

21-4755-431
No. _____

ALLISON PUBLICATIONS, LLC	§	IN THE DISTRICT COURT OF
	§	
	§	
Plaintiff,	§	
	§	
	§	
VS.	§	DENTON COUNTY, TEXAS
	§	
	§	
JANE DOE,	§	
	§	
Defendants.	§	_____ JUDICIAL DISTRICT

PLAINTIFF’S ORIGINAL PETITION

Plaintiff Allison Publications, LLC (“Allison Publications” or “Plaintiff”) files this Original Petition against Defendant Jane Doe (“Doe” or “Defendant”), and respectfully states as follows:

I. DISCOVERY CONTROL PLAN LEVEL

1. Plaintiff intends to conduct discovery under Discovery Control Plan Level 2 pursuant to Rule 190.3 of the Texas Rules of Civil Procedure.

II. PARTIES

2. Allison Publications is a limited liability company duly organized and existing under the laws of the State of Texas with its principal place of business at 750 N. St. Paul Street, Suite 2100, Dallas, Texas 75201.

3. Doe is an unknown individual who is associated with the telephone number 718-682-4712, from which number she has made several calls to Allison Publications’ advertisers and business associates, at times identifying herself as “Maya.”

PLAINTIFF’S ORIGINAL PETITION

D-tmp8446

III. JURISDICTION AND VENUE

4. The amount in controversy exceeds this Court's minimum jurisdictional limits.

5. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Allison Publications states that it seeks monetary relief of more than \$200,000 but not more than \$1,000,000.

6. The court has personal jurisdiction over Doe because Doe committed acts which had reasonably foreseeable consequences in the State of Texas, including placing several phone calls to Plaintiff's advertisers and business associates in Texas in an effort to interfere with Plaintiff's business relationships in Texas.

7. Venue is proper in Denton County, Texas because a substantial part of the events or omissions giving rise to this cause of action occurred in Denton County, Texas.

IV. FACTUAL BACKGROUND

8. Allison Publications is a Texas-based publisher of regional and specialty publications, including magazines and newspapers.

9. Doe is an unknown person, sometimes identifying herself as "Maya" or "Maya Pendleton," who has repeatedly contacted advertisers and others in business relationships with Allison Publications and made false allegations about Allison Publications and its advertising, journalism and business practices in an attempt to undermine those business relationships.

10. Doe made calls to multiple advertisers and business associates of Allison Publications from the same telephone number, 718-682-4712, and requested that calls be returned to her at that number.

11. Doe falsely, maliciously, and without privilege made false assertions of fact about Allison Publications, its management, and its economic interests in an effort to undermine Allison Publications' business relationships.

PLAINTIFF'S ORIGINAL PETITION

D-tmp8446

V. CAUSE OF ACTION

A. Business Disparagement

12. Allison Publications repeats and realleges the allegations set forth in the preceding paragraphs as though set forth in full herein.

13. Doe has made false statements of fact about Allison Publications, its business, and its economic interests to Allison Publications' advertisers and business associates in an effort to interfere with Allison Publications' business relationships.

14. Doe made the statements with malice and without privilege.

15. As a result of Doe's unlawful conduct, Allison Publications has suffered special damages.

PRAYER

WHEREFORE, Plaintiff Allison Publishing, LLC prays as follows:

- (1) that the Court enter judgment against Doe for compensatory damages;
- (2) that Allison Publications be awarded its court costs and attorneys' fees;
- (3) that Allison Publications be awarded pre- and post-judgment interest at the maximum rate allowed; and
- (4) that the Court award Allison Publications all such other relief, at law and in equity, to which it may be entitled.

Respectfully submitted,

/s/ Jason P. Bloom

Jason Bloom

State Bar No. 24045511

HAYNES AND BOONE, L.L.P.

One Victory Park

2323 Victory Avenue

Dallas, Texas 75219

Telephone: [214] 651.5000

Telecopier: [214] 651.5940

ATTORNEYS FOR PLAINTIFF

ALLISON PUBLISHING, LLC