained in paragraphs 1 through 1056 hereof with the same force and effect as though set forth at length herein.

1058. As previously mentioned, on May 13, 2011, Accela and Samuels published "This week's joy in the misfortune of others comes courtesy of infamously-incompetent lawyer Joseph Rakofsky...."

1059. As previously mentioned, the aforementioned published statements were false and misleading.

1060. Such statements were and are harmful to the interests of Rakofsky.

1061. Accela and Samuels published such false and misleading statements maliciously and with the intent to harm Rakofsky.

1062. Accela and Samuels published such false and misleading statements recklessly and without regard to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

1063. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

1064. As a direct result of the past conduct and continuing conduct of defendants Accela and Samuels, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1065. As a direct result of the conduct of the defendants Accela and Samuels, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1066. As a direct result of the conduct of the defendants Accela and Samuels, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1067. As a direct result of the conduct of the defendants Accela and Samuels, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1068. As a direct result of the conduct of defendants Accela and Samuels, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that

sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1069. As a direct result of the conduct of defendants Accela and Samuels, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1070. The damages of plaintiff are, or may be, permanent.

1171. The aforementioned acts and omissions of defendants Accela and Samuels were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1172. Punitive damages are justified because of the aforesaid conduct of defendants Accela and Samuels and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;
- d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards



and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Accela and Samuels on this Sixty-Seventh Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-EIGHTH CAUSE OF ACTION FOR INJURIOUS FALSEHOOD**

1173. Plaintiff repeats the allegations contained in paragraphs 1 through 1172 hereof with the same force and effect as though set forth at length herein.

1174. As previously mentioned, on May 12, 2011, Burney Law and Burney published "Feeling Left Out," in which Burney expresses disappointment for not having been named as a defendant in the Complaint alleging defamation originally filed herein and praises the commission of defamation. They state that "You've probably heard, by now, of this Joseph Rakofsky kid. You know the one ...whose performance was so bad that the judge had to declare a mistrial"; "[B]eing on that complaint is going to be something of a badge of pride. And we're not there. Dammit. Maybe he'll amend his complaint to include us now, or maybe one of the defendants can do one of those... uh, civil procedure thingies... where you bring someone else into a case? Whatever."

1175. As previously mentioned, the aforementioned published statements were false and misleading.

1176. Such statements were and are harmful to the interests of Rakofsky.

1177. Burney Law and Burney published such false and misleading statements maliciously and with the intent to harm Rakofsky.

1178. Burney Law and Burney published such false and misleading statements recklessly and without regard to the harm to the pecuniary interests of Rakofsky as well as other consequences that could result thereby.

1179. A reasonably prudent person would or should anticipate that damage to Rakofsky would naturally flow from such false and misleading statements.

1180. As a direct result of the past conduct and continuing conduct of defendants Burney Law and Burney, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1181. As a direct result of the conduct of the defendants Burney Law and Burney, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1182. As a direct result of the conduct of the defendants Burney Law and Burney, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1183. As a direct result of the conduct of the defendants Burney Law and Burney, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1184. As a direct result of the conduct of defendants Burney Law and Burney, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1185. As a direct result of the conduct of defendants Burney Law and Burney, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1186. The damages of plaintiff are, or may be, permanent.

1187. The aforementioned acts and omissions of defendants Burney Law and Burney were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1188. Punitive damages are justified because of the aforesaid conduct of defendants Burney Law and Burney and the following facts:

- a. defendants' acts were intentional;
- b. defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. defendants knew or should have known that their statements were illegal;

d. defendant is a lawyer, professional and professional licensee, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;

e. defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Burney Law and Burney on this Sixty-Eighth Cause of Action in the sum of \$1,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SIXTY-NINTH CAUSE OF ACTION FOR NEGLIGENCE**

1189. Plaintiff repeats the allegations contained in paragraphs 1 through 1188 hereof, with the same force and effect as though set forth at length herein.

1190. Defendants had a duty to make a reasonable inquiry before presuming to report on the client's trial.

1191. Defendants breached such duty.

1192. As a result of the Defendants' breach, Rakofsky and his law firm were injured.

1193. As a direct result of the past conduct and continuing conduct of Defendants, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1194. As a direct result of the conduct of the Defendants, plaintiff Rakofsky, was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1195. As a direct result of the conduct of the Defendants, plaintiff Rakofsky, was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1196. As a direct result of the conduct of the Defendants, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1197. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorneys fees, and court costs, now and into the future.

1198. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1199. The damages of plaintiff are, or may be, permanent.

