

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA**

WOLFGANG HALBIG,)
)
Plaintiff) Case No.: ~~2015-CA-~~2015-CA-000221-16T-W
v.)
)
John Does 1-5,)
)
Defendants.)
_____)

COMPLAINT

COMES NOW, Plaintiff, WOLFGANG HALBIG, by and through his undersigned counsel and files this complaint for damages and injunctive relief against JOHN DOES 1-5.

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff, WOLFGANG HALBIG, is an individual residing in Florida. Plaintiff files this lawsuit on behalf of himself, individually, and as owner of Florida Fictitious Name SANDY HOOK JUSTICE.

2. Defendants, JOHN DOES 1-5, are anonymous persons who have engaged in various acts of Internet defamation by publishing to third parties defamatory letters, articles, blogs, comments, and cartoons about Plaintiff on Facebook and other websites. These Defendants include, but are not limited to, unknown persons operating under the name "Sandy Hook Defense Group" and "admin."

3. Despite diligent investigation by Plaintiff, the John Doe Defendants' identities, locations, and residences are unknown to Plaintiff because the John Doe Defendants have intentionally hidden their identities to evade detection.

4. Plaintiff's business is headquartered in Seminole County, Florida, and he has provided risk assessment and security plan implementation through his business to Seminole County Schools.

5. Plaintiff's cause of action arose in Seminole County Florida; Plaintiff has suffered, is suffering, and will continue to suffer harm and original injury from Defendants' tortious conduct in Seminole County and elsewhere. Venue is proper under section 47.011, Florida Statutes.

6. This Court has personal jurisdiction over Defendants. The deliberate, and tortious actions of Defendants, as averred herein, were intentionally targeted to injure Plaintiff in the State of Florida.

FACTUAL ALLEGATIONS

7. This action is based upon Defendants' communication and publication of unlawful allegations and imputations of criminal activity concerning Plaintiff, with the intent that donors, consumers, and potential consumers searching the Internet for Plaintiff's services, products, or investigatory

endeavors will see the defamatory and derogatory material Defendants published about Plaintiff.

8. The news of the December 14, 2012, school shooting at Sandy Hook Elementary School, in Newtown, Connecticut, created widespread fear and concern among many Americans. However, this news particularly impacted Plaintiff due to his status as a school safety and security expert and consultant, especially as earlier that same month he had conducted a national training school-safety session that was attended by multiple Connecticut State Troopers.

9. Within two days of learning of the tragedy, Plaintiff reached out to Dr. Janet Robinson, superintendent of Newtown Schools, to offer Plaintiff's services, support, and expertise in the investigation and aftermath of the tragedy. Plaintiff received no response from Dr. Robinson or anyone on her behalf. Subsequently, he began an independent investigation of the tragedy, whereupon he was astonished to discover, in official reports, numerous glaring anomalies that troubled to Plaintiff. Due to the magnitude of these anomalies, Plaintiff wished to speak out about his findings and raise awareness.

10. Through the media, Plaintiff voiced his concerns and trumpeted the need for an investigation. His efforts

garnered substantial interest and inquiries. Plaintiff reached out to those who expressed such interest to him and explained that an investigation would need funding for Freedom of Information Act requests, attorney's fees, discovery, and other miscellaneous expenses.

11. Pursuant to section § 496.405(1), Florida Statutes, Plaintiff registered the Fictitious name SANDY HOOK JUSTICE with the Florida Department of Agriculture as a charitable fund raising organization, and, on or about March 10, 2014, submitted an application for registration of fictitious name for SANDY HOOK JUSTICE with the State of Florida.

12. SANDY HOOK JUSTICE is owned and operated by Plaintiff.

13. On March 14, 2014, by and through his agents, Plaintiff established a donation account for SANDY HOOK JUSTICE on the crowd-funding website "GoFundMe" to raise funds to underwrite the investigation and discovery of facts relating to the Sandy Hook shooting.

14. The campaign provided full disclosure of detailed itemized information regarding the use of the funds and used a public Facebook page, "Sandy Hook Justice," to contribute to this disclosure.

15. The campaign raised \$31,202. No donor complained to Plaintiff about the use or alleged misuse of these funds.

16. On October 9, 2014, Plaintiff received an email from GoFundMe saying:

Mr. Halbig, We are writing to inform you that your campaign has been suspended until further notice. Your campaign is no longer visible on GoFundMe.

