

JS 44 (Rev. 12/12)

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

Andrea Constand

(b) County of Residence of First Listed Plaintiff Toronto, Canada
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Dolores M. Troiani, Esquire, Troiani & Gibney, L.L.P.
1171 Lancaster Avenue, Suite 101
Berwyn, PA 19312; (610) 688-8400

DEFENDANTS

Bruce Castor

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
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 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)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input checked="" type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

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. Code Section 1332(a)(2)

Brief description of cause:
Defendant defamed Plaintiff in multiple publications

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
 DEMAND \$ Excess of \$150,000.00
 CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Eduardo C. RobrenoDOCKET NUMBER 2:05-1099/2:06-0483

DATE

10/26/15

SIGNATURE OF ATTORNEY OF RECORD

Dolores M. Troiani

FOR OFFICE USE ONLY

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

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Confidential Address in Toronto, Canada

Address of Defendant: 26 East Athens Avenue, Ardmore, PA

Place of Accident, Incident or Transaction: Montgomery County, Pennsylvania
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: 2:05-1099 & 2:06-0483 Judge Eduardo C. Robreno Date Terminated: 2006

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☒ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I Dolores M. Troiani, Esquire, counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: October 26, 2015

Dolores M. Troiani
Attorney-at-Law

21283
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: October 26, 2015

Dolores M. Troiani
Attorney-at-Law

21283
Attorney I.D.#

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

ANDREA CONSTAND	:	CIVIL ACTION
	:	
v.	:	
BRUCE CASTOR	:	
	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

October 26, 2015
Date

Dolores M. Troiani, Esquire
Bebe H. Kivitz, Esquire
Attorneys-at-law

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDREA CONSTAND,	:	CIVIL ACTION NO.
Plaintiff	:	
	:	
v.	:	
	:	
BRUCE CASTOR,	:	
Defendant	:	

COMPLAINT

Plaintiff Andrea Constand, by her attorneys, Troiani & Gibney, L.L.P., and Jacobs Kivitz & Drake LLC claims of Defendant a sum in excess of \$150,000.00, and in support thereof states the following:

A. Jurisdiction and Venue

1. Plaintiff Andrea Constand is a citizen of Canada and a resident of Toronto, Ontario.
2. Defendant Bruce Castor is an adult residing in Lederach, Montgomery County, Pennsylvania, whose business address is 26 East Athens Avenue, Ardmore, Pennsylvania.
3. The United States District Court for the Eastern District of Pennsylvania has jurisdiction over this action pursuant to 28 U.S.C. Sections 1332 and 1332(a)(2) as this is a civil action between a citizen of a state and a citizen or subject of a foreign state with an amount in controversy in excess of \$75,000.
4. Venue lies in the Eastern District of Pennsylvania pursuant to 28 U.S.C. Section 1391 in that the events giving rise to the claim occurred in the Eastern District of Pennsylvania.

B. The Parties

5. Plaintiff Andrea Constand is a private individual currently residing at a confidential address in Toronto, Canada.

6. Defendant Bruce Castor is a citizen of the Commonwealth of Pennsylvania.

At all times relevant hereto, Defendant was a declared or undeclared candidate for political office.

7. From 2000 to 2008, defendant was the District Attorney of Montgomery County.

8. In 2014, defendant became a candidate for election to the position of District Attorney of Montgomery County and at the time of filing this Complaint, he is seeking election to the position he previously held.

FACTUAL BACKGROUND

9. Plaintiff incorporates by reference the prior paragraphs of this Complaint, as though fully set forth at length.

CASTOR DECLINES PROSECUTION

10. On or about December 2001, Plaintiff was employed at Temple University as Director of Operations for the Women's Basketball program. By virtue of her employment, she met William H. Cosby, Jr., a television celebrity and Temple University Trustee.

11. Cosby fostered a friendship with Plaintiff, so that over time she considered him to be both her friend and a mentor.

12. In January 2004, Cosby invited Plaintiff to his Montgomery County, Pennsylvania home telling her that he wanted to offer her assistance in her pursuit of a different career. During that meeting, Cosby drugged the plaintiff and sexually assaulted her. (Complaint, Constand v. Cosby, Civ. Action No. 05-CV-1099 (E.D. Pa. 2005)).

13. On January 13, 2005, Plaintiff reported Cosby's actions to the Durham, Ontario police.

14. The Ontario police forwarded the complaint to Pennsylvania authorities.

15. The assault occurred in Montgomery County, Pennsylvania and at the time of the complaint, defendant was the Montgomery County District Attorney and it was his office which was tasked with the investigation of Plaintiff's complaint against Cosby.

16. During the course of the investigation Plaintiff gave written statements to law enforcement and those statements were made available to Defendant.

