

IN SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
(Civil Division)

In re:

AYMAN ABU AITA
Beit Sahour, Bethlehem, West Bank
Palestine,

Plaintiff,

versus

SACHA NOAM BARON COHEN, also known as
SACHA BARON COHEN
11766 Wilshire Boulevard
Unit Number 1610
Los Angeles, California 90025,

and

DAVID MICHAEL LETTERMAN
193 Baxter Road
North Salem, New York 10560,

and

LAWRENCE CHARLES WENGROD,
also known as
LARRY CHARLES
10571 Ottone Way
Los Angeles, California 90077,

and

JONAH HILL FELDSTEIN
also known as **JONAH HILL**
2877 Motor Avenue
Los Angeles, California 90064,

and

DAN MAZER
12-26 Lexington Street
London W1F 0LE
United Kingdom,

KC

0002006-10

Civil Action Number: _____
COMPLAINT FOR DAMAGES
AND FOR INJUNCTIVE RELIEF

JURY TRIAL DEMANDED

FILED
CIVIL ACTIONS BRANCH
APR 30 2010
SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA
WASHINGTON, DC

Case: 2010 CO 002066 R
FILED
APR 30 2010
DR: CABECSF

and

MATTHEW JAY ROACH
6008 Topeka Drive
Tarzana, California 91356

and

**NBC UNIVERSAL, INC., a
Delaware corporation, doing business as
"Universal Pictures" and "Universal Studios
Home Entertainment"**
30 Rockefeller Plaza
New York, New York 10009
Telephone: (212) 757-5294,
serve: CT Corporation System
1015 Fifteenth Street, N.W.
Suite 1000
Washington, D.C. 20005,

and

**CBS BROADCASTING, INC., a New York
Corporation**
51 West 52nd Street
New York, New York 10019
Telephone: (212) 975-4321,
serve: Corporation Service Company
1090 Vermont Avenue, N.W.
Washington, D.C. 20005,

and

WORLDWIDE PANTS, INCORPORATED,
a New York corporation
1697 Broadway
New York, New York 10019
Telephone: (212) 975-5300,
serve: New York State Department of State
99 Washington Avenue
Suite 600
Albany, New York 12231
alternative service: David Michael Letterman, *qua*
Chief Executive Officer thereof
193 Baxter Road
North Salem, New York 10560,

and

GANNETT COMPANY, INC., a Delaware Corporation, doing business as WUSA Television
7950 Jones Branch Drive
McLean, Virginia 22107-0150
Telephone: (703) 854-6696,
serve: Craig A. Dubow, Chairman, President & CEO
7950 Jones Branch Drive
McLean, Virginia 22107-0150,

and

BLOCKBUSTER, INC., a Delaware Corporation
Renaissance Tower
1201 Elm Street
Dallas, Texas 75270
Telephone: (214) 854-4266,
serve: Prentice-Hall Corporation System, Inc.
1090 Vermont Avenue, N.W.
Washington, D.C. 20005,

Defendants.

COMPLAINT FOR DAMAGES AND FOR INJUNCTIVE RELIEF
(Jury Trial Demanded)

COMES NOW, before this Honorable Court, your plaintiff in the above-encaptioned cause,

AYMAN ABU AITA, by and through his undersigned attorneys and counsellors, viz., Joseph Peter Drennan and Sam W. Burgan, respectfully, to lodge his *Complaint for Damages and for Injunctive Relief*, by showing unto this Honorable Court as follows, viz.:

PARTIES

I.

That your plaintiff, viz., AYMAN ABU AITA, is a natural adult person, of Palestinian nationality, whom, at all times relevant herein, has been, and is presently, domiciled in the village

of Beit Sahour, West Bank, in the territory known as Palestine, whom, until recently, supported his wife and four children as a grocer; he is also a Board Member, as well as the Treasurer, of the Holy Land Trust, based in Bethlehem, a charitable organization committed to promoting peace and reconciliation among Israelis and Palestinians, of all religious faiths, and he is a Christian whom is a member and congregant of the Greek Orthodox Church;

II.

That, upon information and belief, your defendant known as SACHA NOAM BARON COHEN, also known as SACHA BARON COHEN (hereinafter referenced *qua* "COHEN"), is a natural adult person, who is a British Subject, domiciled in the State of California, whom is employed as, *inter alia*, an actor, comedian and writer, whom was featured in, *inter alia*, the "Brüno" Movie, and it also bears mention herein that COHEN also was a producer of the "Brüno" Movie

III.

That, upon information and belief, your defendant known as DAVID MICHAEL LETTERMAN (hereinafter referenced *qua* "LETTERMAN"), is a natural adult person, domiciled in the State of New York, residing at 193 Baxter Road, North Salem, New York 10560, whom is employed as, *inter alia*, a comedian and television host, who hosts, *inter alia*, "Late Show With David Letterman," at the Ed Sullivan Theater, in New York City, which show is broadcast over the CBS Television Network, and, as more fully described hereinafter, said defendant hosted The Late Show With David Letterman on 7 July 2009;

IV.

That, upon information and belief, your defendant known as LARRY CHARLES WENGROD, also known as LARRY CHARLES (hereinafter referenced *qua* "CHARLES") is a natural adult person, and citizen of the United States of America, whom is believed to be domiciled in the State of California, is employed as a writer, director and producer, and was the director of, *inter alia*, the "Brüno" Movie;

V.

That, upon information and belief, your defendant known as JONAH HILL FELDSTEIN, also known as JONAH HILL (hereinafter referenced *qua* "HILL") is a natural adult person, and citizen of the United States of America, whom is believed to be domiciled in the State of California, is employed as a writer, director and producer, and was a co-producer of, *inter alia*, the "Bruno" Movie;

VI.

That, upon information and belief, your defendant known as DAN MAZER (hereinafter referenced *qua* "MAZER") is a natural adult person, and British subject, whom is believed to be domiciled in London, is employed as a writer, director and producer, and was a co-producer of, *inter alia*, the "Bruno" Movie;

VII.

That, upon information and belief, your defendant known as MATTHEW JAY ROACH, also known as JAY ROACH (hereinafter referenced *qua* "ROACH") is a natural adult person, and citizen of the United States of America, whom is believed to be domiciled in the State of California, is employed as a writer, director and producer, and was a co-producer of, *inter alia*, the "Bruno" Movie;

VIII.