You are still able to sign in to your account to make withdrawals, access your donor list, etc.

Thank you, The GoFundMe Team

17. On October 13, 2014, after several unsuccessful attempts to resolve the suspension with GoFundMe, Plaintiff lodged a complaint against GoFundMe with the Better Business Bureau.

18. Subsequently, GoFundMe told Plaintiff it was fully cancelling his account:

After a careful investigation of the numerous complaints we've received about your campaign, we have determined that you will no longer be able to use GoFundMe. Our Terms and Conditions state that GoFundMe reserves the right to remove a campaign for any reason. You will continue to have access to your payment account to review your balance and withdrawals. Feel free to visit crowdfunding.com for a list of other sites that may be able to host your campaign. Unfortunately, GoFundMe is no longer one of them.

19. In response to the Better Business Bureau complaint, GoFundMe responded with:

Business Response:

As you mention, there are people out there that have set out to harass you in several different ways. We are not those people. We are an online fundraising company that you chose to use to raise money on.

We chose not to have your page on the site, which we have every right to do. This was agreed upon when the campaign was created.

There are a lot of other ways to raise money online, I encourage you to use them. We're of course always more than happy to cooperate with law enforcement if they provide us a signed warrant or subpoena.

20. Upon further investigation, Plaintiff discovered that GoFundMe had cancelled Plaintiff's page based on a false and defamatory letter drafted and sent by under the alias "Sandy Hook Defense Group."

21. Plaintiff subsequently discovered that, on or about October 10, 2014, one or more of the Defendants, operating under the moniker "Sandy Hook Defense Group," issued a complaint to GoFundMe, which contained the following defamatory statements about Plaintiff.

... Currently, your organization is running a funding campaign for Mr. Wolfgang Halbig. Mr. Halbig is at the center of the proliferation of a fraudulent campaign to slander, defame and, in an indirect way, threaten our community through the dissemination of conspiracy theories associated with our tragedy. Every attempt has been made to reason with Mr. Halbig. One brave parent even traveled to Florida to present him with the proof of

birth and death of his son. Mr. Halbig refuses to accept any evidence - and continues to spread known lies about our community. And now he seeks to profit off these falsehoods. This is the very definition of fraud.

It is our opinion that this violates the terms of your user agreement. But it additionally makes you an accessory to the fraud if you enable Mr. Halbig to continue to profit off of a campaign of proven lies. I would implore you to consider the ramifications of this, and not test our resolve.

... So it is our hope that your organization will fully review this matter and make a determination that Mr. Halbig's account should immediately be terminated with no funds distributed towards his cause.

22. One or more Defendants, again operating under the moniker "Sandy Hook Defense Group," widely disseminated additional, defamatory statements regarding Plaintiff over the Internet via blog site WordPress.com. In particular, one or more Defendants set up a blog at <https://sandyhookdefensegroup.wordpress.com> and therein republished the content of October letter to GoFundMe, complete with its defamatory statements about Plaintiff.

23. One or more Defendants, operating anonymously under via a privacy protection service hosted, and continue to host, a similar website at <http://wolfgangexposed.com>, also geared toward defaming Plaintiff by republishing the letter sent to GoFundMe.com (in a blog post titled "Here's the Letter to

'GoFundMe that Shut Down Wolfgang Halbig's Account"¹) along with several other defamatory posts, including but not limited to ones containing the following statements:

- a. Wolfgang Halbig is a lying fraud and a huckster.
- b. dingbat quasi-illiterate mush head con-artist who lives in a backwoods Florida swamp
- c. He is all bluster. He is all scam.
- d. He has forfeited ALL integrity, his family name, and any semblance of credibility. He has no honor. He is a crook, a mere thief in the night is his earned legacy. In fact, he ruined the Halbig name for generations. He needs to stay on youtube with the drug addicts, in the real world, he is not welcome.
- e. Wolfgang is well-documented lying lunatic public figure conspiracy theorist that runs fraud and con games.
- f. he is among the lowest scum on earth. Wolfgang preys on crime victims and families with lies and cons.

¹ <http://wolfgangexposed.com/letter-gofundme-shut-wolfgang-halbig-account/>

g. WOLFGANG HALBIG YOU ARE A SCAM ARTIST.

YOU ARE A HUCKSTER.

