

THE JAKUBIK LAW FIRM
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Attorney for Plaintiff
Anthony Ciolli

IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY, PENNSYLVANIA

ANTHONY CIOLLI,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	MARCH TERM, 2008
vs.	:	
	:	No.
	:	
HEIDE IRAVANI, BRITTAN HELLER, MARK:	:	
LEMLEY, KEKER & VANNEST LLP, DAVID :	:	
ROSEN, ROSEN & ASSOCIATES, P.C., ROSS :	:	
CHANIN, REPUTATIONDEFENDER, INC., :	:	
and T14 TALENT	:	
	:	
Defendants.	:	

COMPLAINT

Plaintiff Anthony Ciolli hereby files this Complaint against the above named Defendants, and, in support thereof states as follows:

THE PARTIES

1. Plaintiff Anthony Ciolli, at all relevant times, was an adult citizen of the State of New York, temporarily residing in Philadelphia, Pennsylvania, for educational purposes from August 2004 to August 2007.

2. Upon information and belief, defendant Heide Iravani, at all relevant times, was an adult citizen of North Carolina, temporarily residing in New Haven, Connecticut, for educational purposes from August 2006 to the present day.

3. Upon information and belief, defendant Brittan Heller, at all relevant times, was an adult citizen of California, temporarily residing in New Haven, Connecticut, for educational purposes from August 2005 to the present day.

4. Defendant Mark Lemley is an adult citizen of California who maintains a place of business at 710 Sansome Street, San Francisco, California. Mr. Lemley is, and was at all pertinent times, an attorney employed with Defendant Keker & VanNest who was acting within the scope of his employment with Keker & VanNest.

5. Defendant Keker & VanNest, LLP, is a California limited liability partnership with its principal place of business located at 710 Sansome Street, San Francisco, California.

6. David Rosen is an adult citizen of the State of Connecticut who maintains a place of business at 400 Orange Street, New Haven, Connecticut. Mr. Rosen is, and at all pertinent times was, a principal of Defendant Rosen & Associates who was acting within the scope of his employment with Rosen & Associates.

7. Defendant Rosen & Associates, P.C., is a Connecticut professional corporation with its principal place of business located at 400 Orange Street, New Haven, Connecticut.

8. Defendant Ross Chanin is an adult citizen of the State of California who maintains a place of business at 3723 Haven Avenue, Suite 132, Menlo Park, CA 94025. Mr. Chanin is, and was at all pertinent times, an employee of Defendant ReputationDefender, Inc. and was acting within the scope of his employment.

9. Upon information and belief, defendant ReputationDefender, Inc., is a Delaware corporation with a principal place of business located at 3723 Haven Avenue, Suite 132, Menlo Park, CA 94025.

11. Upon information and belief, defendant T14 Talent is an unincorporated association, with its known membership comprised of adult citizens of New York, New Jersey, California, and Virginia.

12. This Court has personal jurisdiction over the parties in this action pursuant to 42 Pa. C.S. §§ 5301, 5308, and 5322.

13. Venue is proper in Philadelphia County, Pennsylvania in that the injuries for which Mr. Ciolli seeks redress were inflicted upon him while he was a resident of the City of Philadelphia. The injuries for which Mr. Ciolli seeks redress therefore took place within Philadelphia County.

BACKGROUND

14. Mr. Ciolli was enrolled at the University of Pennsylvania Law School from August 2004 until his graduation in May 2007.

15. During the summer of 2006 Mr. Ciolli was employed as a “summer associate” at Edwards, Angell, Palmer & Dodge LLP (hereinafter “EAP&D”), a Boston law firm.

16. The EAP&D attorneys for whom Mr. Ciolli worked during the summer of 2006 uniformly gave Mr. Ciolli outstanding performance reviews.

17. EAP&D offered Mr. Ciolli a position as a full-time associate, to commence the fall after Plaintiff’s graduation from law school, in July 2006.

18. Mr. Ciolli accepted EAP&D’s offer, and made plans to join EAP&D in September 2007.

19. First year associates at EAP&D earn an annual salary of \$160,000, and also have the opportunity to earn substantial bonuses. EAP&D’s associates have also

historically been awarded lock-step salary increases following each year of service with the firm.

20. While in law school, Mr. Ciolli was employed by AutoAdmit, a higher education admissions and career website based in Allentown, Pennsylvania.

21. Mr. Ciolli held the position of Chief Education Director of AutoAdmit until his resignation in March 2007.

22. Mr. Ciolli's job duties involved maintaining the AutoAdmit Studies section of AutoAdmit's website, as well as developing educational content and publications for AutoAdmit Studies.

23. AutoAdmit, also known as Xoxohth, is owned by Jarret Cohen, a resident of Allentown. Mr. Cohen was Mr. Ciolli's supervisor during Mr. Ciolli's entire tenure at AutoAdmit.

24. In addition to AutoAdmit Studies, the AutoAdmit website also contains several other sections, including a law school message board. Mr. Ciolli did not have decision-making or managerial authority over these other parts of the website, which Mr. Cohen administered.

25. EAP&D and the other law firms with which Mr. Ciolli had interviewed during his search for a summer associate position were aware that Mr. Ciolli was employed by AutoAdmit.

26. Mr. Ciolli had listed AutoAdmit on his resume along with his prior employment positions, used a working paper produced for AutoAdmit Studies as his writing sample, and listed AutoAdmit on his conflict of interest forms. Mr. Ciolli's position at AutoAdmit had also been a frequent topic during his interviews with EAP&D and other law firms.

27. On January 26, 2007 Ms. Heller sent Plaintiff an email to his University of Pennsylvania Law School address requesting clarification on the AutoAdmit law school message board's policy for deleting messages. Ms. Heller did not request that any specific message be removed, but only asked, rather, for information pertaining to "the guidelines for getting the moderator to remove a posting."

28. Mr. Ciolli responded to Ms. Heller on February 8, 2007 and asked her not to send such correspondence to his law school email address because he did not handle issues relating to the law school message board. Mr. Ciolli advised Ms. Heller that she should either contact Mr. Cohen for the information she requested or send an email to the contact address listed on the AutoAdmit message board.

29. Mr. Ciolli believes, and therefore avers, that Ms. Heller did not contact Mr. Cohen as Mr. Ciolli had advised her.

30. Mr. Ciolli never told Ms. Heller that any postings about her would not be removed. Ms. Heller never made any such request of Mr. Ciolli, in either her January 26, 2007 email or at any time thereafter, and, even if she had made such a request, Mr. Ciolli did not have the authority to act on such a request, since only Mr. Cohen had the authority to make such decisions.

31. Beginning with Ms. Heller's January 26, 2007 email Mr. Ciolli began to receive an unusually high volume of correspondence from law students concerning the AutoAdmit message board.

32. Mr. Ciolli was concerned that receiving and responding to such correspondence could constitute a violation of his law school's policy regarding the acceptable use of electronic resources. On February 12, 2007, therefore, Mr. Ciolli posted a message on the AutoAdmit message board reiterating that he did not administer the

message board section of AutoAdmit and advising that individuals should direct all complaints and other correspondence about the message board to Mr. Cohen.

