

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

WASHINGTON COUNTY, SC

SUPERIOR COURT

KATHRYN NARCISI

PLAINTIFF,

Vs.

TURTLEBOY DIGITAL MARKETING, LLC

D/B/A TURTLEBOYSports.COM

DEFENDANT

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CA No. WC-2019-

VERIFIED COMPLAINT

I. NATURE OF THE ACTION

1. THIS IS A CIVIL ACTION SEEKING TO PERMANENTLY ENJOIN THE DEFENDANT, TURTLEBOY DIGITAL MARKETING, LLC (HEREINAFTER "TURTLEBOY") FROM CONTACTING, ASSAULTING, MOLESTING, STALKING, CYBERSTALKING, CYBERBULLYING, BULLYING, HARASSING, THREATENING, ANNOYING, SLANDERING, LIBELING, MALIGNING OR OTHERWISE INTERFERING WITH PLAINTIFF AT HOME, AT WORK, THROUGH THIRD PARTIES, ON THE STREET, OVER THE INTERNET, OR ELSEWHERE.

2. PLAINTIFF SEEKS INJUNCTIVE RELIEF PURSUANT TO RULE 65 OF THE RHODE ISLAND SUPERIOR COURT RULES OF CIVIL PROCEDURE. IN ADDITION, PLAINTIFF'S SEEK DAMAGES TO THE EXTENT THEY ARE AVAILABLE FOR VIOLATIONS OF ANY INJUNCTIVE RELIEF GRANTED IN CONNECTION HEREWITH AND APPROPRIATE ATTORNEY'S FEES.

II. PARTIES

3. PLAINTIFF, KATHRYN NARCISI, IS A RESIDENT OF THE TOWN OF HOPKINTON, COUNTY OF WASHINGTON AND STATE OF RHODE ISLAND.

EXHIBIT A

4. DEFENDANT, TURTLEBOY, IS A CORPORATION WITH A PRINCIPLE PLACE OF BUSINESS LOCATED IN THE CITY OF WORCESTER, COMMONWEALTH OF MASSACHUSETTS.

III. STATEMENT OF THE FACTS

5. PLAINTIFF IS A BUSINESS OWNER IN THE STATE OF RHODE ISLAND OPERATING TWO BUSINESSES OVER THE INTERNET CALLED "HIS AND HER SECRETS" AND "AN AMERICAN TREASURE".

6. PLAINTIFF HAS MULTIPLE PLACEMENTS ON THE INTERNET BOTH PERSONAL AND BUSINESS RELATED ON PLATFORMS WHICH INCLUDE, BUT ARE NOT LIMITED TO, FACEBOOK, TWITTER, AND INSTAGRAM, WHICH HAVE THOUSANDS OF FOLLOWERS.

7. IN FEBRUARY 2019, PLAINTIFF BECAME AWARE OF A BLOG THAT WAS POSTED TO THE INTERNET ON THE BLOG WWW.TURTLEBOYSports.COM, THE DEFENDANT'S WEBSITE ("HEREINAFTER "TURTLEBOYSports.COM") WHICH DEFAMED AND DISCREDITED THE PLAINTIFF AND HER BUSINESS ENTITIES;

8. THAT PLAINTIFF HAS NEVER COMMUNICATED WITH DEFENDANT IN REGARDS TO THIS DEFAMATORY POST;

9. PLAINTIFF BEGAN TO RECEIVE REPEATED EMAIL MESSAGES, COMMENTS, PRIVATE MESSAGES, TEXTS, AND OTHER COMMUNICATIONS, NEITHER WANTED NOR SOLICITED, FROM FOLLOWERS OF THE DEFENDANT'S WEBSITE;

10. PLAINTIFF HAS RECEIVED HUNDREDS OF MESSAGES FROM THE DEFENDANT'S FOLLOWERS, BETWEEN THE DATES OF FEBRUARY 2019 UNTIL PRESENT.

11. THAT THE COMMUNICATIONS ARE UNWANTED AS PLAINTIFF HAS NEVER RESPONDED TO THESE MESSAGES.

12. THAT THESE MESSAGES HAVE ALL BEEN SENT TO PLAINTIFF'S EMAIL ADDRESS, SOCIAL MEDIA ACCOUNTS, AND EVEN CELL PHONE;

13. THAT THESE ELECTRONIC COMMUNICATIONS FROM THE DEFENDANT'S FOLLOWERS ARE INTENDED TO ANNOY, HARASS, LIBEL AND DEFAME THE PLAINTIFF;

14. THESE HARASSING COMMUNICATIONS AND POSTS ARE KNOWINGLY BEING SENT TO PLAINTIFF'S ACCOUNTS;

15. THAT THIS SITUATION IS CREATING A DIFFICULT AND UNCOMFORTABLE SITUATION FOR PLAINTIFF AT WORK, HOME, AND ALL PUBLIC PLACES, AND THE PLAINTIFF IS IN CONSTANT FEAR FOR HER SAFETY AND FOR THE SAFETY OF HER HUSBAND AND FAMILY;

