

FILED
at 2:30 o'clock P.M.

OCT 01 2014

NERISSA HOUSE
DISTRICT CLERK, WHARTON CO., TEXAS
Deputy

CAUSE NO. 47,663

JENNIFER MANN

VS.

RON JONES, individually and d/b/a
accountability-in-manor.org,
DOMAINS BY PROXY, and
LLC, INMOTION HOSTING, INC.,

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IN THE DISTRICT COURT

COUNTY OF WHARTON, TEXAS

23RD JUDICIAL DISTRICT

PLAINTIFF'S FIRST AMENDED PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, JENNIFER MANN, Plaintiff, filing this First Amended Petition in the above styled and numbered cause, complaining of Ron Jones, individually and d/b/a accountability-in-manor.org, Domains by Proxy, LLC, InMotion Hosting, Inc., John Doe, and Jane Doe and for causes of action would show unto the Court the following:

I. PARTIES

JENNIFER MANN is the Plaintiff.

ACCOUNTABILITY-IN-MANOR.ORG, ("Manor"), Defendant, is an entity whose address for service is currently unknown.

Domains By Proxy, LLC, Defendant, is an individual who is a resident of the state of California and may be served with process by serving him through the Secretary of State who is the agent for service on the non-resident because the non-resident engaged in business in Texas, but does not maintain a regular place of business in Texas and does not have a designated agent for service of process. The Secretary of State will then serve Domains By Proxy, LLC at its place of business 14747 N. Northsight Blvd., Suite 111PMB 309, Scottsdale, Arizona 85260.

InMotion Hosting, Inc., Defendant, is a corporation of the state of California and may be served with process by serving him through Mark P. LaForest, 9100 Wampton Way, Austin, Texas 78749 who is their registered agent for service in Texas.

Ron Jones, individually and d/b/a accountability-in-manor.org, Defendant, is a resident of Grand Prairie, Tarrant County, Texas and may be served by serving Defendant at Defendant's residence located at 3011 Summerview Drive, Grand Prairie, Texas 75052.

John Doe, Defendant, is an individual or entity who is unidentified at this time.

Jane Doe, Defendant, is an individual or entity who is unidentified at this time.

II. VENUE

Venue is proper in this jurisdiction since the Defendant(s) actions which are the basis of this lawsuit occurred and are occurring in Wharton County, Texas.

III. ACTS OF DEFENDANTS

Wherever in this Petition it is alleged that Defendants did any act or committed any omission, it is meant that each said Defendants' officers, agents, servants, employees, or representatives did such act or committed such omission and at the time was done with the full authorization and/or notification of each said Defendant or was done in the normal and routine course and scope of employment of each said Defendants' officers, agents, servants, employees, or representatives.

IV. THE BACKGROUND

Defendants have published on the internet libelous and slanderous statements about Plaintiff. The Defendants maintain a website through which they regularly publish false and defamatory accusations about Plaintiff. The website calls Plaintiff a "bad apple", among other things.

Through their website the Defendants have made the false and defamatory accusation, that Plaintiff is not competent in her chosen profession, Plaintiff has secured her job through favoritism as opposed to Plaintiff's extensive qualifications, 20 plus years of experience and hard work. Through their website the Defendants have published the false accusation that Plaintiff lives/lived at the same house or "compound" as Plaintiff's boss. Defendants branded the Plaintiff an enemy of the readers of "accountability," accused Plaintiff of being a racist, being unqualified, incompetent, unprofessional, then urged the readers to take action against Plaintiff and target Plaintiff for complaints to Plaintiff's employer, the EEOC, among others. Defendants brag about how they or their minions have already targeted at least six others with EEOC complaints.

These accusations about Plaintiff have been made repeatedly, regularly and published widely by the Defendants and are known by the Defendants to be false, and with actual malice.

These accusations continue to be published at the present time by the Defendants although each of the Defendants knows the accusations to be false.

Plaintiff would requests that any unredacted copies of these web pages if ever filed with this court be held under seal and/or subject to a protective/confidentiality Order.

V. COUNT 1: DEFAMATION PER SE AND STATUTORY DEFAMATION

The Plaintiff incorporate by reference the facts previously set out in this petition, as is fully set forth herein.

The Defendants maintain a website through which they regularly publish false and defamatory accusations about Plaintiff. That accusation is being continually published and is being published at the present time.

That accusation is false and constitutes statutory libel in that, among other things, the accusation attempts to injure the reputation of the Plaintiff and expose the Plaintiff to public

hatred, contempt or ridicule, expose the Plaintiff to financial injury, damages Plaintiff's profession, and impeaches the Plaintiff's honesty, integrity, virtue or reputation, exposing the Plaintiff to public hatred and ridicule.

The false allegations were made and are being made by the Defendants with actual malice and constitute libel per se in that it stated that Plaintiff was guilty of professional misconduct.

That false accusation against Plaintiff jeopardizes Plaintiff's life work, career, business enterprises and has caused severe emotional distress and suffering.

