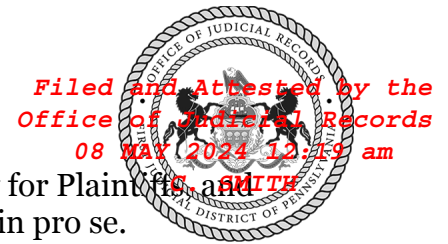


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Jauregui Law Firm
Raul Jauregui, Esq., and
Daniel Boye,

Plaintiffs

VS.

Inside Higher Education,
Johanna Alonso,
Dyller Solomon Law Firm, and
Barry Dyller, Esq

Defendants

**FIRST JUDICIAL DISTRICT
Court of Common Pleas for
Philadelphia County**

May TERM, 2024

NO. _____

Jury Demanded

COMPLAINT – CIVIL ACTION

NOTICE TO DEFEND You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Philadelphia Bar Association
Lawyer Referral and Information Service
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-6333 TTY (215) 451-6197

AVISO PARA DEFENDER Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo a partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted. Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente para pagar tal servicio. Vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra escrita abajo para averiguar dónde se puede conseguir asistencia legal.
Asociación De Licenciados De Filadelfia
Servicio De Referencia E Información
Legal One Reading Center
Filadelfia, Pennsylvania 19107

COMPLAINT

Plaintiffs the Jauregui Law Firm, Raul Jauregui, and Daniel Boye, complain as follows:

I. Background for this Action Against Defamation from Hoax

Publications of Campus Sexual Assault:

1. The media market in the United States requires prestige, which explains why the New York Times sets the tone for reporting national news.
2. The media market in the United States has specialized by field, which explains why The Chronicle of Higher Education prestigiously dominates reporting the national and local news that affect those who work for or teach at colleges and universities.¹
3. In this tight media market, secondary level publications survive publishing articles devoid of excellence, which explains why the National Enquirer will report on national news, and why the defendants Inside Higher Education and its employee Johanna Alonso publish matters that come across as bald higher-education related gossip and innuendo. (Hereinafter IHE, and Alonso, or “the defendants”).
4. Those articles devoid of excellence are a hoax, a malicious deception that hurts victims for the sake of entertaining an audience.

¹ “Over the years, the paper has been a finalist and winner of several journalism awards. In 2005, two special reports – on [diploma mills](#) and [plagiarism](#) – were selected as finalists in the reporting category for a [National Magazine Award](#). It was a finalist for the award in general excellence every year from 2001 to 2005....In 2018, Bartlett and Nell Gluckman were named as the 2017 Runners Up in the Outstanding Higher Education Journalism category, presented by the United Kingdom's [Chartered Institute of Public Relations](#) (CIPR) Education Journalism Awards.” https://en.wikipedia.org/wiki/The_Chronicle_of_Higher_Education

5. In the case of this hoax, and very likely as a pattern, the defendants IHE and Alonso have maliciously disregarded the standard protocols of the journalism profession of the United States, thus polluting the media market with defamatory propaganda instead of journalism.²
6. In the case of this hoax, and very likely as a pattern, the defendants IHE and Alonso failed to follow the free, on-line, wisdom of real education writers addressing Title IX and campus sexual assault, a field fraught with misinformation, which has led to, for example, Rolling Stone magazine's hoax defamatory publication of false sexual assault allegations at the University of Virginia.³
7. Rolling Stone magazine paid \$1.65 million to settle its liability for that hoax publication which falsely imputed rape to University of Virginia students and their organization.⁴

² "Follow good journalistic practices: While you can't reduce your legal risks entirely, if you follow good journalistic practices and standards -- being thorough, fair, and accurate in what you publish, carefully attributing your sources and quotes, and not phrasing statements in such a way as to create implications that you do not intend or do not have the evidence to support -- this will minimize the likelihood that you will be found liable for defamation." Practical Tips for Avoiding Liability Associated with Harms to Reputation, Digital Media Law Project, September 10, 2023, available at: <https://www.dmlp.org/legal-guide/practical-tips-avoiding-liability-associated-harms-reputation>

³ "Writing About Title IX and Campus Sexual Assault? Start Here." Kim Clark, Education Writers Association Deputy Director, Education Writers Association, available at: <https://ewa.org/issues/retraining/writing-about-title-ix-and-campus-sexual-assault-start-here>

⁴ "Rolling Stone has agreed to settle a defamation lawsuit brought by the University of Virginia fraternity at the center of a discredited article about an alleged gang rape, effectively closing the door on a pivotal and damaging chapter in the magazine's history. Under the terms of the settlement, the magazine agreed to pay the Virginia Alpha Chapter of the Phi Kappa Psi fraternity \$1.65 million. The fraternity had originally sought a trial by jury and \$25 million in damages." Rolling Stone to Pay \$1.65 Million to Fraternity Over Discredited Rape Story, Sydney Ember, New York Times, June 13, 2017 available at: <https://www.nytimes.com/2017/06/13/business/media/rape-uva-rolling-stone-frat.html>

8. In the case of this hoax, defendants IHE and Alonso published defamatory per se falsehoods about the plaintiffs, a minority owned Philadelphia-based law firm with a focus on Title IX, the Jauregui Law Firm, and two Latinos, attorney Raul Jauregui, and his client, Daniel Boye. (Hereinafter, the Jauregui Law Firm, Mr. Jauregui, Mr. Boye or “the plaintiffs”).
9. In the case of this hoax, IHE and Alonso acted with negligence, as they knew and should have known that their vile publication against the Jauregui Law Firm, Mr. Jauregui, and Mr. Boye stated and implied falsehoods, violated defamation law, journalism decorum, and good taste.
10. In the case of this hoax, IHE and Alonso acted with malice, as they ignored what they knew, and instead published or re-published depraved falsehoods that destroyed the plaintiffs' good standing in their community, in the City of Philadelphia, and throughout the state of Pennsylvania.
11. In the case of this hoax, IHE and Alonso published falsity against the plaintiffs, motivated by their inept hope that the first amendment should protect the vile speech of depraved liars who, like defendants do, claim to be journalists.