16. THAT THE MESSAGES RANGE FROM NONSENSICAL TO HOSTILE, DEMANDING, THREATENING, HARASSING, AND EVEN DEATH RELATED;

17. THAT THIS HARASSMENT IS CAUSING PLAINTIFF EXTREME DISTRESS IN BOTH HER WORK AND HOME LIFE;

COUNT I

LIBEL

DEFENDANT HAS DEFAMED PLAINTIFF AND PUBLISHED FALSE STATEMENTS

18. ON OR THROUGHOUT CALENDAR YEARS 2019 THROUGH PRESENT, DEFENDANT PUBLISHED BLOGS DESCRIBING A LITANY OF MATTERS FROM NONSENSE TO MATTERS THAT ARE LIBEL PER SE.

19. THE BLOGS REFERRED TO PLAINTIFF BY NAME THROUGHOUT, WAS MADE OF AND CONCERNING PLAINTIFF, AND WAS SO UNDERSTOOD BY THOSE WHO READ THE BLOG.

20. MANY OF THE STATEMENTS CONTAINED IN THE EMAILS ARE FALSE AS IT PERTAINS TO PLAINTIFF.

21. THE BLOGS ARE LIBELOUS ON THEIR FACE. IT CLEARLY EXPOSES PLAINTIFF TO HATRED, CONTEMPT, RIDICULE AND OBLOQUY BECAUSE IT DEALS WITH MATTERS THAT ALLOW LIBEL *PER SE* RECOVERY.

22. THE BLOGS WERE SEEN AND READ ON OR ABOUT THE DAY OF THEIR CREATION BY MEMBERS OF THE PUBLIC WHO EITHER SUBSCRIBE TO OR SIMPLY BROWSE TURTLEBOY BOTH HERE IN RHODE ISLAND AND ALL OVER THE WORLD.

23. AS A PROXIMATE RESULT OF THE ABOVE-DESCRIBED PUBLICATION, PLAINTIFF HAS SUFFERED LOSS OF HER REPUTATION, SHAME, MORTIFICATION, AND INJURY TO HER FEELINGS, ALL TO HER DAMAGES IN A TOTAL AMOUNT TO BE ESTABLISHED BY PROOF AT TRIAL.

WHEREFORE, PLAINTIFF REQUEST THIS HONORABLE COURT ENTER A JUDGMENT REQUIRING THE DEFENDANT TO PAY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES.

**COUNT III
INJUNCTIVE RELIEF
PERMANENT INJUNCTION**

24. PLAINTIFF RE-ALLEGES AND RE-AVERS PARAGRAPHS 1-23 AS IF FULLY SET FORTH HEREIN.

25. PLAINTIFF AND HER REPUTATION HAS SUFFERED AND CONTINUES TO SUFFER DAMAGES IN CONNECTION WITH THE ALLEGATIONS CONTAINED HEREIN.

26. PLAINTIFF DEMANDS DEFENDANT BE RESTRAINED AND ENJOINED FROM CONTACTING, ASSAULTING, MOLESTING, STALKING, CYBER STALKING, CYBER BULLYING, BULLYING, HARASSING, THREATENING, ANNOYING, SLANDERING OR OTHERWISE INTERFERING WITH PLAINTIFF AT HOME, AT WORK, THROUGH THIRD PARTIES, ON THE STREET, OR ELSEWHERE. THE PLAINTIFF DEMANDS THAT ANY AND ALL POSTS, BLOGS, AND COMMENTS FOLLOWING THE SAME BE IMMEDIATELY

REMOVED FROM THE DEFENDANT'S WEBSITE AND ALL OTHER SITES ASSOCIATED WITH THE SAME.

WHEREFORE, PLAINTIFFS REQUEST THIS HONORABLE COURT ENTER A PERMANENT INJUNCTION PURSUANT TO RULE 56 OF THE RI RULES OF CIVIL PROCEDURE.

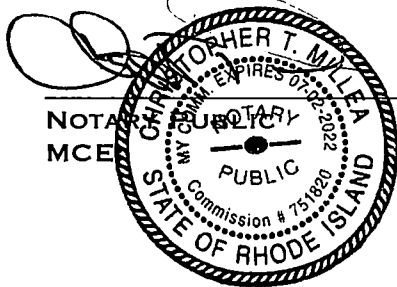
VERIFICATION

I, KATHRYN NARCISI, AM A PLAINTIFF IN THE ABOVE-ENTITLED ACTION. I HAVE READ THE FOREGOING AND KNOW THE CONTENTS THEREOF. THE SAME IS TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO THOSE MATTERS WHICH ARE THEREIN ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE MATTERS, I BELIEVE IT TO BE TRUE.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS DECLARATION WAS EXECUTED AT WAKEFIELD, RHODE ISLAND.


KATHRYN NARCISI

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 13TH DAY OF MAY, 2019.



RESPECTFULLY SUBMITTED,
KATHRYN NARCISI
BY HER ATTORNEY,

/s/ CHRISTOPHER T. MILLEA, ESQ.
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