That, upon information and belief, your defendant known as NBC UNIVERSAL, INC. (hereinafter referenced *qua* "UNIVERSAL"), is a *de jure* corporate personality, organized under the laws of the State of Delaware, and having its principal place of business at 30 Rockefeller Plaza, New York, New York 10009; upon further information and belief, said corporate defendant is one of the world's larger media and entertainment companies, and is involved, *inter alia*, in the business of distributing cinematic films, through its "Universal Pictures" division, as well as in the distribution and marketing for retail to the public of DVD format recordings of cinematic works, through its "Universal Studios Home Entertainment" business; upon further information and belief, UNIVERSAL was and is the domestic and worldwide distributor and marketer of both the cinematic and DVD versions of the

"Bruno" Movie; UNIVERSAL, thus, acted, to publish and republish the "Bruno" Movie at several movie theaters in the District of Columbia, as well as throughout the United States, and around the world as well, at the times specified hereinafter, and has, likewise, distributed and marketed the "Bruno" Movie in numerous retail establishments in the District of Columbia, and elsewhere, at the times specified hereinafter; in addition, UNIVERSAL continues to market and distribute the "Bruno" Movie through various media, in the District of Columbia, *inter loci*, including, but not limited to: Best Buy ® (DVD); District Cablevision on demand movies; Dish Network ® ; Netflix ® ; Verizon FIOS ® ; Redbox ® (DVD); and Target ® (DVD);

IX..

That, upon information and belief, your defendant known as CBS BROADCASTING, INC. (hereinafter referenced *qua* "CBS"), is a *de jure* corporate personality, organized under the laws of the State of Delaware, and having its principal place of business at 51 West 52nd Street, New York, New York 10019; upon further information and belief, said corporate defendant is a major American television broadcasting network which distributes for broadcast on its numerous television station affiliates across the States, including, *inter alia*, WUSA Television, Channel 9, in Washington, D.C., a full compliment of regular and special events programming, including, *inter alia*, "The Late Show With David Letterman";

X.

That, upon information and belief, your defendant known as WORLDWIDE PANTS, INC. (hereinafter referenced *qua* "WORLDWIDE"), is a *de jure* corporate personality, organized under the laws of the State of Delaware, and having its principal place of business at 1697 Broadway, New York, New York 10019; upon further information and belief, at all times relevant herein, said corporate defendant is the producer of "The Late Show With David Letterman";

XI.

That, upon information and belief, your defendant known as GANNETT COMPANY, INC. ("WUSA"), is a *de jure* corporate personality, organized under the laws of the State of Delaware, and having its principal place of business at 7950 Jones Branch Drive, McLean, Virginia 22107-0150; upon further information and belief, said corporate defendant is a major newspaper and television media company in the United States, which owns, *inter alia*, WUSA Television, Channel 9, in Washington, D.C., the longest-tenured affiliate of the CBS Television Network; upon further information and belief, WUSA broadcast, on a customary taped delay basis, *inter alia*, the unexpurgated 7 July 2009 edition of "The Late Show With David Letterman";

XII.

That, upon information and belief, your defendant known as BLOCKBUSTER, INC. (hereinafter referenced *qua* "BLOCKBUSTER"), is a *de jure* corporate personality, organized under the laws of the State of Delaware, and having its principal place of business in the State of Texas, at Renaissance Tower, 1201 Elm Street, Dallas, Texas 75270; upon further information and belief, said defendant is an American-based chain of DVD, Blu-ray Disk ® and video game rental stores, with more than 9,000 stores in 25 countries worldwide, including two stores situate in the District of Columbia, *viz.*, one outlet located at 1805 Columbia Road, N.W., Washington, D.C. 20009, and a second outlet located at 410 Eighth Street, S.E., Washington, D.C. 20003, which stores carry, *inter alia*, *inter alia*, the "Bruno" Movie;

JURISDICTION AND VENUE

XIII.

That this Honorable Court has jurisdiction over the instant matter under the provisions of Title 11, §921, of the District of Columbia Code of General and Permanent Laws (2001 ed.); this Honorable Court may exercise, properly, *in personam* jurisdiction over each of your within-named defendants, pursuant to the enabling provisions of Title 13, § 423 (a) of the District of Columbia Code of General

and Permanent Laws (2001 ed.) (the "Long-Arm Statute"), inasmuch as, *inter alia*, the subject matter of the instant litigation, *viz.*, certain calumnious accusations implicating your plaintiff were contained in certain discrete media, *viz.*, the cinematic and DVD versions of the "Brüno" Movie, and the 7 July 2009, broadcast of "The Late Show With David Letterman," were all deliberately and intentionally published and or republished, and sold and rented to the public, and continue to be so distributed in, *inter loci*, the District of Columbia, by your defendants, each of them, acting, variously, separately, and or in concert;

FACTUAL AVERMENTS
(Inducement)

XIV.

That, in accordance with §219 of the Immigration and Nationality Act, as amended, the Secretary of State has designated the "Al-Aqsa Martyrs Brigade" as a Foreign Terrorist Organization (hereinafter designated *qua* "FTO")¹;

XV.

That, for the purposes of identifying a FTO, *inter alia*, the United States Code (Title 22, Chapter 38, Paragraph 2656f(d)) defines "terrorism" as "... premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents";

XVI.

That 18 U.S.C., § 2331 defines "terrorism" as:

"... activities that involve violent ... or life-threatening acts ... that are a violation of the criminal laws of the United States or of any State and ... appear to be intended (i.) to intimidate or coerce a civilian population; (ii.) to influence the policy of a government by intimidation or coercion; or (iii.) to affect the conduct of a government by mass destruction, assassination or kidnapping ...";

¹ See: Current List of Foreign Terrorist Organizations posted by the Secretary of State's Coordinator for Counterterrorism, on the United States Department of State Internet website: <http://www.state.gov/sc/rls/other/des/123085.htm>.

XVII.

That, at all time relevant herein, alien representatives and members of a designated FTO are inadmissible to the United States, and are, in certain circumstances, removable from the United States² ;

XVIII.

That, in addition to its having been designated by, *inter alia*, The Government of the United States of America as a terrorist organization, as referenced *supra*, the Al-Aqsa Martyrs Brigade is generally and widely recognized throughout the world, and, perforce, in the Middle East, as a notorious terrorist group, culpable in the wanton slaughter of dozens of innocent people, and in the targeted assassination of many others;

XIX.