33. On February 12, 2007 Ms. Iravani sent Mr. Ciolli an email in which she request the deletion of a thread from the AutoAdmit message board. Mr. Ciolli responded that same day with a link to the above-mentioned posting in which he requested that such correspondence be sent to Mr. Cohen.

“Paulie Walnuts” & “T14 Talent”

34. In mid-February 2007 a group of then anonymous individuals, possibly including Douglas Phillabaum, who used the pseudonym “pauliewalnuts,” created “t14talent—The ‘Most Appealing’ Women @ Top Law Schools” (hereinafter “T14 Talent”), a website devoted to rating the physical appearance of female law students at the nation’s 14 most prestigious law schools.

35. T14 Talent was located at <http://t14talent.googlepages.com>. The T14 Talent website was never hosted on the AutoAdmit server, nor were T14 Talent photographs ever uploaded to the AutoAdmit website.

36. Soon after establishing T14 Talent was established, Phillabaum actively solicited partners to join him in operating his enterprise. The true identities of these partners, who used the pseudonyms “lathorpe,” “Big Bad Wolf,” and “ColinFinnerty,” are unknown. Based upon information and belief, however, Mr. Ciolli knows that these individuals are citizens of New York, Virginia, and California, respectively. On information and belief, Mr. Phillabaum is a resident of the State of Maryland.

37. Mr. Ciolli did not know at any time prior to September 2007 that Mr. Phillabaum was “pauliewalnuts.”

38. Notwithstanding that Mr. Ciolli, Mr. Cohen, and AutoAdmit had no involvement whatsoever with the T14 Talent website, T14 Talent listed Mr. Ciolli’s law

school email address on the “Contact Information” page of the T14 Talent website, knowing that the public would believe as a result that Mr. Ciolli was involved in the administration of the T14 Talent website.

39. In addition to Mr. Ciolli’s actual email address, T14 Talent also included a fraudulent email address on the T14 Talent contact page that was similar to Mr. Ciolli’s AutoAdmit message board pseudonym, further suggesting that Mr. Ciolli was involved with T14 Talent.

40. T14 Talent also posted a prominent notice on the T14 Talent index page stating, in pertinent part, “Media outlets, please credit xoxo on this story,” knowing that including such a statement would mislead the media and the general public into believing that AutoAdmit/Xoxohth, and by extension Mr. Ciolli, were affiliated with T14 Talent.

41. Mr. Ciolli found the T14Talent website’s mission to be repugnant and, therefore, immediately upon discovering that his law school email address was listed on the T14 Talent “Contact Information” page he requested that T14 Talent remove it so that the public would not mistakenly believe that Mr. Ciolli was affiliated with or otherwise endorsed the contest.

42. On or about February 20, 2007, T14 Talent removed Mr. Ciolli’s actual email address from the contact page, but did not remove the notice on the index page requesting that media outlets credit AutoAdmit/Xoxohth.

43. On the morning of February 28, 2007, T14 Talent divided the “contestants” into several brackets, and announced that voting would soon begin. One such bracket was named the “Ciolli bracket,” further perpetuating the idea that Mr. Ciolli either endorsed the T14 Talent contest or was a member of its administrative team.

44. As a result of the statements posted on the T14 Talent website, many individuals, including Mr. Ciolli's peers in the legal community, believed that Mr. Ciolli had administered T14 Talent and published articles criticizing Plaintiff for purportedly running the contest.

45. Mr. Ciolli found it highly distasteful that T14 Talent had entered women into the T14 Talent contest without their consent. Mr. Ciolli therefore urged T14 Talent's organizers, privately and publicly, to shut down the contest voluntarily or, in the alternative, to cede to reasonable opt-out requests from women who did not wish to have their pictures posted on the T14 Talent website.

46. On the evening of February 28, 2007, Plaintiff's efforts succeeded when Mr. Phillabaum voluntarily agreed to disband T14 Talent and shut down the contest website. The website was permanently taken offline the morning of March 1, 2007.

ReputationDefender Gets Involved

47. On March 2, 2007, Plaintiff received an email, as well as a voicemail, from Gary Clinton, the University of Pennsylvania Law School's Dean of Students, requesting that Plaintiff speak to him about an issue related to AutoAdmit.

48. Later that same day, Plaintiff called Dean Clinton. Dean Clinton informed Plaintiff that a meeting had taken place earlier that week between the deans of students at the Top 14 law schools, with T14 Talent the primary topic of discussion. Dean Clinton stated that most of the deans had been under the impression that AutoAdmit, and by extension Plaintiff, had run the T14 Talent website, and that Defendant Chanin had contacted him and other deans of students informing them of this purported fact.

49. Dean Clinton also told Plaintiff that Mr. Chanin had told Dean Clinton that Mr. Ciolli was actually "pauliewalnuts." Dean Clinton explained that Mr. Chanin was one of the directors of ReputationDefender, Inc., a public relations agency specializing

in online reputation management, and that Chanin and ReputationDefender were representing several Yale Law School students, later identified as Defendants Iravani and Heller.

50. After Mr. Ciolli explained to Dean Clinton the true facts of what had transpired, Dean Clinton recommended that Mr. Ciolli contact Mr. Chanin, as Mr. Chanin had informed Dean Clinton that ReputationDefender intended to draw media attention to the matter.

51. Shortly after getting off the phone with Dean Clinton, Mr. Ciolli sent Mr. Chanin an email informing Mr. Chanin of his conversation with Dean Clinton. Mr. Ciolli also requested that Mr. Chanin contact him in order to clear the air.

52. Defendant Chanin responded to Plaintiff's email on March 3, 2007, confirmed that he was acting as an agent of his clients, and demanded that Mr. Ciolli "establish an easy dispute resolution mechanism" on AutoAdmit in addition to deleting unspecified message board threads.

53. Later that day, Mr. Ciolli responded to Mr. Chanin's email by informing Mr. Chanin that Mr. Ciolli did not have any authority over message board content or policies and that Mr. Chanin should contact Mr. Cohen, who handles those matters. To ensure that Mr. Chanin could easily reach Mr. Cohen, Mr. Ciolli provided Mr. Chanin with Mr. Cohen's personal email address. Mr. Ciolli also told Mr. Chanin that Mr. Ciolli had no affiliation with the T14 Talent website, and explained to Mr. Chanin his role in getting that website shut down earlier that week.

54. That evening, Mr. Chanin replied to Mr. Ciolli's email. Mr. Chanin acknowledged that he knew that Mr. Ciolli was not responsible for creating the T14 Talent website. Mr. Chanin stated, in pertinent part,

No one at ReputationDefender has claimed that you started the T14 site, nor would we want to do so. We have maintained a bright-line distinction between those who started the T14 site and those affiliated with AutoAdmit who facilitated the popularity of T14 through their actions and non-actions. We have not encouraged ad hominem attacks against you or anyone else responsible for running or maintaining AutoAdmit or any other site. We will continue to make clear in future communications that you did not start the T14 site. We exist to defend reputations, and we are seeking to protect our clients.