YOU ARE A CONFIDENCE MAN.

YOU ARE A FRAUD.

So Wolfgang Halbig, put that in your wet sock and suck on it, you filthy predatory lying piece of barely human garbage.

24. One or more John Doe Defendants created a Facebook page titled "Wolfgang Halbig really Exposed"² and therein posted multiple defamatory comments including, without limitation:

a. Why Did Halbig Cross the Road? Money

b. Wolfgang Halbig is a Lying FRAUD and a Con Artist

c. Wolfgang Halbig is a Fraud, a Con-Man, but is he a racist?

25. One or more John Doe Defendants created another Facebook page, "Sandy Hook Justice Wolfgang Halbig Fraud,"³ and therein posted multiple defamatory comments and crude and embarrassing photos, including but not limited to:

² <https://www.facebook.com/pages/Wolfgang-Halbig-really-Exposed/389738954499780>

³ <https://www.facebook.com/sandyhookjusticefraud>

- a. A picture of Plaintiff's head superimposed on a grossly obese man wearing only underwear and sitting in front of a computer;
- b. A picture of Plaintiff's head superimposed onto the body of Hitler, with a Hitler mustache drawn onto Plaintiff's face;
- c. "beware of Wolfgang and his followers. They are dangerous predators spreading lies and hate, preying on Sandy Hook victims, and bilking people out of money";
- d. Implying Plaintiff is psycho-neurotic;
- e. "Wolfgang Out Scams the Nigerian Scammers! Let wolfgang show you how it's done."

26. Plaintiff has performed and complied with any and all prerequisites necessary to filing this action.

COUNT I: DEFAMATION

27. Plaintiff repleads and realleges Paragraphs 1 through 26 as if fully pleaded herein.

28. Defendants have made and continue to make numerous false and defamatory statements about and concerning Mr. Halbig on the Internet, including, but not necessarily limited to, Facebook, Wordpress, and wolfgangexposed.com, and to GoFundMe via correspondence.

29. Defendants published and communicated these false and defamatory statements on the various blogs and webpages that were directed to the general public.

30. These false and defamatory statements were viewed and accessed by third parties, including but not limited to:

- a. 4,567 visits to www.wolfgangexposed.com, with 181 visits from Florida, as of January 15, 2015, which number increases daily; and
- b. At least 2,909 visitors to www.facebook.com/pages/Wolfgang-Halbig-really-Exposed/389738954499780?sk=timeline

31. Potential and current clients, colleagues, friends, and associates who conduct Internet queries on WOLFGANG HALBIG see the defamatory postings made by the John Does.

32. The defamatory statements expose Plaintiff to hatred, contempt, ridicule, public contempt, humiliation, and obloquy because they portray him as a fraud and liar; and the statements have a tendency to injure Plaintiff in his reputation, occupation, profession, and positions as (1) an expert witness in federal and state courts in all aspects of school safety, (2) an accredited FEMA certified school safety expert; (3) a National School and Workplace Safety Consultant; (4) a School and Workplace Safety Expert Witness; (5) an owner

of a safety and security company, WK & Associates; and (6) Executive Director for the Children's Safety Institute.

33. The aforementioned statements were made by one or more of Defendants, with knowledge of their falsity and injuriousness, with reckless disregard of Plaintiff's rights, and with malice and a concurrent desire to inflict damage to Plaintiff's reputation and social standing, and to destroy Plaintiff's ability to earn his livelihood as he had previously.

34. Defendants had no privilege, right, authorization, or justifiable cause to publish such statements.

35. Under these circumstances and as a result of Defendants' conduct, a reasonable person would foresee that third parties, i.e., potential donors to SANDY HOOK JUSTICE, and business prospects for Halbig, would be deterred from establishing business relationships with, affiliating with, seeking employment from, or offering other assistance to Plaintiff or continuing existing relationships with Plaintiff.

36. The statements published by Defendants have played a substantial and material role in inducing individuals not to establish business relationships with, affiliate with, seek employment from, or offer other assistance - monetarily or otherwise - to Plaintiff.

37. The statements published by Defendants to GoFundMe played a substantial and material role in canceling Plaintiff's GoFundMe donor account.

