IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GARY JEFFERSON	)	
	)	
Plaintiff	)	
-against-	)	Civil Action No.: 14-CV-02762
TVOne, LLC	)	
JUPITER ENTERTAINMENT	)	
TODD MOSS	)	
Defendants	)	

COMPLAINT

Nature of Suit

1. This is a suit for defamation, negligence, invasion of privacy and intentional infliction of emotional distress.

Jurisdiction and Venue

2. The Court has jurisdiction under 28 U.S.C. § 1332, which provides for original district court jurisdiction for diversity of citizenship and where the amount in controversy exceeds $75,000.00.

3. Venue is proper in the District of Maryland under 28 U.S.C. § 1391, because the Plaintiff and resides in this District and a portion of the acts giving rise to this claim occurred in this District.

Parties

4. The Plaintiff, Gary Jefferson, is an adult individual who resides at 740 Romford Drive, Landover, Maryland 20785.

5. Defendant TVOne, is a corporation organized under the state laws of Maryland, with its

principal place of business located at TVOne Headquarters, 1010 Wayne Avenue, Silver Spring MD 20910.

6. Defendant Jupiter Entertainment, is a corporation organized under the laws of Tennessee with its principal place of business located at 8923 Linksvue Drive, Knoxville, Tennessee 37922.

7. Defendant Todd Moss is an adult individual who resides in the state of New York.

8. The individual defendant acted as an agent of Jupiter Entertainment and/or in his individual capacity.

9. The individual defendant produced the television show at issue in this complaint.

Jury Trial Demand

10. The Plaintiff demands a jury trial.

Summary of The Plaintiff's Claims

11. The Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 10 with like force and effect as though set forth in full herein.

12. Defendant Jupiter produces a television series called Fatal Attraction which airs on Defendant TVOnes' network.

13. Defendant Todd Moss produced the particular episode at issue.

14. On or about March 2014, Fatal Attraction aired an episode called "Raging Bull".

15. Raging Bull depicted the brutal and vicious murder of Ms. Tawanna Barnes-Copeland, and the investigation that ensued.

16. Defendants hired an actor to portray the Plaintiff, who, according to the Defendant, was the main suspect in Ms. Barnes-Copeland's murder; therefore, the Plaintiff was a main character on Raging Bull.

17. Actor depicted the role of Ms. Barnes-Copeland's romantic partner.

18. Actor also re-enacted scenes equivalent to those expected of romantically involved couples.

19. The manner in which Ms. Barnes-Copeland was murdered led investigators to think that the motive was revenge; this led to widespread media coverage and an all-out manhunt for the killer.

20. Defendants stated that the Plaintiff was a prime suspect because The Plaintiff was jealous and/or outraged that shortly after being romantic with Ms. Barnes-Copeland, she decided to end things with The Plaintiff and reunite with an ex-lover. The Plaintiff's rage, according to Defendants, caused The Plaintiff to kill Ms. Barnes-Copeland.

21. Defendants portrayed that somehow, Ms. Barnes-Copeland's family bought into the theory that the Plaintiff was the killer and they begin to demise The Plaintiff to the point of "hunting him down."

22. Defendants claim that Ms. Barnes-Copeland's cousin approached The Plaintiff with a gun as The Plaintiff was recording in a studio session and that this led to an altercation in which the police were later called to resolve.

23. Defendants go on to say that because of the attention the case received, The Plaintiff became fearful and began to evade the police by hiding out.

24. Defendants then portrayed The Plaintiff's arrest and/or incarceration.

25. Approximately two (2) to three (3) weeks after Ms. Barnes-Copeland's death, Ms. Barnes-Copeland's killer was arrested and remains incarcerated to date.

26. Defendants, therefore, knew that the Plaintiff was not the killer before, during and after

production of Raging Bull.

Count 1: Defamation

27. The Plaintiff incorporates herein by reference all of the averments in paragraphs 1 through 27 with like force and effect as though set forth in full herein.

28. Most, if not all, of the defendants' assertions are false. Alternatively, defendant's assertions were intentionally inflamed to inflict outrage on the Plaintiff and entice viewers.

29. Defendants' conduct by way of statements and portrayals constitute slander.

30. Defendants' portrayal that the Plaintiff was a criminal constitutes slander per se.

31. The Plaintiff and Ms. Barnes-Copeland were not romantically involved to the extent portrayed by the defendants; they were friends, at best, who, at one or two times, engaged in consensual sexual activity. The defendant did not enter Ms. Barnes-Copeland home the night before she was murdered, nor did he spend the night.

32. The Plaintiff never hid from the police. In fact, the Plaintiff never altered, eluded or otherwise evaded the police because The Plaintiff continued with his daily routine. Furthermore, the police picked up the Plaintiff for questioning at his job approximately two (2) days after the murder. And, The Plaintiff's discussions with police included the fact that he had Ms. Barnes-Copeland car, so at no point did he avoid discussing that and/or fail to disclose it.

33. The Plaintiff has no arrest record to date.

34. Defendants' statements impute to The Plaintiff conduct akin to a criminal.

35. Defendants' communication severely harmed The Plaintiff's reputation as an individual and an aspiring artist.

36. Defendants conducted little to no investigation concerning the truth or veracity of their

defamatory statements.

37. In fact, the defendants' defamatory statements were made intentionally and without concern whether the statements were true. The false statements have harmed the Plaintiff.

38. The defendants' defamatory statements were made intentionally or with reckless disregard to the truth or veracity of the statements. The defendants knew their statements would harm the Plaintiff because not only did they use his full name Gary Jefferson, they repeatedly used his nickname "Bo" ensuring that the world would know the Plaintiff's identity without question.