II The Parties to this Defamatory Action and Venue:

12. Plaintiff the Jauregui Law Firm is a private business entity and a private actor located in the City of Philadelphia. For over 10 years the Jauregui Law Firm has focused on and invested significantly in developing the skills and reputation required to represent higher-education students facing disciplinary proceedings including disciplinary proceedings for sexual misconduct.
13. Plaintiff Raul Jauregui is a private person who as an attorney regularly conducts business in the City of Philadelphia and who regularly advertises as conducting

business in the City of Philadelphia. For over 10 years Mr. Jauregui has focused on and invested significantly in developing the skills and reputation required to represent higher-education students of color facing disciplinary proceedings including disciplinary proceedings for sexual misconduct.

14. Mr. Jauregui's Title IX practice has focused on representing men of color, DACA beneficiaries, first generation to attend college male students of color, and neurodiverse college students.

15. Plaintiff Daniel Boye is a private person and a Pennsylvania resident, and a first generation college student of color whose goal in life was to serve the Pennsylvania public with a career in law enforcement including within the City of Philadelphia.

16. Defendant IHE is an on-line publication, owned by Times Higher Education, with Doug Lederman as editor and co-founder. IHE claims to have "more than 2.2 million monthly visitors." IHE claims that its audience includes "the entire higher education community." IHE claims that the purpose of its publication consists of delivering "independent news and analysis that informs the world about higher education..." (**Exhibit A**). IHE is believed to be a resident of Washington, DC, and to regularly conduct business in the City of Philadelphia through both advertisement, solicitation, and on-line reports.

17. Defendant Alonso is and at the time of the defamatory publication was both the author of it and an employee of IHE. Defendant Alonso's LinkedIn profile identifies no graduate level education and no journalism experience at any major news or media outlet. Defendant Alonso is believed to be a resident of Ellicott

City, Maryland. (**Exhibit B**). Defendant Alonso is believed to regularly conduct business in the City of Philadelphia through her on-line posts.

18. Defendant Dyller & Solomon, LLC is a law firm doing business from Wilkes Barre, Luzerne County, Pennsylvania. (Hereinafter “Dyller Solomon”) who represents Kings College students Devin McCarthy and Oluwatomisn Olasimbo, and Devin’s mother, Debra McCarthy.
19. Defendant Barry Dyller is a Pennsylvania attorney, a named partner of defendant Dyller Solomon, and is believed to be a resident of Pennsylvania who is the attorney for record for the McCarthys and Ms. Olasimbo. (Hereinafter “Mr. Dyller”, or “attorney Dyller”).
20. Because there is no complete diversity between the defendants, as Dyller Solomon and attorney Dyller share citizenship with the plaintiffs, the only proper venue for this action is in this Honorable Court, given that 28 U.S.C. §1332(a)(1) grants diversity jurisdiction to federal courts only for actions between citizens of different states.
21. Because defendant Mr. Dyller is married to a sitting judge in the Court of Common Pleas for Luzerne County that potential conflict makes Luzerne County an improper venue to adjudicate this matter out of respect for that judge.
22. Because all three plaintiffs either reside, solicit business, or plan to solicit business in the City of Philadelphia they sustained injury in the City of Philadelphia making this Honorable Court the only proper venue.
23. Because the defamatory publication was read and remains available to anyone in the City of Philadelphia who searches for it online, this Honorable Court is the only proper venue to adjudicate this matter.

III. The Defamatory Publication and its Gist:

24. On June 14, 2023, IHE and Alonso published on-line an article entitled “A New Legal Strategy in Sexual Assault Cases” which defames per se, places in a false light, and disparages each of the plaintiffs. (Hereinafter “Alonso’s article” or “the Alonso article” which is **Exhibit C**).⁵
25. Alonso’s vile article published falsely stated facts, defamatory quotations, defamation implied from undisclosed false facts, and derogatory opinion based on undisclosed defamatory facts, *the gist of which is that plaintiff Mr. Boye raped, as adjudicated through a criminal or civil trial, or even a trial-like finding, a Kings College student named Devin McCarthy, and then lied about the horror of rape under the instruction of his lawyer, plaintiff Mr. Jauregui, and the Jauregui Law Firm, all of whom conspired to intimidate Devin McCarthy, her mother Debra McCarthy, and another student at Kings College, Oluwatomisin Olasimbo with bald conduct that violated Title IX’ standards, Pennsylvania’s Abuse of Process tort, and the regulations of the practice of law.*
26. Alonso’s article is depraved defamatory propaganda against men of color: *To be crystal clear, Mr. Boye raped no one, ever, and the Jauregui Law Firm and Mr. Jauregui at no point counseled him to file baseless claims, to lie or to intimidate anyone under Title IX standards, criminal standards, or civil standards.*
27. Alonso’s article published, with falsity and malice, derogatory assertions about rapes, violations of Title IX, of Pennsylvania’s abuse of process tort, and violations of the regulations of the practice of law in Pennsylvania through half

⁵ All direct quotations to the Alonso article appear “underlined within quotation marks”.

stated falsehoods, undisclosed defamatory facts, implication, republication of defamation, and derogatory opinion based on undisclosed false fact.