That false allegation has caused Plaintiff to suffer loss of reputation, has damaged Plaintiff's ability to engage in Plaintiff's chosen profession, has caused severe emotional distress and has interfered with Plaintiff's ability to conduct Plaintiff's affairs in a normal manner.

VI. COUNT 2: LIBEL PER SE AND STATUTORY LIBEL

The Plaintiff incorporate by reference facts previously set forth in this Petition, as is fully set forth herein.

The Defendants maintain a website through which they regularly publish false and defamatory accusations about Plaintiff. The website refers to Plaintiff as a "bad apple", among other things.

That accusation is being continually published and is being published at the present time.

That accusation is false and constitutes statutory libel in that the accusation injures the reputation of the Plaintiff and exposes the Plaintiff to public hatred, contempt or ridicule, expose the Plaintiff to financial injury, and impeach the Plaintiff's honesty, integrity, virtue or reputation, exposing the Plaintiff to public hatred and ridicule.

The false allegations were made and are being made by the Defendants with actual malice and constitute libel per se in that it stated that Plaintiff was guilty of gross professional misconduct.

That false accusation against Plaintiff jeopardizes Plaintiff's life's work, business enterprises and has caused severe emotional distress and suffering.

VII. COUNT 3: DEFAMATION, LIBEL PER SE AND STATUTORY LIBEL

The Plaintiff incorporate by reference the facts previously set forth in this petition as is fully set forth herein.

The false and defamatory accusation set forth above was made by the Defendants with actual malice and was known by them to be untrue when they published it.

That accusation is false and constitutes statutory libel in that the accusation injures the reputation of the Plaintiff and exposes the Plaintiff to public hatred, contempt or ridicule, expose the Plaintiff to financial injury, and impeach the Plaintiff's honesty, integrity, virtue or reputation, exposing the Plaintiff to public hatred and ridicule.

The accusations are being continually published and are being published at the present time.

That accusation was made and is being made by the Defendants with actual malice and constitutes libel per se in that it stated that Plaintiff was guilty of professional misconduct.

VIII. COUNT 4: LIBEL PER SE AND STATUTORY LIBEL

The Plaintiff incorporate by reference facts previously set forth in this petition as is fully set forth herein.

That false accusation against Plaintiff jeopardizes Plaintiff's life work, career, business enterprises and has caused severe emotional distress and suffering. That accusation is false and constitutes statutory libel in that the accusation injures the reputation of the Plaintiff and exposes

the Plaintiff to public hatred, contempt or ridicule, expose the Plaintiff to financial injury, and impeach the Plaintiff's honesty, integrity, virtue or reputation, exposing the Plaintiff to public hatred and ridicule.

The accusation is being continuously published and is being published at the present time.

IX. COUNT 5: LIBEL AND LIBEL PER SE

The Plaintiff incorporate by reference facts previously set forth in this petition as is fully set forth herein.

Defendants' defamatory statements constitute slander per se in that they stated and/or suggested that the Plaintiff was guilty of professional misconduct or acts that would constitute professional misconduct. Defendants' defamatory statements constitute slander per se in that they attack Plaintiff's current job and life's career and profession. These accusations are false and constitute statutory slander in that the accusations injure the reputation of the Plaintiff and expose the Plaintiff to public hatred, contempt or ridicule, financial injury, and impeach the Plaintiff's honesty, integrity, virtue or reputation.

X. COUNT 6: INVASION OF PRIVACY: DISCLOSURE OF PRIVATE FACTS

The Plaintiff incorporate by reference facts previously set forth in this petition as is fully set forth herein.

The Defendants invaded the privacy of the Plaintiff by publishing information related to what Defendants state is Plaintiff's address on their website.

The Defendants, through their publication, suggested that the readers of the material, published on the website maintained by the Defendants, should investigate where Plaintiff lives, thus inviting unlawful trespass at the home occupied by the Plaintiff.

The discussion of the alleged address of the home occupied by the Plaintiff, accompanied by the defamatory statements designed to provoke the reader to anger or violence against Plaintiff constituted the public communication of private matters that were not of legitimate public concern and the disclosure that occurred was highly offensive to a reasonable person with ordinary sensibilities.

The actions of the Defendants constituted a malicious violation of Plaintiff's right to privacy. Therefore, Plaintiff is entitled to recover exemplary damages.

As a result of this invasion of privacy and disclosure, the Plaintiff has suffered severe anguish and emotional distress.

XI. COUNT 7: INVASION OF PRIVACY: INTRUSION ON SECLUSION

The Plaintiff incorporate by reference facts previously set forth in this petition as is fully set forth herein.

The discussion of the alleged address of the home occupied by the Plaintiff, accompanied by the defamatory statements designed to provoke the reader to anger or violence against Plaintiff constituted the public communication of private matters that were not of legitimate public concern and the disclosure that occurred was highly offensive to a reasonable person with ordinary sensibilities.