That, as adverted to above, your plaintiff is a peace-loving person who abhors violence, and, prior to the publication and republication of the calumnies complained of herein, enjoyed a good reputation for honesty and a peaceable nature throughout his community in Bethlehem, in the District of Columbia, as well as amongst his numerous relatives, friends and associates throughout the rest of the United States;

XX.

That, on or about 30 June 2009, the "Bruno" Movie premiered in Hollywood;

XXI.

That, as adverted to *supra*, on 7 July 2009, COHEN appeared with, *inter alios*, LETTERMAN, on "The Late Show With David Letterman," which show was broadcast, on a tape-delayed basis, over CBS's eponymous broadcasting television network, including, *inter alia*, over WUSA Television, Channel 9, which broadcast, upon information and belief, reached thousands of television viewers in the District of Columbia, and millions more throughout the rest of the United States, through other CBS

2 See: 8 U.S.C., §§ 1182 (a) (3) (B) (i) (IV)-(V), 1227.

affiliates;

XXII.

That, in the course of his aforesaid appearance with LETTERMAN, COHEN went to great lengths to portray falsely your plaintiff as a "terrorist group leader al-aqsa martyrs brigade (*sic.*)³", and suggested that he learned such putative association through a contact at the "C.I.A.", presumably, the United States of America's Central Intelligence Agency";

XXIII.

That, although couched in some banter, a discernment of the warp and woof of the COHEN - LETTERMAN dialog gives the unmistakable impression that each defendant was desirous of conveying the message to the audience that your plaintiff was, indeed, a "terrorist", who is a group leader of the Al-Aqsa Martyrs Brigade, as evinced by the following excerpts from the colloquy between COHEN & LETTERMAN, set forth, *haec verba*, thusly:

BY COHEN: You know, when we were making this film, we wanted it to be better than Borat and we thought :what could people see that they've never seen before on film? And we thought one thing would be a comedian interviewing a terrorist, so, which I think has never been done before for good reason, and so we showed the script you know the outline of the script to the studio and they said: 'oh, this is great, and who's going to play the terrorist?' And we said: 'no, we're going to find a real terrorist. Now, it's not that easy to find an actual terrorist. In fact, your government has been looking for one for about nine years.

BY LETTERMAN: Exactly right!

BY COHEN: There's no Craig's List in Beirut for example. So we called up a contact we had at the C.I.A. and said: 'Can you help us? We're looking to find a terrorist'.

BY LETTERMAN: Bruno has a contact at the C.I.A.?

BY COHEN: Bruno doesn't, but I knew somebody who did. And the guy at the C.I.A. said, you know: 'We've got a lot of names of terrorists but we have almost no addresses.' And, so, eventually, after a few months, we found somebody who actually lived in a town that had a terrorist from a pretty nasty group called the Al-Aqsa Martyrs Brigade, who are kind of the number one suicide bombers out there, if

³ Said phrase appeared in a caption beneath the portrayal of your plaintiff in an excerpt from the "Bruno" Movie which was published on "The Late Show With David Letterman" in the latter course of the subject, on-air, interview of COHEN by LETTERMAN.

you're looking for them. And he said: 'Yeah, you know, there is a terrorist who lives in my town'; so I said: 'Great! You know: Can we interview him?' But I'm a little bit scared about reprisal attacks from the other people in the you know in your city.' And he said: 'Don't worry, you know, everybody loves you, we love the Ali G Show!' So, so the next thing was I thought I needed some security to get to the terrorist because it (*sic.*) was in the West Bank, the guy picks this secret location, so we called around some security firms. Everybody said: 'no way!' And, eventually, I found one guy who was an Englishman who had done the Enrique Iglesias Hero Tour (*sic.*).

BY LETTERMAN: You gotta go where you gotta go. Wow!

BY COHEN: You know, his main job had been protecting Enrique from flying underwear (*sic.*). You know, you know, I knew, if it came to it, this guy would take a bra for me. So we get there, and I said: 'Alright, listen! I'm a little bit scared that the terrorist and his body guards' gonna be armed, so, if they're armed, let's have a code word. So, if their armed, say that it's going to be hot weather, and, if they're not armed, there's no guns, say it's going to be cold.' So we end up at this secret location. The terrorist comes in with his body guard. They've been checked by my body guard; my body guard comes in and I said: 'So what's the weather going to be?', and he says: 'Um, well, I think it's going to be cold weather but there's a chance it could be quite warm and it might even be boiling hot!' At which point, the terrorist said: 'No, no, no. It is not cold. It is warm'. And then I realize I'm pretty sure that my terrorist either did or did not have a gun on him.

BY LETTERMAN: You're certainly getting your money's worth there.

BY COHEN: And then, my body guard says: 'Ya, you're right you know. It is quite warm out here. It's kind of much, much warmer out here. It's kind of much, much warmer than North England', at which point, I realized that my body guard had forgotten about our role play.

BY LETTERMAN: He was talking about the weather.

BY COHEN: I was discussing the weather with a terrorist.

BY LETTERMAN: Now, will these guys eventually see the film? Did you invite them to the premiere, or?

BY COHEN: *I pray to God not!*

(emphasis added)

* * *

Then, as adverted to *supra*, the television coverage segued from the aforesaid COHEN - LETTERMAN dialogue to the airing of an excerpt from the "Brüno" Movie, which depicted your plaintiff being interviewed by COHEN, in which excerpt, significantly, the following caption appeared, under your plaintiff's visage, when your plaintiff was shown on screen, viz.: "terrorist group leader

al-qaqa martyrs brigade"; the COHEN – LETTERMAN interview then draws to a close, with LETTERMAN, essentially, predicting that the "Brüno" Movie would be a "blockbuster (*sic.*)" like "Borat", COHEN's last cinematic release;

XXIV.

That, as adverted to *supra*, the "Brüno" Movie was released nationwide, in the United States, on 10 July 2009, after having been released the day before in Australia and New Zealand; subsequently, upon information and belief, the "Brüno" Movie has been released in many other countries around the world, including, *inter loci*, Israel, where it was shown with Hebrew subtitles;

XXV.

That, on or about 17 November 2009, the "Brüno" Movie was released nationwide, in the United States, on DVD recording, for sale and rental to the general public, both on-line and through innumerable retail outlets, including scores of stores in the District of Columbia, including, *inter alia*, the District of Columbia BLOCKBUSTER outlets referenced *supra*;

XXVI.