1200. The aforementioned acts and omissions of Defendants were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1201. Punitive damages are justified because of the aforesaid conduct of Defendants and the following facts:

- a. Defendants' acts were intentional;
- b. Defendants had the opportunity to obtain facts that would have contradicted defendants' statements;
- c. Defendants knew or should have known that their statements were illegal;
- d. Defendants are lawyers, law firms and media companies, professional licensees, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. Defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Defendants on this Sixty-Ninth Cause of Action in the sum of \$10,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**SEVENTIETH CAUSE OF ACTION FOR VIOLATION OF PRIMA**

**FACIE TORT**

1202. Plaintiff repeats the allegations contained in paragraphs 1 through 1201 hereof with the same force and effect as though set forth at length herein.

1203. On information and belief, Defendants have conspired with each other and have acted in combination and concert with each other for the purpose of intimidating, injuring grievously and destroying the reputation, business and profession of plaintiff (a practice hereinafter referred to as “mobbing”).

1204. Defendants have conspired with each other and have acted in combination and concert with each other by linking their Internet websites to the Internet websites of their co-conspirators, thereby magnifying the damage they intended to cause to plaintiff.

1205. Defendants linked their Internet websites to the Internet websites of their co-conspirators to silence plaintiff and intimidate him from, and retaliate against him for, resorting to the legal processes available to them under the law, thereby interfering with his legal and constitutional rights, doing so through the use of the Internet (hereinafter referred to as “cyber-bullying”).

1206. Some of said Defendants stalked Plaintiff Rakofsky on the Internet by making contact with either him, directly, or by undertaking to ascertain the identities of his friends and colleagues on the social networking site, Facebook, and making contact with them for the purpose of alerting them to, and thereby, precipitating the republication of, the defamatory publications made about Plaintiff by certain defendants named herein. In one such case, Lewis Law, through Lewis, sent a private message to a female friend of Plaintiff Rakofsky, which was completely unsolicited, and stated therein: “Ask Mr.

Rakofsky to send you the Washington Post article about his great legal victory--betcha he doesn't [*sic*]” Neither Rakofsky nor his friend(s) had ever heard of Lewis Law or Lewis before Lewis sent such unsolicited message(s).

1207. Some of said Defendants have attempted to rely upon the anonymity they believe the Internet has afforded them or, through the use of pseudonyms, to conceal their identities when participating in their unlawful activities, such as publishing despicable, obscene and illegal **Child Pornography** content and associating plaintiff with such content by superimposing Plaintiff Rakofsky’s face on various images as well as their repeated oppression of plaintiffs in complete and reckless disregard of their duties under the law and the legal rights of the plaintiffs.

1208. Some of said Defendants have co-opted the image of Joseph Rakofsky and superimposed his image on other images, including but not limited to images of young children, have published photos of a young girl in a bathing suit, who is described as being “Jailbait,” jailbait being a girl with whom sexual intercourse is statutory **rape**, have published “Joseph Rakofsky **rapes** donkey’s,” “**Rape**-ofsky,” and have published child pornography, with the intention to associate plaintiff Rakofsky with it. The child pornography was subsequently hidden by the owners and/or agents and/or controllers of certain Defendants. In the same publication which associated plaintiff with the child pornography, one such agent of said Defendants published, “He’s ruined now. I wonder what kind of work he could find after this?” [*sic*].

1209. On October 27, 2011, long after the Amended Complaint for the case at bar was filed (in which Rakofsky included Intentional Infliction of Emotional Distress as a cause of action), Greenfield, not content with the extent of emotional distress and mental anguish that Rakofsky was already subjected to by him and the other Defendants,



published a new article entitled “Rakofsky’s Dedicated Life.” In it, Greenfield intimates that Rakofsky is mentally ill and published “I can see him sitting alone in his room in the middle of the night, laughing maniacally, tapping away at his keyboard, muttering ‘this will get 'em,’ as he wipes drool from the corner of the mouth hole in his Guy Fawkes mask.” Further, Greenfield, referring to Rakofsky, published “There's been comfort along the way, some encouraging words by lawyers with their own psychological issues and deficits, and a cash infusion by a law school's insurer that couldn't be bothered...Sick minds take comfort wherever they can find it. Sick minds tend to find each other.” In addition, Greenfield published, “[Rakofsky] has crossed the bridge into that strange and dark place the sane people can't go.”

1210. As a direct result of the past conduct and continuing conduct of Defendants, plaintiff Rakofsky was caused to have, and to continue to have, damages set forth hereinafter.

1211. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to have special damages, including, but not limited to, out-of-pocket losses, loss of salary, medical expenses, investigation expenses, attorneys fees, and court costs, now and into the future.

1212. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to have general damages, including, but not limited to pain, suffering, embarrassment, humiliation, anxiety, trauma and inconvenience, now and into the future.

1213. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to be unable to do activities and things now that he could do before, including

professional activities, personal tasks and recreational acts, and was otherwise deprived of the enjoyment of life.

