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c o - a O \ t / i * k U » t O ' – Law Office of Gary Kurtz.A P.L-C, 20335 Ventura Boulevard, Suite 200 Woodland Hills, California 91364

Gary Kurtz, Esq. SBN 128295 LAW OFFICE OF GARY KURTZ A Professional Law Corporation 20335 Ventura Boulevard , Suite 200 Woodland Hills, California 91364 Telephone: Telefax: E-Mail: 818-884-8400 818-884-8404 gary@garykurtzlaw.com fiC

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Attorney in pro per

~Ofy £V), SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES

GARY KURTZ, Plaintiff,

) Case No.

) COMPLAINT FOR DAMAGES AND) INJUNCTIVE RELIEF FOR: vs.) 1. Defamation; DAVID BERNIS and DOES 1 to 50,) 2. False Light - Invasion Of Privacy; inclusive.) 3. Unfair Business Practices; and) 4. Injunction. Defendants.))

19 20 21 22 23 24 25 26 27 28 Complaint for Damages and Equitable Relief - 11. Plaintiff Gary Kurtz ("Plaintiff" or "Kurtz") is and was at all material time a For his complaint for damages and injunctive relieve, Plaintiff Gary Kurtz alleges the following:

competent adult who resides in the State of California, County of Los Angeles. Plaintiff is also a licensed attorney, who is licensed and qualified to practice law in the States of California, Illinois and Missouri but has his office in Woodland Hills, California. .

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2.

Defendant David Bemis ("Bernis") is an individual who resides in New York

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but who publishes defamatory communications calculated to reach audiences and cause damages to Plaintiff in California and other states. 3. The true names and capacities, whether individual, corporate, associate or

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otherwise, of Defendants herein named as Does 1 through 50, inclusive, are unknown to Plaintiff, who, therefore, sues said Defendants by such fictitious names. Plaintiff will seek to amend this complaint to state the true names and capacities of these Doe Defendants when they have been ascertained. At the time of the wrongful acts described in this complaint, all named Defendants and Does 1 through 50, participated in some or all of the acts herein alleged, whether as principal, agent, alter ego, employer, employee, or representative of some or all of the other Defendants, acting within the course and scope of said agency and employment. Plaintiff is informed and believes and thereon alleges that each of the

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Defendants sued herein as a Doe is responsible in some manner for the events and happenings referred to herein, thereby legally causing the injuries and damages as herein alleged. 4. The subject matter at issue in this action was the subject matter of a pervious

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action entitled Kurtz v. Weberman, LASC Case No. LC084486 (hereinafter "the Weberman Action") that resulted in a judgment for Kurtz and against Weberman in the amount of \$1,500,000.00. Plaintiff is informed and believes and based thereon alleges that Weberman supplies the defamatory content at issue, which Defendants in this action publish on Weberman's behalf. The instant website started broadcasting defamatory information after Plaintiff was able to seize similar defamatory pages from Weberman. Defendant Bernis then knowingly facilitated republication of substantially similar defamatory material on similarly named web sites. The parties, namely Weberman and Defendants in this action, are coconspirators in a malicious scheme to cause injuries to Kurtz and to obstruct the legal process of removing the offensive and false material from publication. Bernis continues to

Complaint for Damages and Equitable Relief -2- 1

Bernis Complaint

by Aj Weberman

☆☆☆☆ (0 ratings) | 28K views

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DESCRIPTION

Gary Kurtz is suing the man who let's me use his URL's to exercise my First Amendment rights.

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Page 1 of 3

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demonstrate his active participation in the Weberman/Bernis conspiracy by acts designed to maintain the use of his web sites to publish defamatory information. 5. Jurisdiction is based on Defendants' decision to publish defamatory material

about a California resident, whom Defendants know has a law practice in California, in such a manner as to be reasonably calculated to be read in California, have its main effect in California and cause damages to Plaintiff in California.

First Cause of Action Defamation [By Plaintiff Against Defendants]

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6.

