

12-Person Jury

FILED DATE: 12/9/2019 2:12 PM 2019L013520

FILED

IN THE STATE OF ILLINOIS, COUNTY OF COOK, FIRST JUDICIAL DISTRICT, LAW DIVISION

12/9/2019 2:12 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
7654003

Denny Peters)
Plaintiff)
v.)
Lisa Peters, Jocelyn Peters and)
Jillian Peters)

No. 2019L013520

PLAINTIFF'S COMPLAINT FOR DEFAMATION AND CIVIL CONSPIRACY

NOW COMES, Denny Peters, by and through his attorney Timothy M. Barnes and for the Facts Common to All Counts states as follows:

FACTS COMMON TO ALL COUNTS

1.) "A statement is considered defamatory if it tends to cause such harm to the reputation of another that it lowers that person in the eyes of the community or deters third persons from associating with [him]." *Bryson v. News America Publications, Inc.*, 174 Ill.2d 77, 672 NE 2d 1207, 1214. (1996).

2.) "Words that that impute the commission of a criminal offense give rise to a cause of action for defamation without a showing of special damages." *Id.* at 1214.

3.) "In order to state a claim for civil conspiracy, a plaintiff must allege an agreement and a tortious act committed in furtherance of that agreement." *McClure v. Owens Corning Fiberglas Corp.*, 188 Ill.2d 102, 720 NE 2d 242, 258, (1999)

3.) Denny Peters and Lisa Peters were involved in an extensive and litigious divorce matter.

4.) Jocelyn Peters (hereinafter "Jocelyn") is an eight (8) year old child of Denny Peters and Lisa Peters.

5.) Jillian Peters (hereinafter "Jillian") is a ten (10) year old child of Denny Peters and Lisa Peters.

6.) On or around December 10, 2018, Jillian Peters stated to police officers, Illinois Department of Children and Family Services (DCFS) and other persons that she witnessed Denny (Father) push, punch in the chest and pull the hair out of Jocelyn (8) on 12/09/18.

7.) On or around December 10, 2018 Jocelyn stated to police officers, DCFS and other persons that, while at the Denny Peter's home, Denny Peters punched her in the chest and arm as well as pulled her hair.

8.) On or around December 10, 2018 Lisa Peters stated to police officers, DCFS and other persons that Denny Peters told Jillian Peters that if she behaved as her sister then Denny Peters would also strike her.

9.) On or around December 10, 2018 Lisa Peters stated to police officers, DCFS and other persons that Denny Peters is mentally and emotionally abusive to his children.

10.) On December 13, 2018, Denny Peters was arrested on a Domestic Violence charge; said case remains pending.

COUNT I- DEFAMATION PER SE AGAINST JOCELYN PETERS

NOW COMES, Denny Peters, by and through his attorney Timothy M. Barnes and for the Count I- Defamation Per Se Against Jocelyn Peters states as follows:

11.) Paragraphs 1-10 above are incorporated herein as if restated in full.

12.) When Jocelyn stated that her Denny Peters had punched her, she knew it was false; she knew the statement was malicious and she intended it to harm her own father.

13.) Jocelyn repeated her false statements to the police, to DHFS investigators and other persons that resulted in criminal charges being brought against Denny Peters.

14.) The above described statements of Jocelyn falsely implied that Denny Peters had committed a crime.

15.) Denny Peters incurred pecuniary losses in Defending that criminal case and Jocelyn Peters directly caused those losses.

WHEREFORE, the Plaintiff, Denny Peters both enters demand for a jury of twelve and prays that a judgement would enter against Defendant Jocelyn Peters in the amount of \$50,000 or for such other and/or further amounts deemed just and equitable.

COUNT II- DEFAMATION PER SE AGAINST JILLIAN PETERS

NOW COMES, Denny Peters, by and through his attorney Timothy M. Barnes and for the Count II- Defamation Per Se Against Jillian Peters states as follows:

16.) Paragraphs 1-10 above are incorporated herein as if restated in full.

17.) When Jillian stated that her Denny Peters had punched her sister, Jocelyn, she knew it was false; she knew the statement was malicious and she intended it to harm her own father.

18.) Jillian repeated her false statements to the police, to DHFS investigators and other persons that resulted in criminal charges being brought against Denny Peters.

19.) The above described statements of Jillian falsely implied that Denny Peters had committed a crime.

20.) Denny Peters incurred pecuniary losses in Defending that criminal case and Jocelyn Peters directly caused those losses.

WHEREFORE, the Plaintiff, Denny Peters both enters demand for a jury of twelve and prays that a judgement would enter against Defendant Jillian Peters in the amount of \$50,000 or for such other and/or further amounts deemed just and equitable.

COUNT III- DEFAMATION PER SE AGAINST LISA PETERS

NOW COMES, Denny Peters, by and through his attorney Timothy M. Barnes and for the Count III- Defamation Per Se Against Lisa Peters states as follows:

21.) Paragraphs 1-10 above are incorporated herein as if restated in full.

22.) Lisa Peters knew that her statements were false and maliciously intended harm to Denny Peters when she told police officers, DCFS and other persons that Denny Peters told Jillian Peters that if she behaved as her sister then Denny Peters would also strike her.

23.) Lisa Peters knew that her statements were false and maliciously intended harm to Denny Peters when Lisa Peters stated to police officers, DCFS and other persons that Denny Peters was mentally and emotionally abusive to his children.

24.) Lisa Peters repeated her false statements to the police, to DHFS investigators and other persons that resulted in criminal charges being brought against Denny Peters.

24.) Upon information and belief, Lisa Peters was the primary witness pushing to prosecution of Denny Peters in that criminal matter.

25.) The statements of Lisa Peters falsely implied that Denny Peters had committed a crime.

26.) Denny Peters incurred pecuniary losses in Defending that criminal case and Lisa Peters directly caused those losses.

WHEREFORE, the Plaintiff, Denny Peters both enters demand for a jury of twelve and prays that a judgement would enter against Defendant Lisa Peters in the amount of \$50,000 or for such other and/or further amounts deemed just and equitable.

COUNT IV- AN ACTION FOR CIVIL CONSPIRACY

NOW COMES, Denny Peters, by and through his attorney Timothy M. Barnes and for the Count IV- An Action for Civil Conspiracy states as follows:

27.) Paragraphs 1-10 above are incorporated herein as if restated in full.

28.) Upon information and belief, the three Defendants- Lisa Peters, Jillian Peters and Jocelyn Peters met together to coordinate and discuss their statements regarding Denny Peters.

29.) That these statements, supporting the allegation that Denny Peters had punched Jocelyn Peters in the chest, were knowingly false, tortious and intended to cause harm to Denny Peters.

30.) Upon information and belief Lisa Peters coached and directed her daughters, Jocelyn Peters and Jillian Peters to falsely allege that Denny Peters had punched Jocelyn Peters.

31.) That the three Defendants conspired and coordinated their false statements to cause harm to Denny Peters, interfere with his family relationships and to cause him both pecuniary harm and mental anguish.

WHEREFORE, the Plaintiff, Denny Peters both enters demand for a jury of twelve and prays that a judgement would enter against Defendants, jointly and severally, in the amount of \$50,000 or for such other and/or further amounts deemed just and equitable.

Respectfully Submitted

Timothy M. Barnes

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