55. Mr. Ciolli believes, and therefore avers, that neither Mr. Chanin nor any other individual affiliated with ReputationDefender ever contacted Mr. Cohen.

56. Ms. Iravani, like Mr. Chanin, was also aware that Mr. Ciolli was not “pauliewalnuts” and had no involvement with the T14 Talent website.

57. In an interview for a March 7, 2007, *Washington Post* article, Ms. Iravani stated that T14 Talent was “a separate contest site,” with the newspaper also reporting that Plaintiff had persuaded “pauliewalnuts” to shut down the T14 Talent website for privacy concerns.

58. In this same interview, Ms. Iravani falsely stated that her photographs were posted in an AutoAdmit thread. AutoAdmit does not support image uploads, and it would therefore be impossible for any individual to post photographs in a thread.

59. Ms. Heller also knew that Mr. Ciolli and “pauliewalnuts” were different individuals.

60. In an essay written in March 2007 for publication in Volume 19 of the *Yale Journal of Law & Feminism*, Ms. Heller acknowledged that Mr. Ciolli and the T14 Talent site owner were not the same person, writing that the “[Mr. Ciolli] eventually acquired the ‘Girls of the T14’ website for AutoAdmit, and it was shut down.”

61. In this same essay, Ms. Heller lied about her February 2007 email conversation with the Mr. Ciolli, writing that “[i]n February 2007, [Mr. Ciolli] blatantly

refused to take down the thread, claiming that I had threatened him with lawsuits.” Mr. Ciolli never made any such statements in the single email that he sent to Ms. Heller, and thus Ms. Heller’s account of this exchange is false and defamatory.

62. On March 6, 2007, ReputationDefender, acting in its capacity as an agent of its clients Iravani and Heller, launched a website, titled the “Campaign to Clean Up AutoAdmit.com” (hereinafter “Campaign website”).

63. The Campaign website, which was located at http://www.reputationdefender.com/campaign_home.php until Defendant ReputationDefender removed it in late-August 2007, contained numerous false and misleading statements about Mr. Ciolli and his affiliation with the T14 Talent website and AutoAdmit.

64. On the Campaign website’s index page, ReputationDefender repeatedly stated, in a sub-section entitled “The Facts,” that the T14 Talent website was “related” to and “affiliated” with AutoAdmit.

65. ReputationDefender also falsely stated on this page that pictures of its clients were posted directly onto the AutoAdmit website and, despite knowing that Mr. Ciolli did not have control over the AutoAdmit message board and had no affiliation with the T14 Talent website, urged that “public pressure” be applied “on the administration of the University of Pennsylvania” to “advocate for [Mr. Ciolli] to effect the removal of any and all references and photographs to named individuals on the AutoAdmit site and affiliated pages.”

66. On another part of the Campaign website, entitled “Petition to Clean Up AutoAdmit.com & Its Affiliates,” ReputationDefender addressed a letter to Mr. Ciolli in which ReputationDefender reported as fact that Mr. Ciolli, rather than respond to

content removal requests, had “posted these women’s entreaties to the website to be mocked by members of the community who hide behind a shield of anonymity.”

67. While “pauliewalnuts” had engaged in such conduct as the administrator of the T14 Talent website, Mr. Ciolli had never done such a thing. This same page also continued to refer to the T14 Talent website as an affiliate of AutoAdmit, further giving the impression that Mr. Ciolli was involved in the administration of the T14 Talent website.

68. Another Campaign website page, entitled “AutoAdmit.com & Affiliates: The Gallery of Horrors,” again identified the T14 Talent website as an AutoAdmit affiliate, and also claimed that another website, the “Uglies of the T14,” located at <http://ugliespwn3d.googlepages.com/home>, was affiliated with and owned by AutoAdmit.

69. Like the T14 Talent website, the “Uglies of the T14” website has no affiliation with AutoAdmit or Mr. Ciolli. On the ReputationDefender page excerpts from the T14 Talent and “Uglies of the T14” websites were posted alongside selectively chosen messages from the AutoAdmit message board, furthering the misperception that Mr. Ciolli owned or administered all three websites.

70. In addition to the numerous misleading and defamatory statements about Mr. Ciolli, the Campaign website contained a series of demands directed toward Mr. Ciolli, none of which he was able to implement because they involved the AutoAdmit message board or other websites over which Mr. Ciolli had no control.

71. For example, the Campaign website requested that AutoAdmit “establish... a clear and permanent policing policy for derogatory personal comments” and “implement an easy dispute resolution mechanism.”

Other Outlets Pick Up On ReputationDefenders' Falsehoods

72. Shortly after ReputationDefender launched the Campaign website, others began to report the false and misleading statements contained on it as fact.

73. On March 7, 2007, Stanford Law School's dean of students sent an email to the school's entire student body, and stated that "a website AutoAdmit was running a 'contest' comparing pictures of female law students from the top 14 law schools," and referred students to the defamatory Campaign website. Stanford Law School students, aware that Plaintiff was employed by AutoAdmit, were led to believe that Mr. Ciolli also ran the T14 Talent website.

74. On March 12, 2007, Mr. Ciolli resigned from his position at AutoAdmit.

75. Mr. Ciolli suffered significant mental anguish and was humiliated as a result of the defamatory and misleading statements promulgated by ReputationDefender on behalf of Defendants Heller and Irvani. Several of Mr. Ciolli's classmates and professors had seen the Campaign website or heard about its contents through the media, with many believing that the false statements were actually true.

76. In a March 14, 2007, article published in the *Daily Pennsylvanian*, the University of Pennsylvania's student newspaper, several of Mr. Ciolli's fellow law students expressed their bewilderment about the Plaintiff's supposed inaction.

77. Professor Geoffrey Hazard, Jr., a professor who taught two of Mr. Ciolli's classes, also believed that the defamatory statements about Mr. Ciolli were true, and told the *Chronicle of Higher Education* that "[Mr. Ciolli] has the power to remove those offensive postings, and he is a fool not to."

78. Many newspapers reported the false and misleading information about Mr. Ciolli's conduct from the Campaign website as if it were fact.

79. In one article that appeared in the March 23, 2007 edition of the *Kansas City Daily Record*, a law professor at the University of Kansas reported that the Mr. Ciolli ran the T14 Talent contest, and that the Mr. Ciolli had refused to remove photographs and offensive comments from the T14 Talent website.

80. On March 14, 2007, Plaintiff, Mr. Cohen, Mr. Chanin, and Michael Fertik, the CEO of Defendant ReputationDefender, participated in an unsuccessful conference call to attempt to resolve the matter.

81. During the conference call, both Mr. Ciolli and Mr. Cohen once again informed Mr. Chanin and Mr. Fertik that neither Mr. Ciolli nor AutoAdmit had any involvement with the T14 Talent website, and that Mr. Ciolli had no authority over the AutoAdmit message board at any time, even prior to his resignation.