28. Alonso's article maliciously exploits its false use term "rape": Students at Kings College, and elsewhere, attend disciplinary hearings under a "preponderance" evidentiary standard, and these hearings are not civil or even less criminal trial-like; thus, and contrary to what the Alonso article states as false fact, the allegations and outcomes of those hearings are not "rape" as the term "rape" is defined under and established after a civil or a criminal trial or in the ordinary meaning of the term "rape".
29. Thus, Alonso's article defames the Jauregui Law Firm, Mr. Jauregui, and Mr. Boye declaring as fact that they violated or conspired to violate a criminal charge and conviction of rape, or a civil claim and judgment of sexual assault as defined under the relevant Pennsylvania laws and procedures, and Title IX's regulations, which, in additional defamation, breach Pennsylvania's tort of abuse of process.
30. Alonso's article republishes both verbatim and as paraphrase passages from an interview that defendant attorney Dyller, in his role as a member of defendant Dyller Solomon, held with defendant Alonso for publication in the article.
31. Defendant Dyller's quotations and paraphrases defame plaintiffs, and are either falsely stated fact, or derogatory opinion based on undisclosed defamatory fact.
32. Defendant Dyller's verbatim quotations include vile defamation per se like: "You can't make false allegations in order to avoid responsibility for your actions," Dyller told inside Higher Ed. "And that's what they did. They made false allegations [that] she raped him."

33. Defendant Dyller and Dyller Solomon's defamatory gist against the plaintiffs, is averred at Nos. 144, 147, 150 and 151, and also as the gist in Alonso's article in Nos. 25 of this complaint because the lawsuit that these defendants filed, in reality, is a SLAPP action which aimed to chill the plaintiffs' speech on a matter of public policy, the treatment of respondents of color in Title-IX adherent school discipline, but had no basis in fact or law as averred in Nos. 77-91.⁶
34. Alonso's article purposely ignored the truth, falsely stating or re-publishing defamation; vile racist misandry styled as fact or as derogatory opinion based on undisclosed defamatory fact, in a pattern of malice against the plaintiffs.
35. Alonso's article reached a primary audience that all three plaintiffs have an interest in, given that plaintiffs the Jauregui Law Firm and Mr. Jauregui represent students facing disciplinary procedures in higher education, and that plaintiff Mr. Boye is both seeking to clear his name from an erroneous outcome disciplinary procedure at Kings College and to continue his higher education.
36. In this context, any member of the defendants' primary audience would understand the defamatory nature of the Alonso article as against each plaintiff the gist of which is stated in No. 25 of this complaint.
37. In this context, any member of the defendants' primary audience would assign the defamatory nature of the Alonso article as stated in No. 25 of this complaint, to any or all three of the plaintiffs.
38. Moreover, the context of the Alonso article is so inflammatory and derogatory that any member of the public at large who happens to Google search the names of any or all three of the plaintiffs will quickly find the link to the Alonso article

⁶ SLAPP stands for Strategic Lawsuits Against Public Participation (SLAPPs).

and understand that this article harms their reputation under the gist of its defamation as stated in No. 25 of this complaint.

39. The Alonso article has been available online since June 14, 2023, and on information and belief, to date, none of the defendants have made any effort to correct the defamation against the plaintiffs that is contained in it.
40. Plaintiffs the Jauregui Law Firm and Mr. Jauregui have been profoundly impacted in their business reputation as a result of Alonso's article which has not just been re-published in legal web pages and in The Legal Intelligencer, but has also been shared by attorneys in the Title IX field.⁷
41. The Jauregui Law Firm's and Mr. Jauregui's legal work involves the fair interpretation of the very rules and situations that the Alonso article states or implies these plaintiffs violated with the intent to lie, intimidate, and retaliate.
42. Plaintiff Mr. Boye has been profoundly impacted in his reputation in the community as a result of the article which has actually been found online and then hurled against him, by family acquaintances calling him a rapist, as if a court had tried and a jury convicted him of it, to his great emotional distress.⁸

IV. Defamatory Statements in the Alonso Article:

43. Prior to all of the defendants' depraved defamatory conduct, the law, the facts, and the allegations available to them, as stated on the record, made it clear that unlike the falsehoods that Alonso's article states and implies, Mr. Boye has never

⁷ See, "Title IX Hearings: Are They Quasi-Judicial and What Does That Mean for Stakeholders?" Sydney Smith Forquer and Ashling A. Ehrhardt, August 2, 2023, available at: <https://www.cohenseglia.com/news-article/title-ix-hearings-are-they-quasi-judicial-and-what-does-that-mean-for-stakeholders/>

⁸ Social acquaintances of Mr. Boye and his family have called him a rapist as a result of the Alonso article by social acquaintances, and actually mentioned the Alonso article to that end.

been tried either as a criminal or a civil defendant for anything, instead he is the victim of an irregular disciplinary process at Kings College, which is not a trial.⁹

44. Maliciously ignoring and omitting their knowledge of that information, the

defendants, instead, falsely state as facts throughout the Alonso article that:

A. “A sexual assault at King’s College in Wilkes-Barre, Pa...” took place, written as a fact defined under criminal law, not as an allegation, or as an opinion drawn from a review of the record.