17. On or about February 10, 2005, Castor stated that Cosby had given a statement to police and Castor viewed the case against Cosby to be "weak." The comment prompted Tamara Green and according to Castor "at least a handful" of other women to contact Castor with accusations against Cosby. (Tamara Green interview, Today Show 2/10/2005), (Castor interview, Bloomberg Politics 11/26/14)

18. On February 17, 2005, Defendant, in his capacity as District Attorney issued a press release, a copy of which is attached hereto as Exhibit A.

19. In the press release, defendant declined to prosecute Cosby but wrote, *inter alia*, "District Attorney Castor cautions all parties to this matter that he will reconsider this decision should the need arise."

20. In violation of Pennsylvania law, defendant failed to notify the victim prior to releasing his decision to decline prosecution to the media. At that time, defendant claimed that he had asked one of the police officers to inform plaintiff, but the officer was unable to contact her.

21. Plaintiff filed a civil action against Cosby at Constand v. Cosby, Civ. Action No. 05-CV-1099 (E.D. Pa. 2005).

22. During Plaintiff's lawsuit against Cosby, Cosby was deposed and eventually the case

was resolved in 2006.

CASTOR USES PLAINTIFF'S ALLEGATIONS IN HIS POLITICAL CAMPAIGN

23. In November, 2014, numerous women publically accused Cosby of conduct similar to that of which Plaintiff complained in 2005.

24. On July 7, 2015 defendant told MSNBC, in an internationally televised interview that he was seeking to be re-elected as District Attorney and if re-elected he would open an investigation to determine if Cosby had perjured himself in his deposition. He stated, "I can tear that deposition apart, and anything that I can prove is a material lie would still be subject to a perjury investigation and prosecution." At the time he made the statement, Castor knew or should have known that the deposition did not take place in a location in Montgomery County and therefore, even if elected, he would not have jurisdiction to make such a review.

25. Castor appeared on numerous local and international media outlets, claiming that the statute of limitations had run on Plaintiff's complaint because he considered the allegations to be a misdemeanor.

26. In September, 2015 Castor learned that the Montgomery County District Attorney's Office had reopened the case because plaintiff's allegations against Cosby are a felony, which has a longer statute of limitations than a misdemeanor.

27. On September 23, 2015, the Associated Press, an internationally syndicated news outlet reported:

Castor, the former district attorney, in announcing he would not bring charges against Cosby in 2005, said both parties could be portrayed in "a less than flattering light."

Last week, he said Constand had lodged more serious sexual-assault allegations in the civil lawsuit than she had divulged to police. He recalled investigating the complaint as a misdemeanor case. Yet the lawsuit included allegations of digital penetration, a potential felony, he said.

"If the allegations in the civil complaint were contained with that detail in her statement to the police, we might have been able to make a case out of it," said Castor, a county commissioner who's running for another term as district attorney as Ferman gives up the post to run for judge.

28. The story was widely reported in the United States and Canada.

29. On September 13, 2015, the Philadelphia Inquirer printed an article which included the statement that Ms. Constand's statements to the police differed from those in her civil suit, which is why Castor only considered misdemeanor charges and erroneously stated that the two year statute of limitations had expired.

30. Although not attributed to Castor in print, the Inquirer reporters confirmed that Castor made the statement on the record.

31. On September 14, 2015 in reference to the article, Castor tweeted, "Inky: Cosby victim told police much different than she told court in her lawsuit. First I saw that in a story. Troublesome for the good guys. Not good." The tweet was posted on Castor's website.

CASTOR ATTEMPTS TO THWART 2015 INVESTIGATION

32. On September 24, 2015 Defendant gave an interview to Margaret Gibbons who is a staff writer for various print media. In the article, Castor is quoted as follows:

"From a political standpoint, it looks really bad to move on Cosby before the election and garner, presumably, favorable press at a time when the district attorney knows there is no chance the viability of the prosecution will ever be her problem," said Castor. "The district attorney I knew would never do that."

33. The article continues: "At the same time he decided not to pursue criminal charges against Cosby, Castor said he signed off on a written declaration saying his office would not prosecute Cosby on any information coming out of the civil litigation. This prevented Cosby from citing his Fifth Amendment rights not to incriminate himself during the civil litigation according to Castor."

34. Upon request by the news media to produce the "written declaration", Castor has

stated that he was referring to the press release which is attached hereto as Exhibit A.

35. Castor's purpose in claiming that he had granted Cosby "immunity" was to bolster his claim that Plaintiff was not a credible witness and that it was her "inconsistencies" that prevented the "good guys" from proceeding with prosecution.

36. In a November 19, 2014 CNN broadcast Castor stated that Cosby was "evasive" and Constand was "credible."

37. On November 26, 2014 Castor told Bloomberg Politics in reference to Ms. Constand, "Well I don't remember what she said all these years later."

38. Upon learning in September, 2015 that the present District Attorney was considering a prosecution which would reveal that he had been wrong about the statute of limitations having run, Defendant, instead of correcting his error, chose to make Plaintiff collateral damage for his political ambitions.