82. Mr. Chanin and Mr. Fertik made many requests of Mr. Cohen on behalf of Defendants Heller and Iravani during the conference call, including that Mr. Cohen implement a privacy policy, terms of service, and a dispute resolution system on AutoAdmit. They did not request that Mr. Ciolli do anything. Mr. Cohen offered several times to remove any threads relating to Mr. Chanin and Ferik's clients, but Messrs. Chanin and Fertik categorically rejected these offers and, moreover, refused to indicate to Mr. Cohen which threads their clients wanted deleted or to even confirm to Mr. Cohen the identities of their clients.

83. After failing to resolve the matter with ReputationDefender, Mr. Cohen contacted Ms. Iravani directly, apologized and offered to speak to her to discuss thread removals, and provided her with his personal email address and cell phone number. Ms. Iravani refused to speak to Mr. Cohen because she was too tired.

84. Although she was aware at the time that Mr. Ciolli and AutoAdmit were not affiliated with the T14 Talent website, Ms. Iravani told the *Yale Herald* on March 30, 2007

that “[a]fter asking site administrators to remove the content... the images spread to various blogs and even pornographic websites,” giving the false impression that Mr. Ciolli not only administered the T14 Talent website and refused to remove Ms. Iravani’s photographs from that website, but was also involved in the pornography industry and had responded to Ms. Iravani’s purported request by further disseminating her images. Upon information and belief, Defendant Iravani had never requested that Defendant T14 Talent remove her photographs from the T14 Talent website.

85. In the same interview Ms. Iravani also implied that Mr. Ciolli and AutoAdmit refused to remove postings about her from the AutoAdmit message board, even though neither Mr. Ciolli nor Mr. Cohen had ever made such a refusal and, just two weeks earlier, Mr. Cohen had told ReputationDefender, and attempted to tell Ms. Iravani personally, that he would take down the threads at issue if she sent him a list.

86. On March 15, 2007, Andrew Shen, an associate employed by Defendant Kecker & VanNest LLP, sent Mr. Ciolli and Mr. Cohen an email, demanding that Mr. Cohen

(1) remove all comments regarding my clients, (2) remove all photographs of my clients, (3) preserve IP addresses and any other potentially identifying information relating to the individuals posting these comments and photographs, (4) monitor your websites to remove future posts, and (5) cooperate with Google to delete any posts or photographs relating to my clients that it may have cached from these sites.

87. At no point did Mr. Shen threaten to file suit against Mr. Ciolli, Mr. Cohen, or AutoAdmit. Rather, Mr. Shen implied that, if Mr. Cohen complied with these requests, Defendants Heller and Iravani would not proceed with litigation against various third parties. Mr. Shen further stated that if Mr. Cohen did not agree to undertake these steps, Mr. Ciolli and Mr. Cohen would become “entangled” in the litigation against those third parties.

The Defendants Seek To “Punish” Ciolli

88. On March 10, 2007, a Yale law student forwarded to Mr. Ciolli an email that had been sent to the Yale Law School student body. In this email, Yale law students were instructed to “[f]ind[] out which law firm [Mr. Ciolli] is going to work for and pressure them to not hire him through various channels,” and were further requested to attend a town hall meeting on March 12, 2007 to discuss ways to punish Mr. Ciolli and AutoAdmit.

89. On or around June 13, 2007, a co-worker of Ms. Iravani’s roommate, Ethan Davis, told Mr. Ciolli that “all of Yale Law School spent weeks trying to figure out where [Mr. Ciolli was] working,” and that “once they did, they wrote letters to get [Mr. Ciolli] fired.”

90. Mr. Ciolli believes, and therefore avers, that Ms. Iravani and Ms. Heller conspired with ReputationDefender, as well as an unknown number of other individuals, to send letters containing defamatory and misleading information about Mr. Ciolli to his employer, EAP&D, in an effort to induce EAP&D to fire Mr. Ciolli.

EAP&D Rescinds Mr. Ciolli’s Employment Offer

91. In late March 2007, Mr. Ciolli received a phone call from Judith Malone, EAP&D’s hiring partner. During this conversation Ms. Malone repeated several defamatory statements about Mr. Ciolli and his role in the T14 Talent contest that had been first published on Defendant ReputationDefender’s Campaign website. Mr. Ciolli did his best to correct these misconceptions and inform Ms. Malone of what really happened.

92. Ms. Malone told Mr. Ciolli that he would be hearing from EAP&D shortly.

93. On or around April 11, 2007, Plaintiff received a letter from Chip Dewitt, the managing partner of EAP&D, informing him that EAP&D was considering rescinding his employment offer.

94. Plaintiff responded to Mr. Dewitt's letter on or around April 16, 2007, and attempted to correct several false statements and misconceptions set forth in Mr. Dewitt's letter and explain his side of the story.

95. Notwithstanding Mr. Ciolli's efforts to set the record straight, Mr. Dewitt sent Mr. Ciolli a second letter on or around April 20, 2007, advising that EAP&D had decided to rescind the employment offer that it had extended to Mr. Ciolli.

96. On May 2, 2007, the *Wall Street Journal* reported that EAP&D had rescinded Plaintiff's offer, with numerous other media outlets reporting the same information.

97. Blogs widely read by those in the legal profession, such as *Above the Law*, also reported on Plaintiff's firing, and many commentators continued to repeat defamatory and misleading statements about Mr. Ciolli made by Defendants Iravani, Heller, and ReputationDefender.

Iravani and Heller Sue Ciolli

98. On June 8, 2007, Defendants Heller and Iravani, identifying themselves as "Doe 1" and "Doe 2" respectively, initiated civil proceedings against Mr. Ciolli and 28 pseudonymous individuals, including "pauliewalnuts," in the United States District Court for the District of Connecticut ("the Connecticut litigation").

99. In the Connecticut litigation, Defendants Heller and Iravani were represented by Defendant Rosen, a partner of Defendant Rosen & Associates, P.C., as well as Defendant Lemley, of counsel to Defendant Kecker & VanNest LLP.

100. In their complaint, Defendants Heller and Iravani asserted claims against Mr. Ciolli for appropriation of another's name or likeness, unreasonable publicity given to

another's life, publicity that places another in a false light before the public, intentional infliction of emotional distress, negligent infliction of emotional distress, and defamation. Ms. Heller asserted an additional claim against Mr. Ciolli for copyright infringement.

101. Although they had sued Mr. Ciolli on numerous causes of action, Ms. Iravani and Ms. Heller did not allege any specific wrongdoing by Mr. Ciolli.

102. To the contrary, Ms. Iravani and Ms. Heller merely identified Mr. Ciolli as AutoAdmit's Chief Education Director. They did not accuse Mr. Ciolli of making any defamatory postings or otherwise engaging in illegal conduct.

103. Ms. Heller alleged in the complaint filed in the Connecticut litigation that she had not received a summer associate position as a result of the Connecticut defendants' alleged conduct.

104. According to information compiled and released by the Yale Law School Career Development Office, however, Ms. Heller not only had obtained summer employment prior to initiating litigation, but was employed as a summer associate in the Palo Alto office of Morrison & Foerster, one of the nation's most prestigious law firms, where she earned a salary of \$3,080 per week.