Plaintiff realleges the allegations set forth in paragraphs 1 through 5, above,

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and incorporates them by this reference. 7. At all relevant times, Defendants have caused to be published on the Internet

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and republished on a daily basis at the URL, <http://steverbomb.org> and linked pages, defamatory information, including the following: 7.1 The false and defamatory statement about Kurtz: "The maggot can no longer practice law." 7.2 The false and defamatory statement that Kurtz and private investigator Steven Rambam threatened a 14-year old boy with rape. 7.3 The false and defamatory statement that Kurtz is a "degenerate sex-addict reprobate " who "wants to subvert the very essence of American jurisprudence by seizing these URL leases from Dave Bemis without due process of law." 7.4 The false and defamatory statement that: "Gary Alan Kurtz Steve Rambam's friend, business partner and attorney is a freakin pervert."

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Complaint for Damages and Equitable Relief - 3- ↓

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The false claim that: "Click KURTZ's HP's to see the women KURTZ has humiliate him."

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The false and defamatory statement that: "GARY REACHES LEVEL FOUR ON HUMANPLEX JOHN AND HOOKER RATING PAGE."

7.7

A false claim that a post on a bondage site for "GacyK91364" is attributable to Kurtz.

7.8

The false and defamatory statement that "Gary Alan Kurtz, is a sexual pervert, a masochist and a degenerate...."

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7.9

The false and defamatory statement that: "GARY KURTZ RAPED ONE OF HIS CLIENTS THEN KURTZ AND STEVE ROMBOM HAD HER COMMITTED TO A MENTAL HOSPITAL"

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7.10

The false and defamatory statement that: "KURTZ AND MARKOWITZ ATTEMPT TO SHAKE DOWN BEYONCE WITH A BOGUS LAWSUIT. THESE MEN ARE EXTORTIONISTS."

- Terms of service
- Accessibility
- Privacy
- Mobile Site
- Site Language: English

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7.11

The false and defamatory statement that: "Among those he is in communication with are corrupt civil judges and members of institutions that are supposed to oversee nursing homes, old age homes etc."

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7.12

The false and defamatory statement that Kurtz and Private Investigator Steven Romborn fabricated data to discredit MySpace.com regarding Registered Sex Offenders who have profiles on Myspace.

7.13 The false and defamatory statement that Kurtz conspired with the clerk of the court for Hon. Lisa Hart Cole to perpetrate an injustice and prevail in a lawsuit against Weberman. 7.14 The false and defamatory accusation that Kurtz was working with Judge Cole and her clerk in orchestrating court hearings to deprive Weberman of due process.

Complaint for Damages and Equitable Relief -4- ↓

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7.15

The false and defamatory accusation that Kurtz was Judge Cole's partner in closing down anti-nazi websites.

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Statements contained in these web pages are false and defamatory, and they

are malicious because at the time that they published these materials, Defendants should have known or had actual knowledge of the false nature of the publication. 9. In publishing the attached documents, Defendants acted intentionally and

maliciously, with the actual intent to cause injuries to Kurtz and with a conscious disregard of Kurtz's feelings and well being. 10. As a further direct and proximate result of Defendants' conduct, Kurtz has

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suffered business and personal losses, including being subjected to hatred, ridicule, scorn, embarrassment, humiliation, and hurt feelings, and he has sustained emotional trauma and distress, depression and anger. In the Weberman Action, damages from the same information was adjudged to be \$15 million. The information has been on the Internet for considerable time after those damages were awarded, so the current damages are significantly higher. 11. Further, in doing the things alleged above, Defendants have been guilty of

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oppression, fraud and malice, so Defendants' conduct, constitutes malice and oppression sufficient to justify an award of punitive damages. As a direct and proximate result of Defendants' conduct, as alleged above, Kurtz has sustained damages, and is entitled to punitive damages in an amount exceeding the jurisdictional minimum of this Court.

Second Cause of Action False Light - Invasion Of Privacy [By Plaintiff Against Defendants]

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Plaintiff realleges the allegations set forth in paragraphs 1 through 11, above,

and incorporates them by this reference.