That, on even date, *id est*, 17 November 2009, COHEN and CHARLES appeared as guests on Terry Gross' respected, high brow radio show on National Public Radio ("NPR"), "Fresh Air", to discuss and promote the "Brüno" Movie; said interview was aired nationwide on NPR affiliates, including, *inter alia*, locally, on WAMU and WHUR; although the scene from the "Brüno" Movie in which your plaintiff was depicted was not explicitly mentioned, COHEN and CHARLES waxed expansively about how the "Brüno" Movie represented a new genre of comedy, in which the comedic actor is placed in real, dangerous situations, in which he (the comedian) thereupon deigns to make some sort of comic effect;

XXVII.

That the dust jacket encasing the retail DVD of the "Brüno" Movie explicitly mentions "terrorists", with said term deigned to reference your plaintiff and the latter's fictional bodyguard; upon information

and belief, all packaging and promotional materials respecting the "Brüno" Movie were designed and or approved by UNIVERSAL;

XXVIII.

That, contrary to the false insinuations and misrepresentations contained in both the "Brüno" Movie, the "Brüno" Movie DVD and the aforesaid COHEN – LETTERMAN interview, at no time was COHEN in any danger, whatsoever, when he interviewed your plaintiff, nor was the interview at a "secret location"; in fact, upon information and belief, the interview took place at a spot selected by COHEN, CHARLES, HILL, MAZER and ROACH, viz., the Everest Hotel, which, although located on the West Bank, in Beit Jala, is in an area designated by the Israeli military forces as "ZONE 'C'", which is under full Israeli military control; it is also noteworthy that the Everest Hotel is flanked by an Israeli police academy and an Israeli military base;

XXIX.

That, upon information and belief, your defendants, each of them, evinced either actual malice or else a reckless disregard for the truth, in respect of their respective actions vis-à-vis your plaintiff;

XXX.

That the subject interview of your plaintiff by COHEN took place some months prior to the release to the the "Brüno" Movie, under a palpably false pretense, viz., that COHEN was a German "journalist", whom was desirous of interviewing your plaintiff about the plight of the Palestinian people;

XXXI.

That, upon information and belief, COHEN, CHARLES, HILL, MAZER and ROACH schemed to find an unwitting person (read: your plaintiff) to participate in the subject interview at the Everest Hotel, by having a currently unknown emissary of COHEN, CHARLES, HILL, MAZER and ROACH contact a representative of the Holy Land Trust, in Bethlehem, seeking a interview subject who was: i.) a Christian; ii.) who had been administratively detained by Israel at some point; and iii.) who was a

member of the Fatah political party;

XXXII.

That such efforts by COHEN, CHARLES, HILL, MAZER and ROACH, and their unknown confederates, ultimately resulted in your plaintiff's traveling to the Everest Hotel, for what he thought would be a simple interview with some German journalist who was interested in learning about his peaceful activism with the Palestinian and Israeli peoples; as an aside, it bears mention that, at no time prior to the subject interview did your plaintiff suspect anything untoward respecting the subject interview request, inasmuch as the Everest Hotel has long been a well known and popular gathering place for Palestinian and Israeli peace activists;

XXXIII.

That, upon information and belief, when he arrived at the Everest Hotel for his subject interview, your plaintiff was met by an unidentified confederate of COHEN and CHARLES, who led him to a room upstairs in the Hotel, to meet "the German journalist" for the interview;

XXXIV.

That, upon information and belief, unbeknownst to your plaintiff, confederates of COHEN, CHARLES, HILL, MAZER and ROACH had rented out an entire floor of the Everest Hotel in advance of the subject interview, and had had contractors configure the interview room with a false wall and a double-mirror, where CHARLES could surreptitiously monitor the subject interview;

XXXV.

That, at no time prior to the commencement of the subject interview, or else after the interview, was your plaintiff made aware that excerpts of the interview would be featured in the "Bruno" Movie;

XXXVI.

That, at no time prior to the subject interview or else after the conclusion of the interview, did either CHARLES or COHEN or any of their confederates disclose to your plaintiff that he would be featured in *any* movie, much less the "Bruno" Movie;

XXXVII.

That, at no time either prior to the subject interview, or after the interview, did CHARLES or COHEN, or, for that matter, anyone else, present your plaintiff with any sort of release or request for permission to utilize your plaintiff's identity, or else his image, in any commercial activity, enterprise or production;

(Colloquium)

XXXVIII.

That, as adverted to above, your plaintiff was identified explicitly in the "Brüno" Movie as "terrorist group leader al-aqsa martyrs brigade", under a bold display of his full name, viz.: "Ayman Abu Aita";

XXXIX.

That, upon information and belief, the excerpt from the "Brüno" Movie in which your plaintiff was depicted, when viewed by the public on television sets and video monitors, through the WUSA outlet, *inter alia*, included the CBS trademarked "eye" logo, connoting the imprimatur of CBS News;

XL.

That the depiction of your plaintiff in the "Brüno" Movie shows a full-facial view, such that there is no mistaking whom is being characterized as a "terrorist" in the "Brüno" Movie;

XLI.

That, upon information and belief, your plaintiff's likeness has been misappropriated and used by COHEN, CHARLES, HILL, MAZER, ROACH, LETTERMAN, CHARLES, UNIVERSAL, CBS, WORLDWIDE, and WUSA, *inter alios*, to promote and market the "Brüno" Movie and "The Late Show With David Letterman", as exemplified by, *inter alia*, an Internet viral video-marketing campaign, including the posting of several clips of the subject interview of your plaintiff by COHEN, excerpted from the "Brüno" Movie, on the You Tube video sharing website

(e.g.:<http://www.youtube.com/watch?v=Qk2oe2kjT8&feature=fvw>), which marketing method was pioneered by COHEN in his earlier "Borat" movie⁴, and in the promotional language on the DVD jacket for the "Brüno" Movie, which references, *inter alia*, "terrorists":

XLII.