105. Neither AutoAdmit nor Mr. Cohen was named as a defendant in the Connecticut litigation.

106. Under 47 U.S.C. § 230 (hereinafter "Section 230"), Mr. Ciolli was immune from any liability for the contents of the AutoAdmit message board or any other postings that he did not personally author.

107. Mr. Lemley, a purported expert on Section 230, told the *Wall Street Journal* on or around June 13, 2007 that Mr. Ciolli had not been sued in his capacity as a purported

administrator of AutoAdmit, but, rather, because Defendants Heller and Iravani believed that Mr. Ciolli had posted objectionable content:

But the plaintiffs' attorney, Mark Lemley, says he isn't pursuing Ciolli as an administrator. And that's not a surprise. As an administrator, Ciolli would likely be protected under the Communications Decency Act of 1996, lawyers say. "We sued the people we have reason to believe posted the objectionable content," Lemley wrote in an email. Yet he also wrote, "There is no specific reference to Ciolli as one of the posters in the complaint as filed."

108. Mr. Lemley's statements resulted in substantial speculation that Plaintiff himself authored defamatory postings about Defendants Iravani and Heller or had been an administrator of T14 Talent.

109. Mass media outlets, including *Countdown with Keith Olbermann* and *National Public Radio*, reported that Mr. Ciolli had been sued on this basis, in some cases insinuating that Mr. Ciolli was guilty of defamation, copyright infringement, and other torts because of Mr. Lemley's statement that only those who posted objectionable content were sued.

110. The Connecticut litigation, and the mass media coverage of the lawsuit, caused significant damage to Mr. Ciolli's legal career.

111. Five hours after Mr. Ciolli had scheduled an interview for a clerkship position with a federal district court judge, the judge's clerk called Mr. Ciolli to inform him that the judge had done a Google search of Mr. Ciolli's name and had learned of the Connecticut litigation.

112. Mr. Cohen had several telephone conversations with Defendants Rosen and Lemley about the lawsuit in or around June 2007. Mr. Cohen told them that Mr. Ciolli had not written any of the purportedly actionable content, nor had Mr. Ciolli administered the T14 Talent website or the AutoAdmit message board.

113. Mr. Cohen inquired of Messrs. Rosen and Lemley as to why Mr. Ciolli had been named as a defendant in the Connecticut litigation.

114. Messrs. Rosen and Lemley refused to tell Mr. Cohen why they had named Mr. Ciolli as a defendant, but told Mr. Cohen that Mr. Ciolli would have “nothing to worry about” with respect to the Connecticut litigation.

115. Messrs. Rosen and Lemley began at this point the first of many attempts to negotiate a settlement agreement with Mr. Cohen even though Mr. Cohen was not a party to the Connecticut litigation.

116. To this end, Messrs. Rosen and Lemley informed Mr. Cohen that Defendants Iravani and Heller would drop Mr. Ciolli from the lawsuit if Mr. Cohen would provide them with a wide range of concessions not related to the litigation, such as creating a dispute resolution system for AutoAdmit and implementing a terms or service or privacy policy.

117. Defendant Lemley sent Mr. Cohen an email on or around June 21, 2007 formally proposing one such settlement.

118. Mr. Cohen sent Mr. Lemley a reply on or around July 11, 2007, informing Mr. Lemley that Mr. Cohen was not acting as an agent of Mr. Ciolli or any of the other Connecticut defendants, and was not authorized to negotiate a settlement on their behalf. Mr. Cohen also reiterated in this message that Mr. Ciolli did not run the T14 Talent website and did not author any actionable content.

119. Messrs. Rosen and Lemley replied to Mr. Cohen’s email on or around July 12, 2007, and proposed a meeting in Philadelphia between Mr. Cohen and Defendants Iravani and Heller. This meeting was scheduled for August 7, 2007.

120. Mr. Ciolli was not invited to the Philadelphia meeting. In fact, during the months of June and July 2007 Defendants had not communicated at all with Mr. Ciolli or with his counsel, Marc Randazza.

121. The Defendants, moreover, had made no effort to effect service of process upon Mr. Ciolli in connection with the Connecticut litigation, notwithstanding that they were well aware of Mr. Ciolli's home address.

122. Mr. Cohen informed Mr. Ciolli about the Philadelphia meeting – which was scheduled for the next day - on August 6, 2007 and invited Mr. Ciolli and his attorney to attend.

123. Also on August 6, 2007, Mr. Rosen filed a motion seeking a 30 day extension in which to submit an amended complaint, which had been due on August 7, 2007, on behalf of Defendants Iravani and Heller.

124. On August 7, 2007, from approximately 9:30AM to 7:30PM Mr. Ciolli, Mr. Randazza, Mr. Cohen, Mr. Cohen's attorney, Ms. Iravani, Ms. Heller, Mr. Rosen, Scott Grant—an associate of Defendant Rosen & Associates—and Dorothy McLaughlin, an associate of Defendant Kecker & VanNest, met at the Philadelphia office of Schnader, Harrison, Segal & Lewis.

125. No confidentiality agreement was signed in connection with this meeting, and negotiations involved exclusively the Defendants and Mr. Cohen, a non-party to the Connecticut litigation.

126. Mr. Ciolli and his attorney had no involvement in these negotiations, as the Defendants apparently wanted to negotiate only with Mr. Cohen.

127. Despite repeated requests by both Mr. Ciolli and Mr. Randazza, Defendants Iravani and Heller and their attorneys refused to state why they had named Mr. Ciolli as a defendant in the Connecticut litigation.

128. When asked what Defendants Iravani and Heller wanted from Mr. Ciolli as part of a potential settlement agreement, their attorneys replied that their clients wanted “nothing” from Plaintiff, but only wanted concessions from Mr. Cohen.

129. Defendants Iravani and Heller stated, both directly and through their attorneys, that they would drop Mr. Ciolli from the lawsuit if Mr. Cohen would accede to various demands, including that Mr. Cohen institute a privacy policy and terms of service on the AutoAdmit message board, delete all threads about Defendants Iravani and Heller from the message board, request that Google remove all threads about Defendants Iravani and Heller from its search engine, remove all future threads about Defendants Iravani and Heller within 14 days of the initial posting, begin logging IPs on the AutoAdmit website, create a dispute resolution system to arbitrate disputes whenever they arose between Mr. Cohen and any individual (not just Defendants Iravani and Heller) complaining about content on the AutoAdmit message board, and require that Mr. Cohen respond to all emails regarding AutoAdmit-related matters sent by anyone (not just Defendants Iravani and Heller) within 14 days. The only consideration Defendants ever offered Mr. Cohen for agreeing to the above terms was dropping Mr. Ciolli from the lawsuit.

130. Mr. Cohen believed that many of the Defendants’ demands were unreasonable and completely unrelated to the purpose of the Connecticut litigation. As a consequence Mr. Cohen did not enter into any such settlement.

131. Mr. Cohen stated that Defendants Iravani and Heller were using Mr. Ciolli as a “hostage” in order to coerce Mr. Cohen into accepting proposals he would not otherwise accept, and he did not wish to change the nature and character of his website or impose a harsh regulatory regime on himself in order to have Mr. Ciolli dropped from the lawsuit.