Complaint for Damages and Equitable Relief

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By publication of the attached documents, Defendants made public disclosures

which placed Kurtz in a false light. 14. The statements contained in the attached documents are false, offensive and

objectionable to plaintiff, and they would be offensive and objectionable to any reasonable person. 15. Statements contained in the attached documents are malicious in that

Defendants should have known or had actual knowledge of the false nature of the publication. 16. In publishing the attached documents, Defendants acted intentionally and

maliciously, with the actual intent to cause injuries to Kurtz and with a conscious disregard of Kurtz's feelings and well being. 17. As a further direct and proximate result of Defendants' conduct, Kurtz has

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suffered business and personal losses, including being subjected to hatred, ridicule, scorn, embarrassment, humiliation, and hurt feelings, and he has sustained emotional trauma and distress, depression and anger. 18. Further, in doing the things alleged above, Defendants have been guilty of

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oppression, fraud and malice, so Defendants' conduct, constitutes malice and oppression sufficient to justify an award of punitive damages. As a direct and proximate result of Defendants' conduct, as alleged above, Kurtz has sustained damages, and is entitled to punitive damages in and amount exceeding the jurisdictional minimum of this Court.

Third Cause of Action Unfair Business Practices [By Plaintiff Against Defendants]

19.

Plaintiff realleges the allegations set forth in paragraphs 1 through 18, above,

and incorporates them by this reference.

Complaint for Damages and Equitable Relief --6- ↓

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20.

During the past two years and continuing to the present, as alleged herein,

Defendants have engaged in a systematic course of conduct that has had the wrongful purpose and effect of unfair business practices, namely the publication of false, fraudulent, and defamatory information on certain Internet web pages in order to garner Internet traffic to increase the number of "hits" and, therefore, the value of Defendants' web sites. 21. By reason of the foregoing, Defendants, and each of them, have engaged in

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acts of unfair business practices within the meaning of Business and Professions Code § 17200, etseq. 22. The acts, conduct, and failures to act of Defendants, as alleged herein, have

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caused and are causing, and unless enjoined and restrained by this Court will continue to cause Plaintiff great and irreparable injury which cannot be adequately compensated or measured in money. Plaintiff has no adequate remedy at law and will suffer immediate and irreparable injury, loss and damage unless an appropriate temporary restraining order, preliminary injunction, and permanent injunction are issued to prevent ongoing and further wrongful acts.

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Fourth Cause of Action Injunctive Relief I By Plaintiff Against Defendants]

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23.

Plaintiff realleges the allegations set forth in paragraphs 1 through 22, above,

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and incorporates them by this reference. 24. By reason of the foregoing, Defendants) have tortiously engaged in acts

which authorize equitable remedies such as disgorgement and the issuance of an injunction to prevent the repetition of the tortious conduct, including without limitation, acts of known defamation, acts of know false light invasion of privacy and acts of unfair business practices Complaint for Damages and Equitable Relief -7- ↓

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within the meaning of the California common law and Business and Professions Code § 17200, etseq. 25. As a further direct and legal result of the acts and misconduct alleged above,

plaintiff is entitled to an injunction preventing the continued publication of the information and materials described herein.

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WHEREFORE, plaintiff prays for a judgment against all Defendants as follows: 1. For compensatory damages in an amount to be proven at trial but exceeding

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the jurisdictional minimum of \$25,000.00; 2. For general damages in an amount to be proven at trial but exceeding the

jurisdictional minimum of \$25,000.00; 3. 4. For punitive damages in an amount to be proven at trial; For an injunction preventing the continued publication of the information and

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materials described herein; 5. 6. For alt costs allowed at law; and For all further and additional damages as this Court deems just and proper.

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LAW OFFICE OF GARY KURTZ

A Professional L^HV Corporation Dated: December 30,2011 Attorney in pro per

Complaint for Damages and Equitable Relief -8- ↓

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