That, upon further information and belief, UNIVERSAL is the holder of the U.S. Copyright for the "Brüno" Movie, and UNIVERSAL has approved and condoned the viral publication and re-publication of the "Brüno" Movie on YouTube.com and other social media over the Internet, for marketing purposes, with particular emphasis on the publication and re-publication of the subject calumnious scene from the "Brüno" Movie, even after it had been noticed by your plaintiff, per the filing of the subject antecedent district court litigation, on 2 December 2009; thus, there can be not gainsaying that UNIVERSAL was not merely the distributor of the "Brüno" Movie, but, rather, was intimately involved with the publication and successive re-publication of the subject calumnies against your plaintiff; moreover, there can be no denying UNIVERSAL's key role in the continuing distribution and promotion of the subject calumnies against your plaintiff as there is no indication that it has deigned to asserting its prerogative of removing the subject calumnious copyrighted video from YouTube⁵ and other Internet social media; ditto, for CBS, LETTERMAN and WORLDWIDE, as regards the video excerpts from the aforesaid COHEN – LETTERMAN interview⁶;

4 See: Stowe, Debbie & Paul Stump, "Who is Borat? The Unauthorized Biography of Sacha Baron Cohen", (Kandour Limited, Denmark (2007)), at p. 149.

5 See, e.g.: "Bruno Terrorist (*sic.*) interview": <http://www.youtube.com/watch?v=EtTgT35fZW5>. It is noteworthy that said video posting alone, one of dozens known to remain extant on the Internet, has had some 255,573 viewings as of 29 April 2010. Upon information and belief, the phenomenon known as viral video has caused a geometric multiplication of publications of such calumnious video.

6 See, e.g.: "The Late Show With David Letterman – Sacha Baron Cohen Interviews a Terrorist": <http://www.youtube.com/watch?v=Qk2oe2kjT8&feature=fvw> It is also noteworthy that, upon further information and belief, like, the "Bruno Terrorist (*sic.*) interview", said latter Letterman – Cohen interview video has had some 3,724,277, viewings, as of 29 April 2010, and has, through the viral video phenomenon, resulted in a geometric multiplication of millions of more viewings over the Internet.

XLIII.

That, upon information and belief, COHEN CHARLES, HILL, LETTERMAN, MAZER, ROACH, CBS, WORLDWIDE and UNIVERSAL, *inter alios*, schemed to use the insidious publication and re-publication of the defamation of your plaintiff as the center piece of their strategy to market the "Brüno" Movie, and, that said defendants continue to indulge in such promotion by defamation strategy, all to the detriment of your plaintiff;

(Innuendo)

XLIV.

That, upon information and belief, the confluence of the foregoing enumerated circumstances, foreseeably and deliberately, were intended to and, in fact, did, brand falsely your plaintiff, a peace activist, family man and prominent businessman, as a "terrorist", and that, upon further information and belief, a substantial proportion of people in your plaintiff's hometown, as well as people throughout the world, including, *inter loci*, the District of Columbia, believe your plaintiff to be a terrorist and mass-murderer, based solely upon the malicious depiction of him as a "terrorist", both in the "Brüno" Movie, as well as on the David Letterman Show;

XLV.

That the within-described accusations, insinuations and representations that your plaintiff is, or ever was, associated with the notorious Al-Aqsa Martyrs Brigade, or, for that matter, any other terrorist activity or cause, is utterly false and untrue, and your defendants, each of them, had every reason to believe or know that, yet slandered your plaintiff anyway;

(Harm Sustained by Your Plaintiff)

XLVI.

That the calumnies described hereinbefore have caused your plaintiff to suffer extensive damage and loss, including, but not limited to, the following, viz.: death threats; shame; loss of reputation; loss

of effectiveness as a community organizer and conciliator; depression and anxiety; loss of business to his family market; and fear for the well-being and safety of his wife, children, and his relatives, both on the West Bank, the District of Columbia, and, elsewhere in the United States, and, indeed, throughout the world;

XLVII.

That, in addition to the above-referenced range of harm to your plaintiff, the misappropriation of your plaintiff's likeness in the "Bruno" Movie, "The Late Show With David Letterman", and in promotional materials respecting such productions, has intruded upon your plaintiff's private life, and has falsely associated your plaintiff with a scurrilous and scandalous movie, causing him great emotional distress, depression and shame, to say nothing of loss of reputation and loss of business;

XLVIII.

That, in addition, your plaintiff has incurred considerable attorneys' fees and travel expenses as he has been obliged to travel to the United States to vindicate his good name and, concomitantly, to salvage his reputation;

(Wrongful Gain by Your Defendants)

XLIX.

That, although it bears mention that, at this stage, pre-discovery, your plaintiff is not in a position to posit the ill-gotten gains realized by your corporate and individual defendants, upon information and belief, such gains were, indeed, substantial, and, as a benchmark in such regard, upon further information and belief, the current box office take from the "Bruno" Movie, exclusive of DVD sales, is approaching the sum of Two Hundred Million Dollars (\$200,000,000);

L.

That it bears further mention that, on 2 December 2009, your plaintiff filed a *Complaint for Damages and Injunctive Relief*, for defamation, against COHEN, LETTERMAN, UNIVERSAL, WORLDWIDE, CBS, GANNETT and CHARLES⁷, in the United States District Court for the District of Columbia, *qua* Civil Action No. 1:09-cv-02285-RWR, thereby putting said defendants on notice of your plaintiff's claims and of your plaintiff's demand that the subject calumnious material be withdrawn from distribution and sale, yet, notwithstanding same, your defendants have continued to promote and market the "Brüno" Movie, thereby exacerbating the harm to your plaintiff and putting paid to any notion that any of your said defendants were unaware of the defamatory nature of the "Brüno" Movie, as regards your plaintiff;

WRONGS OF THE DEFENDANTS

FIRST COUNT

(LIBEL AND SLANDER Published on 7 July 2009 Against COHEN, LETTERMAN, CHARLES, HILL, MAZER, ROACH, UNIVERSAL, CBS, WORLDWIDE, and GANNETT)

LI.