132. At the conclusion of the meeting Mr. Randazza requested that the Defendants effect service of process so that Mr. Ciolli could make a formal appearance in the Connecticut litigation and begin the process of clearing his name. The Defendants refused.

133. Several days later, Mr. Randazza called Ms. McLaughlin, once again inquiring as to why Plaintiff had been sued and again requesting that Plaintiff be served.

134. Ms. McLaughlin advised that service of process would not be effected upon Mr. Ciolli, and implied that Mr. Ciolli had been named in the Connecticut litigation because of "suspicions" that he was one of the pseudonymous defendants. Ms. McLaughlin refused, however, to tell Mr. Randazza which particular pseudonymous defendant was suspected to be an alter ego of Mr. Ciolli.

135. In or around mid-August 2007, Mr. Rosen sent a letter to Mr. Cohen's attorney, once again reiterating Defendants Iravani and Heller's offer to dismiss Mr. Ciolli from the lawsuit in exchange for Mr. Cohen acceding to their earlier demands.

136. While still actively negotiating with Mr. Cohen and his attorney, Defendant Rosen filed a motion for an additional 30 day extension of time within which to file an amended complaint.

137. On or around September 14, 2007, Mr. Lemley sent Mr. Randazza an email stating that he would like to resolve Mr. Ciolli's participation in the case, and requesting that Mr. Randazza call him to discuss the matter further.

138. On or around September 17, 2007, Mr. Randazza spoke to Mr. Lemley on the telephone.

139. During the September 17, 2007 conversation Mr. Lemley told Mr. Randazza that Mr. Ciolli had been sued in error, and that Defendants Iravani and Heller had sued

him under the assumption that Plaintiff was “pauliewalnuts” and had created the T14 Talent website.

140. Later that day, Mr. Randazza sent Mr. Lemley an email confirming the contents of their telephone conversation.

141. Mr. Lemley responded on or around September 18, 2007 and confirmed that Mr. Ciolli had been sued out of a purported belief that he was “pauliewalnuts.” Mr. Lemley further claims that “information obtained from Reputation Defender... led us to question the Ciolli-Walnuts connection.”

142. In a separate email sent on or around September 19, 2007, Mr. Lemley told Mr. Randazza that if Mr. Ciolli could persuade Mr. Lemley that Mr. Ciolli was not “pauliewalnuts,” Mr. Ciolli would be dropped from the Connecticut lawsuit.

143. On or around September 21, 2007 Mr. Ciolli provided to Mr. Lemley a sworn affidavit stating that Mr. Ciolli was not “pauliewalnuts” or any other pseudonymous defendant.

144. In a subsequent telephone conversation that took place in late September 2007, Mr. Lemley informed Mr. Randazza that, although Defendants Iravani and Heller knew that Mr. Ciolli was not “pauliewalnuts,” one of the Defendants did not wish to drop Mr. Ciolli from the lawsuit because she was upset with him.

145. Mr. Randazza and Defendant Lemley did not exchange any correspondence after that conversation.

146. Mr. Ciolli and Mr. Randazza began to investigate the true identity of “pauliewalnuts” after being informed that Defendants Iravani and Heller sued him purportedly on the basis that Mr. Ciolli was “pauliewalnuts.”

147. Through these efforts, Mr. Ciolli discovered that “pauliewalnuts” was in fact a pseudonym for Mr. Phillabaum.

148. In an exchange of emails that took place on September 26, 2007 Mr. Phillabaum admitted to Mr. Randazza that he was “pauliewalnuts” and acknowledged that Mr. Ciolli not only had not played a role in the T14 Talent website’s administration, but, further, had convinced Mr. Phillabaum to shut down the T14 Talent website.

149. After Mr. Lemley had informed Mr. Randazza that Defendants Iravani and Heller would not drop Mr. Ciolli from the Connecticut litigation, Mr. Lemley once again contacted Mr. Cohen’s attorney.

150. During this conversation Mr. Lemley continued to try to reach a settlement agreement with Mr. Cohen, stating that Defendants Iravani and Heller would dismiss Mr. Ciolli from the lawsuit if Mr. Cohen agreed to delete all threads about the Defendants on the AutoAdmit message board within 14 days.

151. Mr. Cohen’s attorney informed Mr. Lemley that Mr. Cohen could not enter into any agreement that contained a time limitation. Mr. Lemley stated that he would inform his clients and be in touch again shortly.

152. The day after speaking to Mr. Cohen’s attorney, Mr. Lemley filed a third motion for extension of time to submit an amended complaint in the Connecticut litigation, as well as a request for an additional 30 days to serve the original complaint on Mr. Ciolli, who still, inexplicably, had not been served despite Defendants’ knowledge of his home address and multiple requests for service by Plaintiff’s attorney.

153. On or around November 8, 2007, Defendants Iravani and Heller voluntarily dismissed Mr. Ciolli from the Connecticut litigation.

154. Neither Mr. Ciolli nor Mr. Cohen ever entered into a settlement agreement with Defendants Iravani and Heller as a condition to this voluntary dismissal.

155. Between the initiation of the Connecticut litigation on June 8, 2007, and his dismissal on November 8, 2007, Plaintiff incurred significant attorneys’ fees and costs.

COUNT I

WRONGFUL INITIATION OF CIVIL PROCEEDINGS

Plaintiff v. Heide Iravani, Brittan Heller, Mark Lemley, Keke & VanNest LLP, David Rosen, Rosen & Associates, P.C.

156. Mr. Ciolli hereby incorporates by reference paragraphs 1 through 155, inclusive, of this Complaint as though fully set forth at length.

157. This count is for wrongful initiation of civil proceedings and arises under the Dragonetti Act, 42 Pa. C.S. § 8351 et seq.

158. Defendants Iravani and Heller, represented by Defendants Lemley, Keke & VanNest, Rosen, and Rosen & Associates (Lemley, Keke & VanNest, Rosen and Rosen & Associates are hereafter referred to collectively as the “Attorney Defendants”), initiated civil proceedings against Plaintiff on June 8, 2007, which terminated in Plaintiff’s favor on November 8, 2007.

159. Defendants Iravani and Heller, as evidenced by their own statements and those of their agents Ross Chanin and ReputationDefender, knew as early as March 2007 that Plaintiff did not administer the T14 Talent website and that Plaintiff and “pauliewalnuts” are different individuals.

160. Notwithstanding their knowledge, Defendants Iravani and Heller nonetheless initiated civil proceedings against Mr. Ciolli.

161. Defendant Heller, even in the event that she possessed a good faith belief that Mr. Ciolli was “pauliewalnuts,” knew that she had no valid cause of action against “pauliewalnuts” for copyright infringement because she did not own a valid copyright to any of the pictures used by “pauliewalnuts” on the T14 Talent website. Ms. Heller nonetheless filed a claim against Mr. Ciolli and “pauliewalnuts.”

162. Defendants Heller and Iravani knew, furthermore, that “pauliewalnuts” had never made any defamatory or otherwise actionable postings about them on the AutoAdmit message board or any other website. They nonetheless sued Mr. Ciolli and “pauliewalnuts” for defamation and related torts.