B. The student who in falsely stated fact is defamed as having committed that sexual assault in King’s College, is further defamed because he took “the aggressive approach of filing a counterclaim” something that exploits the term “counterlcaim”, and that if it had occurred, would not have been “aggressive”.¹⁰

C. In turn, the student’s “malicious Title IX counterclaim can qualify as “abuse of process...” thus the student and his lawyer violated Pennsylvania tort law with “malice” meaning out of ill-will and with a desire to do harm.

D. Worse, beyond maliciously committing abuse of process, there was an “Intimidation Campaign” from the student and his lawyer.

E. The female student at Kings College subject of the falsely stated “intimidation campaign”, Devin McCarthy, who, unlike the student and his

⁹ See, e.g., *Boye v. McCarthy*, Luzerne County Court of Common Pleas No. 00941, Complaint of January 27, 2021, *Boye v. McCarthy*, No. 1538 MDA 2021, the PA Superior Court’s remand memorandum of July 19, 2022, and the motions to dismiss and for sanctions against attorney Dyller in *McCarthy v. Jauregui*, MDPA Civil No. 21-cv-01759 (2021).

¹⁰ The Alonso article defames the plaintiffs with malice that could seem ineptitude when it reports about a “countercomplaint” that never took place. A countercomplaint consists of allegations of violations stemming from acts taking place at the time of the underlying complaint. That is, a countercomplaint restates matters in the complaint. Mr. Boye, however, never counter complained to the events of August 30-31, 2020. He complained that Devin McCarthy victimized him with intimate partner violence events that took place long before the events that Devin McCarthy complained of and made it clear that his complaint, at most, constituted a defense, and thus not a counterclaim, to the August 30-31, 2020 events.

lawyer is not identified by name in Alonso's article, "filed a Title IX complaint alleging a male student raped her in his dorm while she was too drunk to consent."¹¹

F. And yet, while Alonso's article uses the criminal term "rape" there is not one mention in it, for example, of the Geisinger hospital records that found no alcohol or drugs in Devin McCarthy's ER blood and urine studies, or of any other of the many publicly filed records that put the lie in the Alonso's article factual assertion that Devin McCarthy was unable "to consent".

G. Worse, the defendants further defame the male student, who, according to Alonso's article, instead of responding with the truth, "...responded with a countercomplaint, alleging that she had instead sexually abused and harassed him while they were in a relationship the previous year" omitting that Devin McCarthy admitted to this abuse and harassment. (**Exhibit K**) and that Mr. Boye denied her claim from day one and well before retaining any counsel, including Mr. Jauregui. (**Exhibit D**).

H. While Kings College did not comment for IHE, Alonso's article transmogrifies that silence into "[t]he university ultimately found the female

¹¹ Mr. Boye, from day one and without any legal advice, stated that Devin McCarthy consented to sexual intercourse with him on August 30-31, 2020 while both were students at Kings College. Thus Mr. Boye never responded with a countercomplaint against Devin McCarthy. He responded to her allegations with the truth:

"Steve: And how did you respond to that?

Daniel: I don't know, I was about to cry. I was confused. I didn't understand. I try to remember but at no point at that night that I ever think that Devon didn't want me to proceed with anything I was doing. I didn't think I did anything wrong and I was just trying to like remember and like think about what could have gone wrong that maybe she thought was not right.

Steve: In your observations, you thought Devon was coherent enough?

Daniel: Yeah, I thought she was perfectly fine. I thought if anything it reminded me of when we first hook up which was back in a way longer."

(**Exhibit D**).

student was not responsible for any sexual misconduct, while the male student, Daniel Boye, was found responsible for rape and expelled”, defamatorily stating a “finding” that he is “responsible for rape” as if this was a criminal or a civil “finding” after a criminal or civil trial.

I. Alonso’s article defames publishing the derogatory, false fact that Kings College’s disciplinary system turned Mr. Boye into a rapist, which is why he was “expelled” from Kings.¹²

J. And according to Alonso’s article the expulsion is a fair outcome because Mr. Boye is not just a rapist, but also because his “... counterclaim was just one part of what the female student’s lawyer, Barry Dyller, described as a retaliatory campaign designed to intimidate.”¹³

K. The falsehoods continue, with passages stating that as part of this retaliation Mr. Boye and his lawyers gave Kings College “... false allegations in order to avoid responsibility for your actions,” Dyller told inside Higher Ed. “And that’s what they did. They made false allegations [that] she raped him.”¹⁴

¹² In another instance of its malicious defamation by implication, the Alonso article takes pains to omit that Mr. Boye had sued Kings College because of the irregularities in the hearing that led to his expulsion, particularly, the lack of incapacitation evidence for Devin McCarthy. Instead, the Alonso article implies that Kings College acted properly and turned Mr. Boye into a criminal.

¹³ Again, the Alonso article implies that Kings College expelled Mr. Boye because of an assumed “retaliatory campaign.” None of that is true even if taking Kings College expulsion as legitimate.

¹⁴ See **Exhibit E** for the lie of this statement; Mr. Boye never said that Devin McCarthy raped him. He wrote in his intimate partner violence complaint as allowed under Kings College’s policy that during sexual intercourse events long prior to the sexual intercourse of August 30-31, 2020, Devin McCarthy subjected Mr. Boye to pain and social humiliation. That was a separate complaint for different dated violations of Kings College policy, not a counter-complaint to the allegations of August 30-31, 2020.