That your plaintiff hereby incorporates by reference herein, as if set out in full, each and every one of the foregoing averments contained in this *Complaint*;

⁷ It should be noted that your plaintiff added BLOCKBUSTER as a defendant in the district court action per the filing of an Amended Complaint on 5 February 2010. Ultimately, UNIVERSAL, LETTERMAN, WORLDWIDE, CBS and GANNETT were served with process in respect of the above-referenced United States District Court action. On 4 March 2010, UNIVERSAL moved to dismiss said district court action, challenging jurisdiction under diversity of citizenship. Subsequently, on 1 April 2010, LETTERMAN, WORLDWIDE, CBS and GANNETT joined in UNIVERSAL's Motion to Dismiss. Essentially, said defendants have contended that diversity jurisdiction cannot be maintained because of the fact that your plaintiff and COHEN are non-U.S. Citizens, even though COHEN is believed to reside in Los Angeles, and, concomitantly, because your "[p]laintiff, as a Palestinian national, does not qualify as a 'citizen [] or subject of a foreign nation' who can invoke alienage jurisdiction because Palestine is not recognized by the United States government." (Memorandum of Points and Authorities in Support of Motion of (UNIVERSAL) to Dismiss the First Amended Complaint" [Document 6 @ p.3] Accordingly, your plaintiff did signify to the district court, on 6 April 2010, that he does not oppose the motion dismiss and that your plaintiff intended to recommence his claims before this Honorable Court – hence the instant action. It should also be noted that, *inter alia*, the instant action adds HILL, MAZER and ROACH, co-producers, with COHEN, of the "Brüno" Movie, as parties defendant.

LII.

That the depictions of your plaintiff in the "Brüno" Movie and on "The Late Show With David Letterman", as a "terrorist" were intended to, and in fact did, brand falsely your plaintiff as a terrorist and criminal, causing the harm complained of herein;

SECOND COUNT

(LIBEL AND SLANDER Published on 10 July 2009 Against COHEN, CHARLES, HILL, MAZER, ROACH, and UNIVERSAL)

LIII.

That your plaintiff hereby incorporates by reference herein, as if set out in full, each and every one of the foregoing averments contained in this *Complaint*;

LIV.

That the depictions of your plaintiff in the cinematic release of the "Brüno" Movie as a "terrorist" were intended to, and in fact did, brand falsely your plaintiff as a terrorist and criminal, causing the harm complained of herein;

THIRD COUNT

(LIBEL AND SLANDER Published on 17 November 2009 Against COHEN, CHARLES, HILL, MAZER, ROACH, UNIVERSAL and BLOCKBUSTER)

LV.

That your plaintiff hereby incorporates by reference herein, as if set out in full, each and every one of the foregoing averments contained in this *Complaint*;

LVI.

That the depictions of your plaintiff in the DVD release of the "Brüno" Movie as a "terrorist" were intended to, and in fact did, brand falsely your plaintiff as a terrorist and criminal, causing the harm complained of herein;

FOURTH COUNT
(TORTIOUS MISAPPROPRIATION OF NAME OR LIKENESS (Restatement of the Law, Second, Torts, § 652) Against All Defendants)

LVII.

That your plaintiff hereby incorporates by reference herein, as if set out in full, each and every one of the foregoing averments contained in this *Complaint*;

LVIII.

That the misappropriation of your plaintiff's name and likeness in the "Bruno" Movie, "The Late Show With David Letterman", and in accompanying and ancillary promotional images, videos and materials, was without your plaintiff's consent or permission, and contrary to his intent, and has led, *inter alia*, to your plaintiff's name and likeness falsely being associated with the promotion and production of a scurrilous and scandalous movie, causing, actually, directly and proximately, your plaintiff to suffer the harm complained of herein, and resulting in unjust enrichment to your defendants;

FIFTH COUNT
(LIBEL AND SLANDER Published on, inter tempus, on 30 April 2010, Against COHEN, LETTERMAN, CHARLES, HILL, MAZER, ROACH, UNIVERSAL, CBS, and WORLDWIDE)

LVIV.

That your plaintiff hereby incorporates by reference herein, as if set out in full, each and every one of the foregoing averments contained in this *Complaint*;

LVV.

That the continuing publication and republication of the Internet viral video known as the "Bruno Terrorist (*sic.*) interview"⁸, falsely depicting your plaintiff as a "terrorist", as described hereinbefore, is intended to, and, in fact, has, defamed your plaintiff, causing him to suffer significant harm;

⁸ See, e.g.: "Bruno Terrorist (*sic.*) interview": <http://www.youtube.com/watch?v=EITgT35fZWs>.

SIXTH COUNT

(LIBEL AND SLANDER Published on, inter tempus, on 30 April 2010, Against COHEN, LETTERMAN, CHARLES, HILL, MAZER, ROACH, UNIVERSAL, CBS, and WORLDWIDE)

LVVI.

That your plaintiff hereby incorporates by reference herein, as if set out in full, each and every one of the foregoing averments contained in this *Complaint*;

LVVII.

That the continuing publication and republication of the Internet viral video known as the "The Late Show With David Letterman – Sacha Baron Cohen Interviews a Terrorist"⁹, falsely depicting your plaintiff as a "terrorist", as described hereinbefore, is intended to, and, in fact, has, defamed your plaintiff, causing him to suffer significant harm;

PRAYER AND AD DAMNA

WHEREFORE, and for the foregoing reasons, your plaintiff ever prays:

(i.) That, in consideration of a finding of liability in respect of his FIRST COUNT, he be awarded compensatory damages against all liable defendants, jointly and severally, in an amount to be determined by the trier of fact or else the sum of Ten Million Dollars (\$10,000,000), and exemplary damages in the sum of One Hundred Million Dollars (\$100,000,000) against each liable defendant;

(ii.) That, in consideration of a finding of liability in respect of his SECOND COUNT, he be awarded compensatory damages against all liable defendants, jointly and severally, in an amount to be determined by the trier of fact or else the sum of Ten Million Dollars (\$10,000,000), and exemplary damages in the sum of One Hundred Million Dollars (\$100,000,000) against each liable defendant;

⁹ See, e.g.: "The Late Show With David Letterman – Sacha Baron Cohen Interviews a Terrorist": <http://www.youtube.com/watch?v=Ok2oc2kiT8&feature=fvw>.