163. The Attorney Defendants knew or should have known that Mr. Ciolli did not administer the T14 Talent website and that Mr. Ciolli and “pauliewalnuts” are different individuals, yet represented Defendants Iravani and Heller in their lawsuit against Mr. Ciolli anyway.

164. The Attorney Defendants, even in the event that they possessed a good faith belief in their clients, knew or should have known that even in the event Mr. Ciolli was in fact “pauliewalnuts,” Defendant Heller had no valid cause of action against “pauliewalnuts” because she did not own a valid copyright to any photograph allegedly infringed by “pauliewalnuts.”

165. The Attorney Defendants knew or should have known that none of the actions attributed to “pauliewalnuts” in the complaint provided probable cause for a lawsuit based on defamation or related torts.

166. Defendants Iravani and Heller, as well as the Attorney Defendants, by suing Plaintiff, acted in a grossly negligent manner or without probable cause.

167. Defendants Iravani and Heller initiated civil proceedings against Mr. Ciolli primarily for a purpose other than that of securing the proper discovery, joinder of parties or adjudication of the claim on which the proceedings were based. Rather, Defendants Iravani and Heller filed suit for the improper purpose of obtaining concessions from Jarret Cohen, a third party, that were unrelated to the Connecticut litigation.

168. The Attorney Defendants knew or should have known that Defendants Iravani and Heller initiated civil proceedings against Mr. Ciolli primarily for a purpose other than that of securing the proper discovery, joinder of parties or adjudication of the claim in which the proceedings were based. In fact, the Attorney Defendants actively facilitated Defendants Iravani and Heller's improper purpose by actively engaging in settlement negotiations with Mr. Cohen.

169. The actions of Defendants Iravani, Heller, and the Attorney Defendants described above are thus unlawful under 42 Pa. C.S. § 8351 et seq.

170. Mr. Ciolli has suffered, and continues to suffer, substantial damages and irreparable harm as a result of the unlawful acts of Defendants Iravani, Heller, and the Attorney Defendants as described herein.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count I of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

COUNT II

ABUSE OF PROCESS

Plaintiff v. Heide Iravani, Brittan Heller, Mark Lemley, Kecker & VanNest LLP, David Rosen, Rosen & Associates, P.C.

171. Mr. Ciolli incorporates herein by reference paragraphs 1 through 170, inclusive, of this Complaint as if fully set forth at length.

172. Defendant Rosen, on behalf of Defendants Iravani and Heller, filed a first motion for an extension of time to submit an amended complaint purportedly to allow his clients to "continu[e] to investigate the facts."

173. Defendants Iravani and Heller, as well as the Attorney Defendants, were fully aware of all relevant facts, including the fact that Mr. Ciolli had not engaged in any actionable conduct, at the time Mr. Rosen filed the first request for an extension of time.

174. This extension was sought solely to obtain leverage over Jarret Cohen, a non-party in the Connecticut litigation, for settlement negotiations that were set to begin the following day. Defendants were aware that, if forced to submit an amended complaint on August 7, 2007, they would have no choice but to dismiss Mr. Ciolli from the lawsuit, which would have made it impossible to coerce concessions from Mr. Cohen that were completely unrelated to the cause of action sued upon.

175. Defendant Rosen, on behalf of Defendants Iravani and Heller, filed a second motion for an extension of time to submit an amended complaint purportedly to allow his clients to “continu[e] to investigate the facts.”

176. Defendants Iravani and Heller, as well as the Attorney Defendants, were already fully aware of all relevant facts, including the fact that Mr. Ciolli had not engaged in any actionable conduct, yet sought obtained this second extension in order to retain leverage over Mr. Cohen, a non-party with whom they were presently engaged in settlement discussions. Because the only consideration ever offered Mr. Cohen was dismissal of the lawsuit against Mr. Ciolli, Defendants knew that, if forced to submit an amended complaint on September 6, 2007, they would have no choice but to dismiss Mr. Ciolli from the lawsuit, which would have made it impossible to obtain the desired concessions from Mr. Cohen that were completely unrelated to the cause of action sued upon.

177. Defendant Lemley, on behalf of Defendants Iravani and Heller, filed a third motion for extension of time to submit an amended complaint as well as an additional

30 days upon which to serve Plaintiff, purportedly to “investigat[e] recently-revealed information regarding one of the parties.”

178. Defendants Iravani and Heller, as well as the Attorney Defendants, were already fully aware of all relevant facts, including the fact that Plaintiff had not engaged in any actionable conduct, yet sought and obtained this extension to once again continue their leverage over Mr. Cohen, a non-party in the Connecticut litigation, who they were still attempting to coerce into settlement. Since the only consideration ever offered Mr. Cohen was dismissal of the lawsuit against Mr. Ciolli, Defendants knew that, if forced to submit an amended complaint on October 6, 2007, or to serve Mr. Ciolli with the original complaint, they would lose their leverage over Mr. Cohen and not obtain any of the concessions they were requesting from him.

179. Defendants Iravani, Heller, and the Attorney Defendants, repeatedly employed the use of legal process as a tactical weapon to coerce a desired result that was not the legitimate object of the process.

180. Mr. Ciolli has suffered, and continues to suffer, substantial damages and irreparable harm as a result of the unlawful acts of Defendants Iravani, Heller, and the Attorney Defendants.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count II of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

COUNT III

LIBEL

Plaintiff v. Heide Iravani, Brittan Heller, Ross Chanin, ReputationDefender, Inc.

181. Mr. Ciolli incorporates herein by reference paragraphs 1 through 180, inclusive, of this Complaint as if fully set forth at length.

182. Defendants Iravani and Heller hired Defendants Chanin and ReputationDefender, Inc., to act as their agents.

183. Defendant Chanin, acting as an agent of Defendants Iravani and Heller and in his capacity as an employee of Defendant ReputationDefender, advised Gary Clinton and other law school administrators that Mr. Ciolli ran the T14 Talent website using the pseudonym "pauliewalnuts."

184. Mr. Ciolli was not the administrator, owner, or in any other way affiliated with the T14 Talent website, and has never used the pseudonym "pauliewalnuts."

185. Defendant Chanin, acting as an agent of Defendants Iravani and Heller and in his capacity as an employee of Defendant ReputationDefender, launched a website containing many defamatory statements about Mr. Ciolli, including falsely stating that Mr. Ciolli was affiliated with or controlled T14 Talent and other offensive websites.

186. Defendant Chanin, and by extension Defendant ReputationDefender, were aware prior to publication that their statements about Mr. Ciolli were false, yet published those defamatory statements about Mr. Ciolli anyway.

187. Defendants Heller and Iravani, though aware that Mr. Ciolli and "pauliewalnuts" were separate individuals and that Mr. Ciolli had no affiliation with the T14 Talent website, ratified the defamatory website created by Defendant

ReputationDefender, and made additional false and defamatory statements about Mr. to various media outlets as specifically described above.

