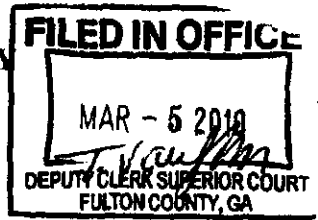


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Superior
IN THE ~~STATE~~ COURT OF FULTON COUNTY
STATE OF GEORGIA



LATOSHA LEE AND JOHN DOE, a minor :
child :

Plaintiff, :

- v - :

NATASHA EUBANKS AND :
YOUNG, BLACK AND FABULOUS, LLC, :

Defendants. :

CAFN:

2010CV182439

COMPLAINT
AND JURY DEMAND

Plaintiff LATOSHA LEE ("Ms. Lee"), individually and as the legal guardian of a minor child John Doe, through her attorneys, DeNorris A. Heard, P.C., as and for their Verified Complaint against Defendants Natasha Eubanks and Young, Black and Fabulous, LLC (collectively the "Defendants") allege as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over all causes of action asserted herein pursuant to the Georgia Constitution, Article VI, § 6, because this case is a cause not given by statute to other trial courts.

2. This Court has exclusive jurisdiction over the claims asserted and each of the Defendants because each are individuals, associations or corporations that are either based in, authorized or registered to conduct, or in fact do conduct, substantial business in the State of Georgia. Each of the defendants has sufficient minimum contacts with Georgia, or otherwise intentionally avail themselves of the markets within Georgia, through collecting monies, entering into contracts and/or distributing their products or

services in Georgia to render the exercise of jurisdiction by the Georgia courts permissible under traditional notions of fair play and substantial justice.

3. Venue is proper in this County as the acts upon which this action is based in whole or in part in this County. The Plaintiff resides in this County, and one or more of the Defendants knowingly caused harm to the Plaintiff in this County. Thus, Defendants' liability arose in part in this County.

II. NATURE OF THE CASE

4. This lawsuit arises out of the Defendants' attempts to promote internet traffic to the Defendants' website through publication of false and defamatory statements at the expense of Ms. Lee. The Defendants' received personal and private information from an unknown source and republished such information to promote internet traffic to the Defendants' website. Among other things the Defendants' falsely stated that Ms. Lee is a "stripper." However, Ms. Lee does not work and has never worked as a stripper. Thus, Defendants' internet publications are based on false statements that the Defendants published with reckless disregard for their truth or falsity. Ms. Lee files this action to vindicate her reputation and stop the Defendants' publication of these false and damaging statements.

III. THE PARTIES

5. Plaintiff Latosha Lee is a private citizen with her primary residence in the State of Georgia. Ms. Lee is a private person pursuing her career as an actress and caring for her young son.

6. Upon information and belief, Defendant Natasha Eubanks is a resident of the State of Virginia and a resident of the City of Alexandria.

7. Upon information and belief Young, Black and Fabulous, LLC is a limited liability company organized under the laws of the State of Virginia with its principal place of business in the City of Alexandria.

IV. GENERAL ALLEGATIONS

8. Ms. Lee is a private citizen working as an actress and a waitress in Atlanta, Georgia.

9. In her career, Ms. Lee earned a Bachelor of Arts from Bethune-Cookman University in Florida and spent years working to achieve success as an actress.

10. Ms. Lee has worked tirelessly to advance her career as an actress and has performed in different theater productions and independent films. While working to become a successful actress, Ms. Lee has worked as a waitress and club manager in the States of Georgia and Florida.

11. At no time has Ms. Lee worked as a stripper.

12. Upon information and belief, Defendants Young, Black and Fabulous, LLC (“YBF”) and Natasha Eubanks (“Ms. Eubanks”) were aware that Ms. Lee has never worked as a stripper or Ms. Eubanks and YBF knowingly published the defamatory statements with a reckless disregard for the truth.

13. At all relevant times, and continuing to date, YBF is an online gossip website and radio program that publishes articles about athletes and celebrities following the receipt of “tips” regarding the whereabouts and relationships of celebrities. Among

other things YBF and Natasha Eubanks have stated the following in articles on their website:

a. "Surprise surprise. Shaq's stripper mistress Latosha Lee - who TheYBF.com has exclusively uncovered - is an aspiring actress."

(See Exhibit A)

b. "Latosha Lee - a stripper from Atlanta who now lives in Orlando"

(See Exhibit B).

14. YBF's and Ms. Eubanks' false and defamatory publications, released to drive interest in their website, were published continuously over the internet twenty-four hours a day, seven days a week, and continues unabated to this day after requests to remove (See Exhibit C).

15. YBF and Ms. Eubanks included in these publications private personal information including publication of stolen and highly personal e-mail messages and photographs of Ms. Lee never intended to be released to anyone but the recipient of those messages.

IV. CAUSES OF ACTION

**COUNT ONE AGAINST DEFENDANTS
YOUNG, BLACK AND FABULOUS, LLC
AND NATASHA EUBANKS
(Defamation under O.C.G. § 51-5-1)**

16. Plaintiff, Latosha Lee, realleges and incorporates by reference, as though fully set forth herein, the allegations in paragraphs 1-15 above.

17. The Defendants, YBF and Natasha Eubanks, published the foregoing statements with the intent to convey false and defamatory meanings concerning the Ms.

Lee or, at a minimum, with a reckless disregard for the truth.

18. Defendants, YBF and Ms. Eubanks, conveyed such false and defamatory meanings through each of their specific statements as well as the combination of such statements with images and private correspondences concerning Ms. Lee.

19. The defamatory meaning of the statements made by YBF and Ms. Eubanks is that Ms. Lee currently and in the past has removed her clothing for money and thereby subjected Ms. Lee to public hatred, contempt and ridicule.