L. The term “they” includes all the plaintiffs who made these “false allegations [that] she raped him” while defendants Dyller Solomon and Mr. Dyller were the lawyers for Devin McCarthy when she admitted otherwise.¹⁵

M. Thus, factually, according to Alonso’s article, all the plaintiffs engaged in false “Retaliatory Counterclaims” against Devin McCarthy, and her mother, Debra McCarthy, as well as against Kings College student Oluwatomisin Olasimbo that were “designed to intimidate” these women, not to safeguard Mr. Boye’s rights.

N. According to Alonso, factually, the defendants’ defamation against the plaintiffs, consisting of a falsely stated “Intimidation Campaign” as well as of a falsely stated “Retaliatory Counterclaims” from a rapist and his lawyer, required a frivolous SLAPP lawsuit in Federal Court, because “it’s important to deter false-type pleadings and false-type defenses, which just further damage people who are already victims,...”.

O. The plaintiffs, as a result of the defamatory gist of Alonso’s article as stated in No. 25 of this complaint, acted in a cruel, foolish, unacceptable way. “It was all nonsense and just set up to apply this incredible pressure most young women just couldn’t take,”.

P. And thus the Alonso article continues defaming, stating not that an *alleged violation of King’s policy*, but rather a false fact, that the “reported rape at King’s College took place mere weeks after colleges were required to comply

¹⁵ See Nos. 74, 75, and 76 for averments of, and **Exhibit K** for the record where Devin McCarthy admitted to the intimate partner violence that Mr. Boye complained she victimized him with; an admission while under the representation of defendants Dyller Solomon and Mr. Dyller, who then went on to say in Alonso’s article that Mr. Boye’s complaint was “false” in contradiction of their client’s testimony recorded in **Exhibit K** that she would “adjust” to his requests that she not hurt him during sexual intercourse, proving that Mr. Boye’s complaint is not false.

with the new rules. It remains to be seen what other implications could arise from Title IX investigations being considered quasi-judicial¹⁶ always declaring that Kings College's hearings had in fact tried and convicted Mr. Boye for rape, as only a criminal or a civil court could have.

45. The false statements published as fact in the Alonso article are defamatory because of their gist as stated in No. 25 of this complaint.
46. As a result of their gravity, these false statements, as identified in Nos. 44, 54, 72, 73 and 74 of this complaint, which the defendants published as facts within the Alonso article, do significantly more than embarrass or annoy the plaintiffs.
47. These false statements actually label plaintiff Mr. Boye as a rapist, as if Mr. Boye had been tried in a criminal or civil court and found responsible, and label Mr. Jauregui and the Jauregui Law Firm as if they had been tried as conspirators to lie about the crime of rape in a criminal court, or tried and found liable for violating Pennsylvania's abuse of process tort in a civil court; indeed the kind of harm that has grievously fractured the plaintiffs' standing in their communities.
48. The defendants' intended meaning in publishing the defamation stated in No. 25, 144, 150, and 151 of this complaint was to exacerbate the falsehoods in the Alonso article against the Jauregui Law Firm and Mr. Jauregui.
49. The defendants' intended meaning in publishing the defamation stated in Nos. 25, 144, 150, and 151 of this complaint was to exacerbate the falsehoods in the Alonso article against Mr. Boye.

¹⁶ For the record, in Pennsylvania, an investigation falls outside the category of quasi-judicial proceedings which have been held to include hearings, but not the investigations that lead to those hearings. See, e.g., "At the time of the BPI investigation...judicial immunity does not apply." *Pollina v. Dishong*, 98 A.3d 613, 619-620, (Pa. Super 2014). The investigator does not enjoy "quasi-judicial immunity" because the investigation is not quasi-judicial, ..." id at 622.

V. Defamatory Implications in the Alonso Article:

50. The Alonso article chose to leave out dispositive parts of the known public record, exacerbating through innuendo its defamation against the plaintiffs, omitting, particularly, that Mr. Boye was never charged with or tried and found responsible for any kind of criminal or civil rape. (See Nos. 25, 43 and footnote 11).
51. The Alonso article drips with venomous implication stemming from undisclosed facts, which in reality are false and defamatory, but that in this context convey the sense that Alonso's article actually reports on true facts about the plaintiffs.
52. The gist of Alonso's article vile implied defamation boils down to the defendants being in possession of undisclosed facts that support the gist of the defamatory conduct as stated in No. 25 of this complaint.
53. Other implications in the Alonso article create the impression that, for example, undisclosed "researchers" and "lawyers" or their work support as true the gist of the defamation in Alonso's article as stated in No. 25 of this complaint.
54. Maliciously implying that these undisclosed false facts about the plaintiffs' actions at Kings College exist, Alonso's article then publishes as falsely implied fact many other derogatory fictions, including that:
- A. "...a new legal strategy for sexual assault victims whose alleged attackers take the aggressive approach of filing a counterclaim..." a statement that in this context can be understood to state at least three defamatory implications:
- (i) That the act of suing the plaintiffs for abuse of process is a "new legal strategy" when in reality it is a bald attempt to intimidate the plaintiffs; the kind of practice that anti-SLAPP legislation seeks to curb as averred in Nos. 77-91 of

this complaint and, at best, a lawsuit devoid of facts and law to support it. The lack of those facts is the undisclosed defamatory facts here.