188. Defendants Chanin, ReputationDefender, Heller and Iravani made the false and defamatory statements concerning Mr. Ciolli attributed to them herein maliciously and with reckless disregard for the fact that the statements were false and defamatory.

189. Plaintiff, as a result of the unlawful acts of Defendants Iravani, Heller, Chanin, and ReputationDefender, has suffered, and continues to suffer, substantial damages and irreparable harm to his reputation.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count III of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

COUNT IV

SLANDER

Plaintiff v. Heide Iravani, Brittan Heller, Ross Chanin, ReputationDefender, Inc.

190. Mr. Ciolli incorporates herein by reference paragraphs 1 through 189, inclusive, of this Complaint as if fully set forth at length.

191. Defendant Chanin, acting as an agent of Defendants Iravani and Heller and in his capacity as an employee of Defendant ReputationDefender, orally told Gary Clinton and other law school administrators that Plaintiff ran the T14 Talent website using the pseudonym "pauliewalnuts."

192. Mr. Ciolli was not the administrator, owner, or in any other way affiliated with the T14 Talent website, and has never used the pseudonym "pauliewalnuts."

193. Defendant Chanin's oral statements as described herein were false and defamatory.

194. Defendant Chanin made the remarks attributed to him herein maliciously and with reckless disregard for the fact that his statements were false and defamatory.

195. Mr. Ciolli, as a result of the unlawful acts of Defendants Iravani, Heller, Chanin, and ReputationDefender, has suffered, and continues to suffer, substantial damages and irreparable harm to his reputation.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count IV of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

COUNT V

PUBLICITY PLACING PLAINTIFF IN FALSE LIGHT

Plaintiff v. Heide Iravani, Brittan Heller, Ross Chanin, ReputationDefender, Inc.

196. Mr. Ciolli incorporates herein by reference paragraphs 1 through 195, inclusive, of this Complaint as if fully set forth at length.

197. Defendant Chanin, acting as an agent of Defendants Iravani and Heller, told Gary Clinton and other law school administrators that Mr. Ciolli ran the T14 Talent website using the pseudonym “pauliewalnuts.”

198. Mr. Ciolli was not the administrator, owner, or in any other way affiliated with the T14 Talent website, and has never used the pseudonym “pauliewalnuts.”

199. Despite Defendant Chanin’s admission that he knew that Mr. Ciolli was not “pauliewalnuts” and was not affiliated with the T14 Talent website, Defendant ReputationDefender, Inc., acting on behalf of Defendants Iravani and Heller, launched a website containing many false and misleading statements about Mr. Ciolli, including falsely stating that Mr. Ciolli was affiliated with or controlled T14 Talent and other offensive websites.

200. Defendants Heller and Iravani, though aware that Mr. Ciolli and “pauliewalnuts” were separate individuals and that Mr. Ciolli had no affiliation with the T14 Talent website, ratified the website created by Defendant ReputationDefender, and made additional false and misleading statements about Mr. Ciolli to various media outlets.

201. The false and misleading statements made about Mr. Ciolli described herein had the effect of placing Mr. Ciolli in a false light before the public.

202. Mr. Ciolli, as a result of the unlawful acts of Defendants Iravani, Heller, Chanin, and ReputationDefender, has suffered, and continues to suffer, substantial damages and irreparable harm as a result of being placed in a false light before the public which would be highly offensive to a reasonable person.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count V of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

COUNT VI

TORTIOUS INTERFERENCE WITH CONTRACTUAL RELATIONS Plaintiff v. Heide Iravani, Brittan Heller, Ross Chanin, ReputationDefender, Inc.

203. Mr. Ciolli incorporates herein by reference paragraphs 1 through 202, inclusive, of this Complaint as if fully set forth at length.

204. Defendants Iravani, Heller, Chanin, and ReputationDefender were aware that Mr. Ciolli had received and accepted an offer for an associate position with EAP&D, at a starting annual salary of \$160,000 plus bonus.

205. Defendants Iravani, Heller, Chanin, and ReputationDefender conspired with an unknown number of other individuals to send letters to EAP&D defaming Mr. Ciolli

or putting him a false light, as described in detail above, in order to achieve the purpose of pressuring EAP&D to rescind its employment offer to Mr. Ciolli.

206. As a direct result of Defendants' conduct, EAP&D rescinded its offer of employment, and Mr. Ciolli has been unable to secure comparable employment despite his most diligent efforts.

207. Mr. Ciolli, as a result of the unlawful acts of Defendants Iravani, Heller, Chanin, and ReputationDefender, has suffered, and continues to suffer, substantial damages and irreparable harm.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count VI of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

COUNT VII

UNAUTHORIZED USE OF NAME OR LIKENESS Plaintiff v. T14 Talent

208. Mr. Ciolli incorporates herein by reference paragraphs 1 through 208, inclusive, of this Complaint as if fully set forth at length.

209. This count is for unauthorized use of name or likeness under 42 Pa.C.S. § 8316.

210. Defendant T14 Talent falsely stated on its website that Mr. Ciolli was affiliated with its website, even though Mr. Ciolli had no involvement with the T14 Talent contest.

211. Mr. Ciolli did not consent, in writing or otherwise, to the use of his name for commercial or advertising purposes.

212. Plaintiff, as a result of T14 Talent's unlawful acts, has suffered, and continues to suffer, substantial damages and irreparable harm as a result of the confusion caused by T14 Talent's unauthorized use of his name.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count VII of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper

COUNT VIII

PUBLICITY PLACING PLAINTIFF IN A FALSE LIGHT Plaintiff v. T14 Talent

213. Mr. Ciolli incorporates herein by reference paragraphs 1 through 212, inclusive, of this Complaint as if fully set forth at length.

214. The owners, administrators, and other agents of Defendant T14 Talent falsely stated that Mr. Ciolli was affiliated with the T14 Talent enterprise, even though Mr. Ciolli had no involvement with the T14 Talent contest.

215. Though AutoAdmit had no affiliation with the T14 Talent website, Defendant T14 Talent's administrators requested that the media attribute the T14 Talent contest to AutoAdmit.

216. Because it was well known that Mr. Ciolli was employed by AutoAdmit, Defendant T14 Talent's request that the media credit AutoAdmit for the T14 Talent website portrayed Mr. Ciolli in a false light, leading his peers in the legal community as well as the general public to believe that Mr. Ciolli was an administrator of the T14 Talent contest.

217. The aforesaid actions of Defendant T14 Talent are unlawful under Pennsylvania law.

218. Mr. Ciolli, as a result of the unlawful acts of Defendant T14 Talent, has suffered, and continues to suffer, substantial damages and irreparable harm as a result of being placed in a false light before the public which would be highly offensive to a reasonable person.

WHEREFORE, Plaintiff Anthony Ciolli respectfully requests that the Court enter judgment in his favor on Count VIII of the Complaint in an amount in excess of \$50,000.00, together with punitive damages, costs and such other relief as the Court shall deem just and proper.

Respectfully submitted,

THE JAKUBIK LAW FIRM

BY: _____
Mark E. Jakubik

Attorney for Plaintiff
Anthony Ciolli

Date: March 4, 2008