39. By defendants' own admission, Fatal Attraction is "A gripping true-crime documentary series that features the real-life stories of passionate, dangerous, and deadly romances. Driven by powerful, first person perspectives, Fatal Attraction explores what happens when passion gives way to obsession, and ordinary people are driven to commit horrible and heinous acts. Because love doesn't just hurt… It can kill."

40. Raging Bull was not driven by powerful, first person perspectives because defendants never interviewed and/or otherwise communicated with The Plaintiff—whom, by their admission, was a prime suspect and thus should have played a key role in depicting the truth.

41. The intent behind Fatal Attraction is clear in that what it portrays is gruesome and those associated and/or involved with the "romance" is evil.

42. The defendants' defamatory statements were made publicly and were intended to be made public by virtue of this being a television show which broadcasts throughout the United States at a minimum.

43. The conduct of the defendants has been sufficiently outrageous as to entitle the Plaintiff,

Gary Jefferson, to punitive damages. Specifically, Fatal Attraction affected The Plaintiff's employment opportunities, credibility, artistic opportunities and caused psychological and emotional trauma and suffering.

44. Since the time that Raging Bull aired, defendants took the remedial measure of removing the episode from public view for a short stint. Harm to the Plaintiff had already occurred by that point. Therefore, punitive damages are appropriate to deter the defendants' future outrageous conduct.

45. Moreover, on Monday, August 4, 2014, defendants had the audacity to air Raging Bull again. This time, however, they changed the title from Raging Bull to Raging Revenge and they altered the Plaintiff's name from Gary Jefferson to Larry Thompson. Defendants' actions in airing after undersigned counsel brought the sensitivity of the issue to the defendants shows a complete and total disregard for the Plaintiff. Defendants' did not bestow upon The Plaintiff a courtesy by changing his name.

Count II: Negligence

46. The Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 44 with like force and effect as though set forth in full herein.

47. Defendants owed the Plaintiff a duty to accurately depict him and his involvement with Ms. Barnes-Copeland. Alternatively, defendants had a duty to investigate, interview appropriate persons, conduct research and/or otherwise gather necessary facts to depict the truth accurately. This rings especially true since it is reasonable to conclude that the actor portrayed as the Plaintiff was paid to appropriate The Plaintiff's likeness. Defendants could have easily spoken to the Plaintiff to ensure that the portrayal(s) would be accurate. Inasmuch as Defendant's

consumed time and money on a paid actor, Defendants could have applied the same resources, at no cost, in to retrieve the truth from the Plaintiff.

48. Defendants breached that duty when it failed to, at a minimum, interview or communicate with The Plaintiff. Alternatively, defendants breached that duty by relying solely on natives other than those from the Plaintiff.

49. Defendants' conduct caused the Plaintiff harm such that he now suffers from employment losses and emotional damage, and but for the defendants' conduct, The Plaintiff would not have suffered those elms.

50. The Plaintiff has economic and emotional damages.

Count III: Invasion of Privacy

51. The Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 49 with like force and effect as though set forth in full herein.

52. Defendants intentionally entered upon the solitude and seclusion of the Plaintiff. Additionally, the defendants intruded upon the Plaintiff's private affairs and concerns.

53. The Plaintiff's personal affairs are not a matter of public concern such that defendant's conduct was warranted. Defendants could have stated the truth about the relationship between the Plaintiff and Ms. Tawanna Barnes-Copeland, which was that they were friends; beyond that, defendants' statements were an absolute intrusion.

54. The aforementioned intrusion upon seclusion was highly offensive to a reasonable person.

55. Defendants' conduct was outrageous and entitles the Plaintiff to an award of punitive damages.

Count IV: Intentional Infliction of Emotional Distress

56. The Plaintiff incorporates herein by reference all of the averments of paragraphs 1 through 53 with like force and effect as though set forth in full herein.

57. Defendants' conduct, as described above, was intentional and reckless.

58. Defendants' conduct was extreme and outrageous. Defendants intended to harm The Plaintiff.

59. Defendants' conduct has caused severe physical and emotional distress to The Plaintiff.

60. Defendants' conduct, pre-remedial measure, was ongoing and directly caused by defendant' placing the episode on its website for public view.

61. Defendants' conduct has been sufficiently outrageous as to entitle the Plaintiff to an award of punitive damages.

Prayer for Relief

WHEREFORE, The Plaintiff, Gary Jefferson, demands judgment as follows:

1. An award of general damages of no less than $100,000.00 for the defendants' wrongful acts;
2. An award of special damages of no less than $100,000.00 for the defendants' wrongful acts;
3. An award of costs and disbursements incurred in this action, as provided by state and federal law;
4. An award of punitive damages of no less than $250,000.00 for the defendants' reprehensible and outrageous conduct;
5. An award of punitive damages of no less than $100,000.00 to deter the defendants' future

reprehensible and outrageous conduct; and,

6. A permanent injunction barring Defendants' from ever airing Raging Bull or its progeny.

Respectfully Submitted,
/s/

BY: Lanet Scott, Esquire
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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Gary Jefferson

(b) County of Residence of First Listed Plaintiff Prince George's
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
The Law Office of Lanet Scott
P.O. Box 471323
District Heights, MD (202) 374-7434

DEFENDANTS

County of Residence of First Listed Defendant Montgomery
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☒ 1	☒ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
28 U.S.C. § 1332

Brief description of cause:
Defamatory portrayal of Plaintiff on Defendant's television network

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
08/28/2014

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____