39. When it was politically expedient to declare Plaintiff, "credible," Defendant did so.

40. When it appeared that his political campaign would be adversely affected he declared that a prosecution was not possible because the victim had been "inconsistent" and if that were not sufficient to deter present day prosecutors, he then declared that he had entered into an agreement which would prevent the use of evidence obtained in Plaintiff's civil litigation in any contemplated prosecution.

CASTOR'S COMMUNICATIONS ARE DEFAMATORY

41. On October 21, 2015, the Associated Press published a story which has been reprinted throughout the United States and Canada which read:

Castor said last month that former Temple University employee Andrea Constand had enhanced her story when she sued Cosby, calling the alleged discrepancy "troublesome for good the good guys." The woman's lawyer demanded a public apology. Castor stood his ground.

In the same article Castor is quoted, “ ‘If the allegations in the civil complaint were contained with that detail in her statement to the police, we might have been able to make a case out of it,’ Castor said last month.”

42. At the time, he made those statements Defendant knew the statements were false, that the statements would be disseminated in the United States and Canada, and further knew they portrayed Plaintiff as having filed a law suit which was false and exaggerated.

43. As a direct and proximate result of Defendant’s actions, Plaintiff suffered extreme emotional distress, unwanted publicity and an invasion and intrusion into her private life.

44. Defendant’s actions as more fully described herein were outrageous, wanton and in reckless disregard for the rights of Plaintiff.

COUNT I

DEFAMATION/DEFAMATION PER SE

45. Plaintiff hereby incorporates by reference the prior paragraphs of this Complaint as though fully set forth at length.

46. At all times relevant hereto, Plaintiff was a law abiding citizen who enjoyed the respect, confidence and esteem of her neighbors, as well as others in the community, and has never been adjudged guilty of any crime, offense or violation of the law which would tend to lessen the respect, confidence and esteem which she enjoyed, and to which she was entitled.

47. On or about, September, 2015 and at diverse times thereafter, including those noted above, Defendant Castor, intending to injure the Plaintiff and to deprive her of her good name, credit and reputation, falsely, maliciously, and wickedly provided information to multiple media outlets and other publications, too numerous to detail herein, including but not limited to internationally syndicated television shows, newspapers and internet websites, including but not

limited to the website controlled by defendant, concerning Plaintiff, which statements are more fully set forth above and which statements he knew or should have known were false and portrayed Plaintiff in a false light.

49. The statements contained in the above publications, shows and web sites intended to and did convey to the viewers and/or readers thereof, either directly or by implication that Plaintiff had been inconsistent in her accusations against Cosby, exaggerated her claims in a law suit and therefore was not to be believed.

50. Plaintiff's statements concerning the allegations raised in her Civil Complaint against Cosby are and have always been consistent and worthy of belief.

51. By reason of the printing, publication, and circulation of the statements and charges contained in the articles, shows, publications, and web sites identified in the foregoing paragraphs of this Complaint, Plaintiff has been brought into scandal and reproach, and has been held up to scorn and contempt among her neighbors, business acquaintances, and other good citizens, and is suspected by them of engaging in false accusations as a result of which the Plaintiff has suffered in her business, her reputation, feelings and peace of mind, to her great financial loss and damage, and to her great humiliation.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter judgment in her favor and against Defendant in an amount in excess of One Hundred Fifty Thousand Dollars (\$150,000.00) plus attorney's fees, interest, costs, punitive damages, and such other additional relief as this Court deems just and proper.

COUNT II

FALSE LIGHT/INVASION OF PRIVACY

52. Plaintiff hereby incorporates by reference the prior paragraphs of this Complaint as though fully set forth at length.

53. The statements identified in the foregoing paragraphs of this Complaint made by Defendant were highly offensive statements made against Plaintiff, which portrayed her in a false light.

54. The statements identified in the foregoing paragraphs of this Complaint made against Plaintiff were publicized by Defendant.

55. Defendant knew or should have known that such statements were false, or recklessly disregarded the falsity of said statements.

56. Defendant created a false impression by knowingly or recklessly publicizing selective pieces of information, rendering the publication susceptible to inferences casting Plaintiff in a false light.

57. By reason of defendant's aforesaid conduct, Plaintiff has suffered in her business, her reputation, feelings and peace of mind, to her great financial loss and damage, and to her great humiliation.

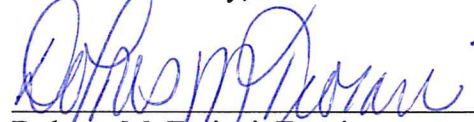
WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter judgment in her favor and against Defendant, in an amount in excess of One Hundred Fifty Thousand Dollars (\$150,000.00) plus attorneys' fees, interest, costs, punitive damages, and such other additional relief as this Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury in this matter.

Respectfully submitted,

Troiani & Gibney, L.L.P.



Dolores M. Troiani, Esquire

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s/ Bebe H. Kivitz

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