1214. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to have special damages, including, but not limited to, loss of income from clients that terminated their contracts, a loss of income for clients that sought reimbursement for work already performed, out-of-pocket losses, investigation expenses, attorney fees, and court costs, now and into the future.

1215. As a direct result of the conduct of Defendants, plaintiff Rakofsky was caused to have general damages, including, but not limited to a loss of customers and clients, a loss of future customers, future clients and repeat business from past, present and future clients, a loss of good will, a loss of revenues, income and profit, and inconvenience, now and into the future.

1216. The damages of plaintiff are, or may be, permanent.

1217. The aforementioned acts and omissions of Defendants were grossly negligent, malicious, morally reprehensible, morally culpable, highly immoral, oppressive, aggravated, continuous and systematic, aimed at the public, willful, or wanton and reckless or were a reckless, conscious, callous or utter indifference or disregard to the health, safety, and rights of plaintiff and the public.

1218. Punitive damages are justified because of the aforesaid conduct of Defendants and the following facts:

- a. Defendants' acts were intentional;
- b. Defendants had the opportunity to obtain facts that would have contradicted defendants' statements;

- c. Defendants knew or should have known that their statements were illegal;
- d. Many of the defendants are lawyers, professional licensees, regulated by federal, state and local government, subjected to standards and rules of professional conduct and subjected to standards and rules of civility;
- e. Defendants knew or should have known of the serious and significant consequences of their wrongful conduct.

**WHEREFORE**, the plaintiff prays judgment against Defendants on this Seventieth Cause of Action in the sum of \$25,000,000 and that the court assess punitive damages, together with the costs of suit and attorney's fees.

**RELIEF SOUGHT**

1219. As a direct, specific and proximate consequence of Washington Post, Alexander, Jenkins, Creative, City Paper, Smith, Media, ATL, Mystal, ABA, ABA Journal, Weiss, Randag, Shingle, Elefant, Kravet, Simple, Blog Simple, Greenfield, Mayer Law, Mayer, GHH, Gamso, C & F, Cernovich, Accident Lawyer, "John Doe #2," Faraji Law, Faraji, Bennett & Bennett, Mark Bennett, Sed Law, Seddiq, Allbritton, TBD, RDTTL, J-Dog, Bean, Koehler Law, Koehler, TLF, Turkewitz, Beasley Firm, Kennerly, Steinberg Morton, Pribetic, Tannebaum Weiss, Tannebaum, Wallace Brown, Wallace , Wells P.C., Wells, McKinney Law, McKinney, Thomson Reuters, Slater, Banned Ventures, Banni, Tarrant 84, Michael T. Doudna Law, Doudna, Yampolsky &

Associates, Yampolsky, O'Halleran Law, O'Halleran, Reiter & Schiller, Weaver, Avvo, King, Accela, Samuels, Burney Law, Burney's and Washington Post LLC's acts, Rakofsky has suffered terrible mental anguish, has been unable to sleep, has been subjected to physical pain as a result of being unable to sleep and has been unable to participate in the majority of his daily activities.

1220. Due to Washington Post's, Alexander's, Jenkins', Creatives', City Paper's, Smith's, Media's, ATL's, Mystal's, ABA's, ABA Journal's, Weiss', Randag's, Shingle's, Elefant's, Kravet's, Simple's, Blog Simple's, Greenfield's, Mayer Law's, Mayer's, GHH's, Gamso's, C & F', Cernovich's, Accident Lawyer's, "John Doe #2's," Faraji Law's, Faraji's, Bennett & Bennett's, Mark Bennett's, Sed Law's, Seddiq's, Allbritton's, TBD's, RDTTL's, J-Dog's, Bean's, Koehler Law's, Koehler's, TLF's, Turkewitz's, Beasley Firm's, Kennerly's, Steinberg Morton's, Pribetic's, Tannebaum Weiss', Tannebaum's, Wallace Brown's, Wallace's, Wells P.C. 's, Wells', McKinney Law's, McKinney's, Thomson Reuters', Slater's, Banned Ventures', Banni's, Tarrant 84's, Michael T. Doudna Law's, Doudna's, Yampolsky & Associates', Yampolsky's, O'Halleran Law's, O'Halleran's, Reiter & Schiller's, Weaver's, Avvo's, King's, Accela's, Samuels', Burney Law's, Burney's and Washington Post LLC's acts, Rakofsky's and RLF's reputations have been irreparably destroyed; Rakofsky and RLF have been dismissed by existing clients as well as by other employers and colleagues as a direct result of the aforementioned defendants' malicious publications and have been forced to refer existing cases to other law firms to prevent against further damage to such clients as a result of the aforementioned defendants' libelous and malicious publications.