(ii) That Mr. Boye “attacked” Devin McCarthy as well as others, and that the Jauregui Law Firm and Mr. Jauregui counseled Mr. Boye on how to get away with that falsely stated conduct of an attacker. The lack of any facts that any plaintiff did anything other than follow Kings College’s rules is the undisclosed false fact of this defamatory implication.

(iii) That filing a counterclaim, which Mr. Boye did not do, but which the Alonso article attributes to all plaintiffs is “aggressive”. (See Fn. 10). The lack of facts on this aggression constitutes undisclosed false fact that defames.

B. “The strategy hinges on the argument that a malicious Title IX counterclaim can qualify as “abuse of process,” a term that traditionally refers to abuses of the legal process” a statement that in this context can be understood to state at least four defamatory implications:

(i) The frivolous, intimidatory lawsuit that defendant Dyller filed against each of the three plaintiffs qualifies as a valid, legitimate “strategy”, while no undisclosed facts support this lawsuit which is a vile SLAPP attempt to deny Mr. Boye his day in court and Mr. Jauregui the ability to do his job.

(ii) Mr. Boye’s “counterclaim” was “malicious”, with undisclosed false facts requiring proof beyond the racist innuendo in defendants’ conduct showing that the plaintiffs’ documents at Kings College stated falsehoods with the intent to harm Devin McCarthy, her mother, as well as her friend.

(iii) The plaintiffs’ acts at Kings College are so deplorable that they qualify as “abuses of the legal process” which is defamatory per se bad business conduct

based on undisclosed, false, fictions that Pennsylvania law covers school discipline, and that the plaintiff's actions abused Kings College's policy.

(iv) As a result, through the implied bad business conduct at Kings College and in Luzerne County, all plaintiffs violated Pennsylvania law, including the tort of abuse of process, and are thus not fit to conduct business in a reputable manner, implications based on false undisclosed facts of malicious intent.

C. "...students accused of sexual misconduct on campus according to a standard that aligns with traditional civil or criminal cases" a statement that in this context can be understood to state at least two defamatory implications:

(i) That the "standard" in the Title IX rules published by the US Department of Education's Office of Civil Rights that were in effect at that time, placed the Jauregui Law Firm, Mr. Jauregui, and Mr. Boye in a traditional civil or criminal case and thus found Mr. Boye guilty of a criminal or civil charge of rape.¹⁷ The "standard" did not do that. This is an undisclosed false fact as a matter of law and derogatory as an implication that the plaintiffs violated these rules.

(ii) Thus the Alonso article implies that through their undisclosed interactions with Kings College, all three plaintiffs participated in a fictional trial that convicted Mr. Boye of rape, as defined under civil or criminal law, because Kings College discipline "aligns with traditional civil or criminal cases" thus putting the plaintiffs, by further implication, in the role of abusers of legal process.

D. "Boye also filed a still-ongoing lawsuit against the complainant's mother for defamation after she emailed the college asking them to investigate the rape"

¹⁷ This is a knowing and malicious false statement about what the Title IX regulations the Alonso article refers to actually state. Specifically, the rules, as defendants knew, state exactly the opposite of what the Alonso article claims they state. See Nos. 108-109 of this complaint.

a statement that in this context can be understood to state at least four defamatory implications:¹⁸

(i) That the plaintiffs meant to intimidate which is implication based on the false undisclosed fact that they had legal basis to sue Debra McCarthy, who is Devin McCarthy's mother; a defamatory implication because the defendants knew that the Pennsylvania Superior Court had remanded for trial Mr. Boye's legitimate complaint that Debra McCarthy defamed him.

(ii) That the plaintiffs meant to retaliate against Devin McCarthy when Mr. Boye realized that Debra McCarthy had defamed him, based on the false undisclosed fact that some rule or act links a legitimate lawsuit against the mother with Mr. Boye's decision to not sue the daughter.

(iii) And by not publishing the text of Debra McCarthy's email, implying the false undisclosed fact that this email does not baldly state her vile pathological notion that Mr. Boye was a co-conspirator in the brutal fiction she wrote: a savage couple of Latinos raping an unconscious white woman.

(iv) That the words "the rape" mean a fact; either a criminal conviction under the Pennsylvania rape statutes, or a jury's finding under Pennsylvania civil law on sexual assault. That is an undisclosed, false, and defamatory fact because there was never a charge, and thus never, a conviction, of rape.

E. "And he filed a Title IX complaint against the victim's friend for allegedly attempting to intimidate a witness who could have exonerated him" a statement

¹⁸ Debra McCarthy's email as mentioned in the Alonso article did not ask the college to investigate the rape, rather, Debra McCarthy's email was the evidence for the Superior Court of Pennsylvania's finding that Mr. Boye had legitimate grounds to sue her for defamation because, among other reasons, she did not witness what she fabricated in her email. **Exhibit F** is this email, which had been posted in the public record prior to the publication of the Alonso article.

that in this context can be understood to state at least three defamatory implications:

- (i) That Devin McCarthy is a “victim” of all the plaintiffs, implying that the defendants have undisclosed false facts about both Mr. Boye’s rape of the “victim” as established after a criminal trial, or of the plaintiffs violation of the tort of abuse of process as the “victim” had claimed in her SLAPP lawsuit.
- (ii) That Mr. Boye’s complaint against this “friend” whose name is Oluwatomisin Olasimbo, constitutes part of the falsely stated plaintiffs’ attempt to “intimidate”, based on the undisclosed false facts implying that no grounds exist for the plaintiffs actions concerning Olasimbo.
- (iii) That “he filed” a complaint against Olasimbo, implying it was frivolous, and thus a violation of the tort of abuse of process, with the undisclosed false fact that Kings College never suggested investigating Olasimbo’s acts.¹⁹ It did.