20. No other meaning could be meant by YBF's and Ms. Eubanks' statements which were published either maliciously or, at a minimum, with a reckless disregard for the truth.

21. Each and every one of YBF's and Ms. Eubanks statements, implications and meanings alleged above are false.

22. As a direct and proximate result of YBF's and Ms. Eubanks' false and defamatory publications, made for their own financial benefit, Ms. Lee has suffered actual and consequential damages, including but not limited to damages to her personal and business reputation, and loss of employment opportunities.

23. YBF's and Ms. Eubanks' false and defamatory online publications as alleged above were intentional and committed maliciously or with a reckless disregard for the truth and in conscious disregard for Ms. Lee's rights. As a result, Ms. Lee is entitled to punitive damages in an amount as a jury may find necessary to punish YBF and Natasha Eubanks for their malicious conduct and to deter YBF, Natasha Eubanks, and others similarly situated, from engaging in such wrongful conduct in the future.

**COUNT TWO AGAINST DEFENDANTS
YOUNG, BLACK AND FABULOUS, LLC
AND NATASHA EUBANKS
(Invasion of Privacy)**

24. Plaintiff, Latosha Lee, realleges and incorporates by reference, as though fully set forth herein, the allegations in paragraphs 1-15 above.

25. On December 2, 2009, or thereabouts, Defendants YBF and Ms. Eubanks obtained copies of private personal e-mails and photographs from an unknown source (see Exhibits D and E).

26. Upon information and belief the e-mails and photographs published by YBF and Ms. Eubanks were obtained illegally and as a result of an unauthorized access into the personal e-mail account of the recipient.

27. YBF and Ms. Eubanks were aware that they were in receipt of private e-mails and photographs not released by either the recipient of those communications nor Ms. Lee and that the communications involved the private affairs of Ms. Lee.

28. YBF and Ms. Eubanks released e-mails containing private discussions over Ms. Lee's ongoing legal matters, intimate messages and photographs, and private family matters. All of these documents were made available to the general public in a highly objectionable and offensive manner.

29. As a direct and proximate result of YBF's and Ms. Eubank's unreasonable intrusion into the private affairs of Ms. Lee, YBF and Ms. Eubanks have caused Ms. Lee actual and consequential damages including the loss of employment opportunities.

**COUNT THREE AGAINST DEFENDANTS
YOUNG, BLACK AND FABULOUS, LLC
AND NATASHA EUBANKS
(Invasion of Privacy)**

30. Plaintiff, Latosha Lee as legal guardian for minor John Doe, realleges and incorporates by reference, as though fully set forth herein, the allegations in paragraphs 1-29 above.

31. On December 2, 2009, or thereabouts, Defendants YBF and Ms. Eubanks obtained copies of private personal e-mails and photographs from an unknown source (see Exhibit D).

32. Upon information and belief the e-mails and photographs published by YBF and Ms. Eubanks were obtained illegally and as a result of an unauthorized access into the personal e-mail account of the recipient.

33. YBF and Ms. Eubanks were aware that they were in receipt of private e-mails and photographs not released by either the recipient of those communications nor Ms. Lee or the minor John Doe and that the communications involved the private affairs of John Doe.

34. YBF and Ms. Eubanks released e-mails containing private discussions over Ms. Lee's ongoing legal matters and photographs of the minor John Doe. All of these documents were made available to the general public in a highly objectionable and offensive manner.

35. As a direct and proximate result of YBF's and Ms. Eubank's unreasonable intrusion into the private affairs of John Doe, YBF and Ms. Eubanks have caused John Doe actual and consequential damages.

**COUNT FOUR AGAINST DEFENDANTS
YOUNG, BLACK AND FABULOUS, LLC
AND NATASHA EUBANKS
(Copyright Infringement)**

36. Plaintiff, Latosha Lee, realleges and incorporates by reference, as though fully set forth herein, the allegations in paragraphs 1-35 above.

37. On December 2, 2009, or thereabouts, Defendants YBF and Ms. Eubanks obtained copies of private personal e-mails and photographs from an unknown source and published these documents.

38. Without authority or license, Defendants YBF and Ms. Eubanks reproduced and distributed in interstate commerce three photographs taken by Ms. Lee. See Exhibit "B".

39. Defendants, YBF and Ms. Eubanks, reproduction and distribution of the photographs owned by Plaintiff Latosha Lee and protected by federal copyright registration pending, constitutes copyright infringement in violation of 17 U.S.C. § 501, and has caused and continues to cause Ms. Lee to suffer irreparable injury for which Ms. Lee has no adequate remedy at law and damages in an amount to be determined at trial.

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff Latosha Lee and as legal guardian for minor child John Doe prays for judgment against Defendants Young, Black and Fabulous, LLC and Natasha Eubanks as follows:

A. In compensation for the general damages to Latosha Lee's reputation throughout the United States, Ms. Lee's loss of employment opportunities, and in

compensation for the damage done to Ms. Lee's mental, emotional, and physical wellbeing based upon the enlightened conscience of the jury, Ms. Lee seeks actual and presumed damages from the Defendants both individually and severally.

B. For exemplary damages in an amount sufficient to make an example of Defendants' Young, Black and Fabulous, LLC and Natasha Eubanks and to deter them and others similarly situated from engaging in similar wrongful conduct in the future.

C. For punitive damages in an amount sufficient to punish the Defendants' Young, Black and Fabulous, LLC and Natasha Eubanks for their willful misconduct, wantonness, and conscious indifference to the consequences of their actions.

D. Plaintiffs demand a trial by jury.

E. For reasonable costs incurred in this action.

F. For such other and further relief as the court may deem just and proper.

DATED: March 1, 2010

DENORRIS A. HEARD, P.C.

By 

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