1221. Because Rakofsky suffered physical pain, mental anguish and a profoundly traumatic emotional injury at the hands of Washington Post, Alexander,

Jenkins, Creative, City Paper, Smith, Media, ATL, Mystal, ABA, ABA Journal, Weiss, Randag, Shingle, Elefant, Kravet, Simple, Blog Simple, Greenfield, Mayer Law, Mayer, GHH, Gamso, C & F, Cernovich, Accident Lawyer, “John Doe #2,” Faraji Law, Faraji, Bennett & Bennett, Mark Bennett, Sed Law, Seddiq, Allbritton, TBD, RDTTL, J-Dog, Bean, Koehler Law, Koehler, TLF, Turkewitz, Beasley Firm, Kennerly, Steinberg Morton, Pribetic, Tannebaum Weiss, Tannebaum, Wallace Brown, Wallace , Wells P.C., Wells, McKinney Law, McKinney, Thomson Reuters, Slater, Banned Ventures, Banni, Tarrant 84, Michael T. Doudna Law, Doudna, Yampolsky & Associates, Yampolsky, O’Halloran Law, O’Halloran, Reiter & Schiller, Weaver, Avvo, King, Accela, Samuels, Burney Law, Burney and Washington Post LLC, he has been deprived of the ability to provide legal services.

1222. In addition, Rakofsky suffered mental anguish and pain and suffering, for which, it will require physical rehabilitation and psychological treatment for the rest of his life, to deal with the various traumas associated with his reputation being destroyed due to the intentional or negligent acts of Washington Post, Alexander, Jenkins, Creative, City Paper, Smith, Media, ATL, Mystal, ABA, ABA Journal, Weiss, Randag, Shingle, Elefant, Kravet, Simple, Blog Simple, Greenfield, Mayer Law, Mayer, GHH, Gamso, C & F, Cernovich, Accident Lawyer, “John Doe #2,” Faraji Law, Faraji, Bennett & Bennett, Mark Bennett, Sed Law, Seddiq, Allbritton, TBD, RDTTL, J-Dog, Bean, Koehler Law, Koehler, TLF, Turkewitz, Beasley Firm, Kennerly, Steinberg Morton, Pribetic, Tannebaum Weiss, Tannebaum, Wallace Brown, Wallace , Wells P.C., Wells, McKinney Law, McKinney, Thomson Reuters, Slater, Banned Ventures, Banni, Tarrant 84, Michael T. Doudna Law, Doudna, Yampolsky & Associates, Yampolsky, O’Halloran

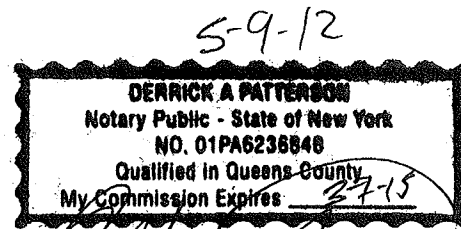
Law, O'Halleran, Reiter & Schiller, Weaver, Avvo, King, Accela, Samuels, Burney Law, Burney and Washington Post LLC.

1223. In addition, Rakofsky has been injured by those acts engaged in heretofore by Washington Post, Alexander, Jenkins, Creative, City Paper, Smith, Media, ATL, Mystal, ABA, ABA Journal, Weiss, Randag, Shingle, Elefant, Kravet, Simple, Blog Simple, Greenfield, Mayer Law, Mayer, GHH, Gamso, C & F, Cernovich, Accident Lawyer, "John Doe #2," Faraji Law, Faraji, Bennett & Bennett, Mark Bennett, Sed Law, Seddiq, Allbritton, TBD, RDTTL, J-Dog, Bean, Koehler Law, Koehler, TLF, Turkewitz, Beasley Firm, Kennerly, Steinberg Morton, Pribetic, Tannebaum Weiss, Tannebaum, Wallace Brown, Wallace , Wells P.C., Wells, McKinney Law, McKinney, Thomson Reuters, Slater, Banned Ventures, Banni, Tarrant 84, Michael T. Doudna Law, Doudna, Yampolsky & Associates, Yampolsky, O'Halleran Law, O'Halleran, Reiter & Schiller, Weaver, Avvo, King, Accela, Samuels, Burney Law, Burney and Washington Post LLC's which has caused his health and quality of life to be profoundly impaired, has lost his ability to work in a meaningful way and to provide, for himself, the basic necessities that a human being requires for survival now and hereafter.

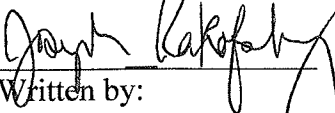
**WHEREFORE**, the plaintiff prays judgment against the defendants jointly and severally as follows:

- A. in an amount to be determined at trial of this action and that the court assess punitive damages, together with the costs of suit, disbursements and attorney's fees, and
- B. Such other and further relief as to which this Court may deem proper and applicable to award.

Dated: New York, New York  
May 9, 2012



Respectfully Submitted,



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