F. “Other Title IX researchers and lawyers agree” a statement that in this context can be understood to state at least three defamatory implications:

- (i) That there are other, undisclosed, “lawyers”, plural, while the Alonso article merely cites one Title IX lawyer, Laura Dunn, thus implying defamation through an undisclosed defamatory fact, the existence of these other lawyers.
- (ii) That there are other “researchers”, plural, while the Alonso article only cites one researcher in the Title IX field, professor KC Johnson, thus implying

¹⁹ Kings College letter requesting that Mr. Boye file a complaint against Ms. Olasimbo because she sent a text to one of Mr. Boye’s exonerating witnesses which sought to intimidate her is **Exhibit G**. Ms. Olasimbo’s text is **Exhibit H**. Both **Exhibit G** and **Exhibit H** had been posted in the public record of the Luzerne County Court of Common Pleas prior to the publication of Alonso’s article.

defamation through an undisclosed defamatory fact, the existence of these other researchers.

(iii) That the work of these unidentified and likely non-existent “lawyers” and “researchers” lends credence to the derogatory fictions implied in the Alonso article against the plaintiffs because they “agree”.

G. That it is “important to “deter false-type pleadings and false-type defenses” a statement that refers only to the plaintiffs’ actions at Kings College pursuant to Kings College’s disciplinary policies and procedures, or to the plaintiffs lawsuit against Debra McCarthy, and that in this context can be understood to state at least seven defamatory implications:

(i) That it is important to “deter” the Jauregui Law firm, Mr. Jauregui and Mr. Boye because of an undisclosed false fact, the fictional criminal or civil sentence or finding of rape and of abuse of process that would make this statement both true and so deplorable that it merits deterrence at law.

(ii) That Mr. Boye stated non-identified “false-type pleadings and defenses” which in reality defames through undisclosed false fact because no such “pleadings and defenses” exist.

(iii) That the Jauregui Law Firm and Mr. Jauregui counseled Mr. Boye to file non-identified “false-type pleadings and defenses” which is defamatory per se because of the undisclosed false facts; that counsel and those “pleadings and defenses” do not exist.

(iv) That the Jauregui Law Firm and Mr. Jauregui filed unidentified “false-type pleadings and defenses” which, as immediately above, is defamatory per se.

(v) That professor KC Johnson actually agrees, or agreed with at the time, with the defendants' defamation about Mr. Boye's unidentified "pleadings and defenses" as "false-type" an implication based on the false undisclosed fact that professor KC Johnson stated such agreement in his communications with Alonso.

(vi) That professor KC Johnson actually agrees, or agreed with at that time, with the publication implying that the Jauregui Law Firm or Mr. Jauregui counseled and filed unidentified "pleadings and defenses" that were "false-type", similarly based on the false undisclosed fact of such agreement's existence.

(vii) That professor KC Johnson's prestige as the leading Title IX researcher or scholar in the US, supports the innuendo in the Alonso article the gist of which is stated in No. 25 of this complaint.

55. The defendants' intended meaning in publishing the defamatory implications stated in this complaint was to exacerbate the gist of the falsehoods in the Alonso article against all the plaintiffs in No. 25 of this complaint.

56. Recipients of the communications stated in Nos. 54 and 159 of this complaint would have correctly understood the defendants' intended defamatory implication from those statements in the Alonso article.

57. Recipients of the communications stated in Nos. 54, and 159 of this complaint would have mistakenly, but reasonably understood the defendants' defamatory implication from the Alonso article.

58. The recipients of the communications stated in Nos. 54, and 159 of this complaint would have assumed the existence of undisclosed but actually defamatory and

false facts supporting the Alonso article's implications against the plaintiffs particularly because Alonso herself omitted the real facts which she knew.²⁰

59. The defamatory implications in the Alonso article are not mild phrases. They are vitriol that seen together or as a whole conveys a panoply of implied defamation of plaintiffs' character the gist of which is stated in No. 25 of this complaint.

60. The implications of the defamatory publications in the Alonso article as stated in Nos. 54, 158, and 159 of this complaint, as a whole, are false.

61. Nos. 54, 158, and 159 of this complaint adequately support the defamatory innuendo of Alonso's article as averred in this complaint in No. 25, and the related defamation by implication of the plaintiffs, without forcing construction of the statements' words, and given the natural meaning of those words.

VI. Defamatory Statements in the Alonso Article Since the Federal Court for the Middle District of Pennsylvania Threw out Defendant Mr. Dyller's Frivolous SLAPP Lawsuit's Claim that Pennsylvania's Abuse of Process Tort Covers Title IX Adherent School Discipline:

62. The defendants' intended meaning in publishing the defamatory gist stated in this complaint at No. 25 was to exacerbate the falsehoods in the SLAPP lawsuit that defendants Dyller Solomon and Mr. Dyller filed in the Middle District of Pennsylvania against the plaintiffs; a lawsuit which for a while had plausibility because, "...a recent report from a federal magistrate judge supports the idea that

²⁰ Johanna Alonso knew or should have known about the fact that there was no possible claim of "rape" from Devin McCarthy against Mr. Boye through her study, for example, of **Exhibit I**, a photograph taken by a security camera the morning of August 31, 2020, showing Mr. Boye walking Devin McCarthy back to her dorm minutes after their encounter. **Exhibit I** captured them without their knowledge, while chatting with each other, and even shows them walking next to a Wilkes Barre police patrol. Alonso omitted these real facts with malice to defame Mr. Boye by implication with the undisclosed false facts supporting the defamation that he raped her then. But the real fact is that Mr. Boye escorted Devin McCarthy to her dorm in good faith.

the Title IX process is quasijudicial and can be abused just as a legal proceeding can.”

