

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff,

v.

CASE NO.: \_\_\_\_\_

\_\_\_\_\_  
Defendant,

**COMPLAINT**

The Plaintiff, \_\_\_\_\_ [name], by and through the undersigned counsel,  
sues the Defendant, \_\_\_\_\_ [name].

**GENERAL ALLEGATIONS**

1. The amount in controversy exceeds \$15,000 and jurisdiction is proper before this Court.
2. All acts relevant to this case occurred in or pertained to real property in \_\_\_\_\_ County, Florida.
3. Plaintiff \_\_\_\_\_
4. Defendant \_\_\_\_\_
5. At all times material to this cause of action, the Plaintiff was a person of good name, character, reputation, and regard in the eyes of her friends and acquaintances.
6. For the past \_\_\_\_\_ [number] years, the Defendant has been the publisher of \_\_\_\_\_ [name of media publication], which has a circulation of \_\_\_\_\_ [number] in \_\_\_\_\_ [specify circulation area and environs, e.g., the Daytona-Orlando-Tampa and Central Florida area]. The Defendants, as styled above, had been the publisher, editor, and a staff writer, respectively, for \_\_\_\_\_ [name of media publication] for a number of years.
7. On or about \_\_\_\_\_ [date], the Defendants' news publication willfully, intentionally, wrongfully, maliciously, and wantonly, and without regard whatsoever for the obvious consequences that would befall the Plaintiff, published a news article that stated, in pertinent part, \_\_\_\_\_ [quote allegedly wrongful language verbatim]. A copy of the news article as a whole is attached hereto as Exhibit A and made a part hereof by reference. The Plaintiff

- also asserts that this statement, and the article as a whole, were published without the Plaintiff's knowledge, authority, or consent, and in complete and utter disregard of its obviously harmful effects on the Plaintiff.
8. The "victim" referred to in the above statement, language, and publication, was and is the Plaintiff here. Moreover, the words as published, with their normal meaning, with all reasonable interpretation denoted and connoted thereto, and with the innuendo drawn thereby, were and are false, malicious, defamatory, and libelous. Not only were these words published without regard for the consequent scorn, ridicule, contempt, and disrespect that they would bring to the Plaintiff in the eyes of the public, as well as the Plaintiff's friends, neighbors, and family, but they were published in absolute disregard of Florida Law, which specifies that:

No person shall print, publish, or broadcast, or cause or allow to be printed, published, or broadcast, in any instrument of mass communication the name, address, or other identifying fact or information of the victim of any sexual offense within this chapter [§ 794.03, *Fla. Stat.* ].
  9. The above publication caused the Plaintiff to be inundated with numerous telephone calls by various and sundry persons seeking to alternately console, chastise, proposition, or berate her, and for which she has suffered severe mental pain and anguish, as further detailed below.
  10. The publication was an absolutely unwarranted invasion of the Plaintiff's privacy and right to be free from unwarranted publicity, and to be protected from a wrongful and unlawful intrusion into her life, which, altogether, has outraged her and caused her severe mental suffering, shame, and humiliation.
  11. At least five days prior to the filing of this lawsuit, notice of this action, to be filed against the Defendants collectively, was served on each of the Defendants, pursuant to *Florida Statutes Section 770.01*. Copies of these notices are attached hereto as Exhibits B, C, and D, and incorporated herein by reference.
  12. This defamatory and unwarranted publication has caused serious and permanent mental and physical injury to the Plaintiff, as well as an exaggeration of a preexisting physical and mental illness, all of which have occasioned and will occasion medical expenses, and all of which have caused the Plaintiff to be ridiculed and regarded with contempt by her friends and acquaintances. This defamatory and unwarranted publication has also outraged, shamed, and humiliated the Plaintiff, prevented her from carrying on her job, prevented her from receiving present and future earnings, and caused her loss of sleep and severe mental anguish.

WHEREFORE, the Plaintiff demands judgment against the Defendant for general damages; for punitive damages; for the following special damages: \_\_\_\_\_ [itemize such items as expenses for medical supplies, physicians' fees, and the like]; for the costs of suit as incurred in this action; and for any other and further relief as this Honorable Court may deem appropriate.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Notice has been furnished by U.S. Mail/e-mail and/or fax this \_\_\_\_ day of \_\_\_\_\_, 2009 to all parties listed on the attached service list.

Respectfully submitted,

\_\_\_\_\_  
\_\_\_\_\_, Esq.  
Law Office of \_\_\_\_\_, P.A.  
Florida Bar No. \_\_\_\_\_  
Address \_\_\_\_\_  
Ph: \_\_\_\_\_  
Fax: \_\_\_\_\_

**SERVICE LIST**