38. As a direct and proximate result of Defendants' defamation, Plaintiff has been damaged, including

- a. Damage to Plaintiff's business, professional, and personal reputation;
- b. Emotional damages including mental distress and anguish, mortification, humiliation, shame, and anxiety; and
- c. Economic damages, including lost business earnings, donations, affiliations, and spoilage of relationships with third parties.

39. Plaintiff's damages are continuing and ongoing.

WHEREFORE, Plaintiff, WOLFGANG HALBIG, hereby pleads this Honorable Court to enter judgment against Defendants, JOHN DOES 1-5, jointly and severally, for Plaintiff's damages, pre-judgment interest, costs; and injunctive relief requiring Defendants to remove from public viewing any and all defamatory websites or other statements about Plaintiff; and such other and further relief as this Court may deem proper.

COUNT II:
TORTIOUS INTERFERENCE WITH PROSPECTIVE BUSINESS RELATIONSHIPS

40. Plaintiff repleads and realleges Paragraphs 1 through 26 as if fully pleaded herein.

41. Plaintiff maintained business relationships with GoFundMe.com, wherein Plaintiff maintained a fundraising page, and with multiple individuals (donors) who made donations to Plaintiff through his page on GoFundMe. Plaintiff also had the prospect of future relationships with future donors.

42. Defendants knew about Plaintiff's relationships with GoFundMe.com and the donors, and about the prospective future donors.

43. Defendants knew Plaintiff had a reasonable expectation of entering into valid business relationships with many additional donors and other third parties through Plaintiff's GoFundMe page, which would have been completed had it not been for Defendants' tortious acts.

44. Defendants, through the misconduct herein alleged, intended to harm Plaintiff by intentionally and unjustifiably interfering with these prospective business relationships by sending false and defamatory correspondence to GoFundMe.com. Therein, Defendants threatened GoFundMe.com, if it did not end the business relationship with Plaintiff, with statements

like, "It additionally makes you an accessory to the fraud if you enable Mr. Halbig to continue to profit off of a campaign of proven lies. I would implore you to consider the ramifications of this, and not test our resolve."

45. As a result of Defendants' unlawful acts, Plaintiff suffered, and continues to suffer, lost business earnings, lost donations, lost affiliations, and spoilage of relationships with third parties.

46. Plaintiff's damages are continuing and ongoing.

WHEREFORE, Plaintiff, WOLFGANG HALBIG, hereby pleads this Honorable Court to enter judgment against Defendants, JOHN DOES 1-5, for Mr. Halbig's damages, pre-judgment interest, costs, and such other and further relief as this Court may deem proper.

COUNT III: CIVIL CONSPIRACY TO COMMIT DEFAMATION

47. Plaintiff repleads and realleges Paragraphs 1 through 26 as if fully pleaded herein.

48. Defendants have joined together in a concerted action with a common purpose to accomplish the defamation of Plaintiff and damage Plaintiff's reputation and business relations.

JURY DEMAND

Plaintiff requests a trial by jury on all issues.

NOTICE OF DESIGNATION OF EMAIL ADDRESS

I, the below signed attorney, designates, pursuant to Rule 2.516(b)(1)(A), Florida Rules of Judicial Procedure, that her email addresses are indicated in the block as signed below.

Respectfully submitted on **January 28, 2015**, by Attorney
for Plaintiff,

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49. Defendants appear to be working in concert as each of the websites mentioned above refer to each other and re-post the same material.

50. To further their enterprise and in pursuance of their conspiracy, Defendants have committed multiple unlawful, overt acts as alleged herein, which include but are not necessarily limited to, publishing false, derogatory, hurtful, and defamatory statements about Plaintiff as posted on various locations throughout the Internet.⁴

51. As a result of these acts done under the conspiracy, Plaintiff has suffered damages, including damaged reputation, emotional damages, lost business earnings, lost donations, lost affiliations, and spoilage of relationships with third parties.

WHEREFORE, Plaintiff, WOLFGANG HALBIG, hereby pleads this Honorable Court to enter judgment against Defendants, JOHN DOES 1-5, jointly and severally, for Plaintiff's damages, pre-judgment interest, costs, and such other and further relief as this Court may deem proper.

⁴ Including without limitation:
<https://sandyhookdefensegroup.wordpress.com>,
<https://www.facebook.com/sandyhookjusticefraud>,
www.facebook.com/pages/Wolfgang-Halbig-really-Exposed/389738954499780?sk=timeline, and www.wolfgangexposed.com