(iii.) That, in consideration of a finding of liability in respect of his THIRD COUNT, he be awarded compensatory damages against all liable defendants, jointly and severally, in an amount to be determined by the trier of fact or else the sum of Ten Million Dollars (\$10,000,000), and exemplary damages in the sum of One Hundred Million Dollars (\$100,000,000) against each liable defendant;

(iv.) That, in consideration of a finding of liability in respect of his FOURTH COUNT, he be awarded compensatory damages against all liable defendants, jointly and severally, in an amount to be determined by the trier of fact or else the sum of Ten Million Dollars (\$10,000,000), and exemplary damages in the sum of One Hundred Million Dollars (\$100,000,000) against each liable defendant;

(v.) That, in consideration of a finding of liability in respect of his FIFTH COUNT, he be awarded compensatory damages against all liable defendants, jointly and severally, in an amount to be determined by the trier of fact or else the sum of Ten Million Dollars (\$10,000,000), and exemplary damages in the sum of One Hundred Million Dollars (\$100,000,000) against each liable defendant;

(vi.) That, in consideration of a finding of liability in respect of his SIXTH COUNT, he be awarded compensatory damages against all liable defendants, jointly and severally, in an amount to be determined by the trier of fact or else the sum of Ten Million Dollars (\$10,000,000), and exemplary damages in the sum of One Hundred Million Dollars (\$100,000,000) against each liable defendant;

(vii.) That your defendants be enjoined, both *pendente lite* and permanently, to withdraw the "Brüno" Movie from commercial distribution by whatever means;

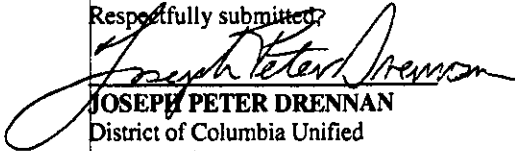
(viii.) That this Honorable Court impress a constructive trust on all revenues received or derived by your defendants as a result of the commercial distribution of the "Brüno" Movie and appurtenant usages of your plaintiff's name and likeness for commercial profit;

(vix.) That your plaintiff be awarded reasonable attorneys' fees with costs to follow; and

(x.) That your plaintiff receive such other and further relief against your defendants as this Honorable Court may deem just and proper under the existent circumstances.

Dated: 30 April 2010, at Alexandria, Virginia.

Respectfully submitted,



JOSEPH PETER DRENNAN
District of Columbia Unified
Bar No. 358196
218 North Lee Street
Third Floor
Alexandria, Virginia 22314
Telephone: (703) 519-3773
Telecopier: (703) 548-4399
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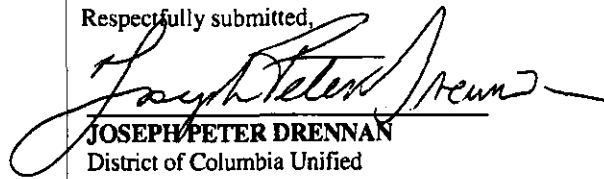
Attorneys and Counsellors, *in Praesenti*, for Plaintiffs

DEMAND FOR TRIAL BY PETIT JURY

Dear Madam Clerk:

Pursuant to Amendment VII of the Constitution of the United States of America, and the corresponding provisions contained in SCR-Civil Rule 38 (b), your plaintiff hereby and herewith demands a trial by a *petit* jury of all disputed factual issues as well as on issues related to monetary relief.

Respectfully submitted,



JOSEPH PETER DRENNAN
District of Columbia Unified
Bar No. 358196
218 North Lee Street
Third Floor
Alexandria, Virginia 22314
Telephone: (703) 519-3773
Telecopier: (703) 548-4399
E-Mail: joseph@josephpeterdrennan.com

CA Form 1

Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

Plaintiff

0002966-10

vs.

Civil Action No. _____

BLOCK BUSTER, Inc.
Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Room JM 170 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Clerk of the Court

Joseph Peter Drennan

Name of Plaintiff/Attorney

218 N Lee St, 3rd Floor
Alexandria, VA 22314

Address

703 519 3773

Telephone

Natasha Kalide

Deputy Clerk

Date

4/30/2010

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

YOU MAY OBTAIN A COPY OF THIS FORM IN SPANISH AT THE SUPERIOR COURT OF D.C., 500 INDIANA AVENUE, N.W., ROOM JM 170

NOTE: SEE IMPORTANT INFORMATION ON BACK OF THIS FORM.

CA Form 1

Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

Plaintiff

0002906-10

vs.

Civil Action No. _____

WORLDWIDE PANTS, Inc.

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

Joseph Peter Drennan

Name of Plaintiff's Attorney

218 N Lee St, 3rd Floor By

Address Alexandria, VA 22344

703 519 3773

Telephone

Natasha Kalide

Deputy Clerk

Date

4/30/2010

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

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CA Form 1

Superior Court of the District of Columbia

CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

0002966-10

Plaintiff

vs.

Civil Action No. _____

CBS BROADCASTING, INC.

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

Joseph Peter Drennan

Name of Plaintiff's Attorney

218 N. Lee St, 3rd Floor

Alexandria VA 22314

703 519 3773

Telephone

By Dasha Kalide

Deputy Clerk

Date 4/30/2010

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Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

Plaintiff

0002966-10

Civil Action No. _____

vs.

NBC Universal, Inc.
Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

Joseph Peter DRENNAN

Name of Plaintiff's Attorney

218 N. Lee St 3rd Floor

By

Natasha Kalish

Deputy Clerk

Alexandria, VA 22314

Date

4/30/2010

703 519 3723

Telephone

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

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CA Form 1

Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

Plaintiff

0002966-10

vs.

Civil Action No. _____

MATTHEW JAY ROACH
Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

JOSEPH PETER DRENNAN

Name of Plaintiff's Attorney

218 N. Lee St, 3rd Floor
Address Alexandria, VA 22314

703 519 3773
Telephone

By

Natasha Kalidy
Deputy Clerk

Date

4/30/2010

PUEDO OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

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CA Form 1

Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

Plaintiff

0002966-10

vs.

Civil Action No. _____

DAN MAZER

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

JOSEPH PETER DRENNAN

Name of Plaintiff's Attorney

218 N Lee Street 3rd Floor

Address

Alexandria, VA 22314

703 519 3773

Telephone

Date

Natasha Kalish
Deputy Clerk
2/30/2010

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

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CA Form 1

Superior Court of the District of Columbia

CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA

Plaintiff

0002966-10

vs.

Civil Action No. _____

LAWRENCE CHARLES WENGROD

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

JOSEPH PETER DRENNAN

Name of Plaintiff's Attorney

218 N. Lee St; 3rd Floor

Address Alexandria VA 22314

703 519 3773

Telephone

By Datasha Kaliski
Deputy Clerk

Date 4/30/2010

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

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CA Form 1

Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA
Plaintiff

0002966-10

vs.