The Defendants intentionally intruded into Plaintiff's private affairs or seclusion, in a manner that would be highly offensive to a reasonable person of ordinary sensibilities.

As a result of this invasion of privacy and intrusion, the Plaintiff has suffered severe anguish and emotional distress.

The Defendants' actions constituted a malicious violation of the rights of the Plaintiff's right to privacy. Plaintiff, therefore, are entitled to recover exemplary damages.

XII. COUNT 8: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Plaintiff hereby incorporate by reference all of the facts previously plead in this petition as if fully set forth herein. Defendants' disclosure of Plaintiff's personal information is extreme and outrageous. As a result of Defendants' intentional and/or reckless conduct in publishing defamatory statements and private information about Plaintiff, Plaintiff has suffered severe emotional distress.

XIII. PUNITIVE DAMAGES

Pleading further Plaintiff alleges that under the factual allegations stated above the actions of the Defendants described in each count set forth above were malicious violations of the rights of the Plaintiff. Plaintiff, therefore, is entitled to recover exemplary damages. Your Plaintiff would ask for punitive damages to deter the Defendants and others similarly situated, from engaging in this type of conduct in the future. Accordingly, Plaintiff sues for exemplary damages for each count in this Petition within the jurisdictional limits of this Court.

XIV. ATTORNEYS' FEES

Defendants' conduct as described in this petition and the resulting loss to Plaintiff has necessitated Plaintiff's retaining of the attorneys whose names are subscribed to this petition. Plaintiff are entitled to recover from Defendants actual damages as set forth above and attorneys' fees reasonably incurred for preparation and prosecution of this action.

XV. APPLICATION FOR TEMPORARY RESTRAINING ORDER

For these reasons, Plaintiff requests that the Court issue a Temporary Restraining Order to the Defendants, ordering them to cease and desist from publishing of these defamatory accusations and intrusive personal information. Furthermore, Plaintiff requests that the Court enjoin Defendants from any further publishing of these defamatory accusations and intrusive

personal information and to remove all past defamatory accusations and intrusive personal information from the internet.

It is probable that Plaintiff will recover from Defendants because of the facts plead above and the numerous causes of action for which Defendants are liable. Defendants' deceitful misrepresentations, actions, fraud and malicious acts clearly satisfy the elements of statutory libel, libel *per se*, invasion of privacy and intrusion and conspiracy to commit those acts. Defendants are aggressively publishing this information related to Plaintiff.

If Plaintiff's application is not granted, harm is imminent because Defendants will continue to publish defamatory information and personal private information about Plaintiff, which continues to harm Plaintiff, her career job and put Plaintiff in physical danger.

The harm that will result if the TRO is not issued is irreparable because Defendants' actions jeopardize the health and physical safety of Plaintiff. Defendants are contacting people in Wharton County and throughout the world via the Internet in an effort to incite people against Plaintiff. Defendants incite people to violence against Plaintiff by publishing false defamatory statements about Plaintiff. Defendants then disclose personal information suggest that actions be taken to attack Plaintiff such as filing EEOC claimants. Plaintiff has no adequate remedy at law because the damages from the harm referenced above are incalculable.

Plaintiff has requested service of this petition and request for temporary injunction to notify Defendants. There is insufficient time for additional notice to the Defendants for a hearing on the application as the harm to Plaintiff continues to mount each day that Defendants publish defamatory statements and personal information about Plaintiff.

Plaintiff is willing to post bond if the Court deems it appropriate.

XVI. REQUEST FOR TEMPORARY INJUNCTION

Plaintiff asks the Court to set Plaintiff's application for TRO for hearing, and after hearing the application, issue a temporary injunction against Defendants.

XVII. REQUEST FOR PERMANENT INJUNCTION

Plaintiff asks the Court to set Plaintiff's application for TRO and request for temporary injunction for a full trial on the issues in Plaintiff's application and after the hearing, issue a permanent injunction against Defendants.

XVIII. DISCLOSURES

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff requests Defendants to disclose the information or material described in Rule 194.2 (a)-(1).

WHEREFORE, Plaintiff requests that Defendants be cited to appear and answer, and that on final trial Plaintiff has, statutory damages, special damages, actual damages, exemplary damages, pre and post judgment interest as provided by law, reasonable attorney's fees as provided by statute, costs and expenses of suit, equitable relief, injunctive relief, and any other relief to which Plaintiff may be justly entitled.

Respectfully submitted,

SINGLETON LAW FIRM



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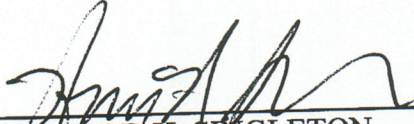
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ATTORNEYS FOR PLAINTIFF

JENNIFER MANN

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was forwarded to the following parties and/or attorneys of record in accordance with Texas Rules of Civil Procedure 21 and 21(a), on this 30 day of September, 2014.



HOWARD H. SINGLETON