Civil Action No. _____

JONAH HILL FELDSTEIN
Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

JOSEPH PETER DRENNAN

Name of Plaintiff's Attorney

218 North Lee Street 3rd Floor

By

Nastasha Kalisher

Deputy Clerk

Address Alexandria, VA 22314

703 519 3773

Date

4/30/2010

Telephone

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

YOU MAY OBTAIN A COPY OF THIS FORM IN SPANISH AT THE SUPERIOR COURT OF D.C., 500 INDIANA AVENUE, N.W., ROOM JM 170

NOTE: SEE IMPORTANT INFORMATION ON BACK OF THIS FORM.

CA Form 1

Superior Court of the District of Columbia

CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA
Plaintiff

0002966-10

vs.

Civil Action No. _____

DAVID MICHAEL LETTERMAN
Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Clerk of the Court

JOSEPH PETER DRENNAN

Name of Plaintiff's Attorney

218 North Lee Street, 3rd Floor

Alexandria, VA 22314

703 519 3773

Telephone

By

Nastasha Kalishli

Deputy Clerk

Date

4/30/2010

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

YOU MAY OBTAIN A COPY OF THIS FORM IN SPANISH AT THE SUPERIOR COURT OF D.C., 500 INDIANA AVENUE, N.W., ROOM JM 170

NOTE: SEE IMPORTANT INFORMATION ON BACK OF THIS FORM.

CA Form 1

Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

AYMAN ABU AITA
Plaintiff

0002966-10

vs.

Civil Action No. _____

SACHA NOAM BARDON COHEN
Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Room JM 170 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Clerk of the Court

Joseph Peter Dreunan
Name of Plaintiff's Attorney
218 North Lee Street
Address
3rd Floor
Alexandria VA 22314
(703) 519 3773
Telephone

By Natasha Kaliski
Deputy Clerk
Date 4/30/2010

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Superior Court of the District of Columbia
CIVIL DIVISION – CIVIL ACTIONS BRANCH

INFORMATION SHEET

AYMAN ABU AITA

0002966-10

Case Number: _____

vs.

Date: 4/30/2010

SACHA NOAM BARDON COHEN, et al

Name: (please print) <u>Joseph Peter Drennan</u>		Relationship to Lawsuit
Firm Name: _____		<input checked="" type="checkbox"/> Attorney for Plaintiff
Telephone No.: <u>(703) 519-3773</u>	Unified Bar No.: <u>358196</u>	<input type="checkbox"/> Self (Pro Se)
		Other: _____

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury

Demand: \$ 110,000,000. Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No. _____ Judge _____ Calendar # _____

Case No. _____ Judge _____ Calendar # _____

NATURE OF SUIT: (Check One Box Only)		
A. CONTRACTS <input type="checkbox"/> 01 Breach of Contract <input type="checkbox"/> 02 Breach of Warranty <input type="checkbox"/> 06 Negotiable Instrument <input type="checkbox"/> 15 Other: _____		COLLECTION CASES <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 16 Under \$25,000 Consent Denied <input type="checkbox"/> 17 OVER \$25,000
B. PROPERTY TORTS <input type="checkbox"/> 01 Automobile <input type="checkbox"/> 02 Conversion <input type="checkbox"/> 07 Shoplifting, D.C. Code § 3-441		<input type="checkbox"/> 03 Destruction of Private Property <input type="checkbox"/> 04 Property Damage <input type="checkbox"/> 05 Trespass <input type="checkbox"/> 06 Other: _____
C. PERSONAL TORTS <input type="checkbox"/> 01 Abuse of Process <input type="checkbox"/> 02 Alienation of Affection <input type="checkbox"/> 03 Assault and Battery <input type="checkbox"/> 04 Automobile <input type="checkbox"/> 05 Deceit (Misrepresentation) <input type="checkbox"/> 06 False Accusation <input type="checkbox"/> 07 False Arrest <input type="checkbox"/> 08 Fraud		<input type="checkbox"/> 09 Harassment <input type="checkbox"/> 10 Invasion of Privacy <input checked="" type="checkbox"/> 11 Libel and Slander <input type="checkbox"/> 12 Malicious Interference <input type="checkbox"/> 13 Malicious Prosecution <input type="checkbox"/> 14 Malpractice Legal <input type="checkbox"/> 15 Malpractice Medical <input type="checkbox"/> 16 Negligence <input type="checkbox"/> 17 Personal Injury <input type="checkbox"/> 18 Wrongful Death <input type="checkbox"/> 19 Wrongful Eviction <input type="checkbox"/> 20 Other: _____ <input type="checkbox"/> 21 Asbestos <input type="checkbox"/> 22 Toxic/Mass Torts

SEE REVERSE SIDE AND CHECK HERE IF USED



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

AYMAN ABU AITA
Vs.
SACHA NOAM BARON COHEN

C.A. No. 2010 CA 002966 B

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("SCR Civ") 40-1, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the Summons, the Complaint, and this Initial Order. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in SCR Civ 4(m).

(3) Within 20 days of service as described above, except as otherwise noted in SCR Civ 12, each defendant must respond to the Complaint by filing an Answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in SCR Civ 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an Initial Scheduling and Settlement Conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients prior to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference once, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than six business days before the scheduling conference date. No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each Judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website <http://www.dccourts.gov/>.

Chief Judge Lee F. Satterfield

Case Assigned to: Judge JUDITH BARTNOFF
Date: April 30, 2010
Initial Conference: 9:00 am, Friday, July 30, 2010
Location: Courtroom 100
500 Indiana Avenue N.W.
WASHINGTON, DC 20001

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**ADDENDUM TO INITIAL ORDER AFFECTING
ALL MEDICAL MALPRACTICE CASES**

In accordance with the Medical Malpractice Proceedings Act of 2006, D.C. Code § 16-2801, et seq. (2007 Winter Supp.), "[a]fter an action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ("ISSC"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC." D.C. Code § 16-2821.

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. Two separate Early Mediation Forms are available. Both forms may be obtained at www.dccourts.gov/medmalmediation. One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Both forms also are available in the Multi-Door Dispute Resolution Office, Suite 105, 515 5th Street, N.W. (enter at Police Memorial Plaza entrance). Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dsc.gov. *Pro se* Plaintiffs who elect not to eFile may file by hand in the Multi-Door Dispute Resolution Office.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at www.dccourts.gov/medmalmediation/mediatorprofiles. All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code § 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Clerk's Office. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Lee F. Satterfield

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SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

AYMAN ABU AITA
Vs.
SACHA NOAM BARON COHEN

C.A. No. 2010 CA 002966 B

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