63. Whether through ineptitude, or malice, the defendants’ statements against all the plaintiffs, to the extent that they invoke or imply support from a report that Middle District of Pennsylvania Magistrate Martin C. Carlson issued on June 2, 2023 that for a while lent plausibility to this frivolous SLAPP lawsuit, are now defamation, defamation by implication, defamation per se, and cast a false light against all the plaintiffs among other torts.

64. This defamation results from the fact that the Biden administration’s newly appointed district judge for the Middle District of Pennsylvania, the Hon. Julia K. Munley, on March 27, 2024, rejected Magistrate Carlson’s report which Alonso’s article continues to falsely cite as if it were the law, or a valid statement of the law. It is not. (Judge Munley’s opinion is **Exhibit J**).

65. Instead, Judge Munley’s rejection of Magistrate Carlson’s report states the only legal status of the law of abuse of process in Pennsylvania, a view that is not new.

66. Judge Munley specifically states that in terms of the law of abuse of process in Pennsylvania, which Alonso’s article still claims that the plaintiffs violated:

“Here, plaintiffs do not allege a proper "legal process" so as to support a cause of action for abuse of process. The "process" that they claim is a counterclaim in a Title IX proceeding. As noted above, the term "process" as used in the tort of abuse of process includes such things as discovery proceedings, noticing of depositions and issuing of subpoenas.” (id at 15).

67. Judge Munley specifically states that the statements that Alonso's article hurls against all the plaintiffs for violating the tort of abuse of process because of their lawsuit against Debra McCarthy, in reality, are false, and thus defamatory:

“Accordingly, the abuse of process claim found in Count 2 will be dismissed as it is based upon the filing of a complaint and not based upon legal process filed after the commencement of the litigation.” (id at 18).

68. Yet, for 41 days since Judge Munley published her decision to date, Alonso's article which remains available on line from IHE's web page in the version attached as **Exhibit C**, has continued to falsely state as true the claim that a Federal Magistrate supports the defamatory gist of the article.

69. Thus, Alonso's article still uses Magistrate Carlson's now rejected report to defame the plaintiffs per se and by implication claiming it is a legal fact that the plaintiffs violated Pennsylvania's tort of abuse of process when that is false.

70. On information and belief, none of the defendants have made any effort, to date, to correct the defamation and false fact in Alonso's article since Judge Munley published her dispositive and learned opinion, which was not appealed.

VII. Falsity in the Alonso Article as Published by IHE Abused any Privilege and Waived the First Amendment:

71. Because defendants IHE and Alonso are likely to allege membership in the news media, all of the plaintiffs aver in this verified complaint that the defamatory gist of the Alonso article, as stated in No. 25 of this complaint, consists of falsehoods styled as facts, defamatory statements by implication, and derogatory opinion implying defamatory undisclosed facts which are in fact false and thus not subject to any claim of privilege.

72. Specifically, plaintiffs the Jauregui Law Firm and Mr. Jauregui state that the following statements and implications in the Alonso article are in fact false:

- A. That they believe that Mr. Boye raped anyone.
- B. That they believe that Mr. Boye was in fact tried in either a criminal or civil trial for rape or any other charge.
- C. That they filed, or counseled Mr. Boye to file a malicious counterclaim.
- D. That they engaged, or counseled Mr. Boye to engage in retaliation or intimidation.
- E. That they made, or counseled Mr. Boye to make false allegations.
- F. That they abused, or counseled Mr. Boye to abuse any legal process.
- G. That they filed, or counseled Mr. Boye to file “false-type” pleadings and defenses.
- H. That they filed, or counseled Mr. Boye to file “...allegations [that] she raped him.”²¹

73. Specifically, plaintiff Mr. Boye states that the following statements and implications in the Alonso article are in fact false:

- A. That he raped anyone at Kings College or elsewhere.
- B. That he was tried in either a criminal or a civil trial for rape or any other charge.
- C. That he filed, or was counseled to file a malicious counterclaim.
- D. That he engaged, or was counseled to engage in retaliation or intimidation.
- E. That he made, or was counseled to make false allegations.

²¹ **Exhibit E**, the actual text of Mr. Boye’s complaint for intimate partner violence and hostile environment against Devin McCarthy does not once use the term “rape” and describes two areas of harm: The physical pain that Devin McCarthy inflicted on his body, and the social humiliation that she inflicted on him. At no point did Mr. Boye claim he was raped.

- F. That he abused, or was counseled to abuse any legal process.
- G. That he filed, or was counseled to file “false-type” pleadings and defenses.
- H. That he filed, or was counseled to file “...allegations [that] she raped him.”

74. In terms of the falsity that Mr. Boye had no reason to file a complaint against Devin McCarthy, the record of the hearing at Kings College on Mr. Boye’s complaint, which Alonso’s article omits, shows that Devin McCarthy, while represented by defendants Dyller Solomon and Mr. Dyller, and while one of their former attorneys literally sat next to her, admitted to the intimate partner violence that Mr. Boye complained about as a violation of Kings College’s policy, specifically when Devin McCarthy stated, in response to Kings College’s hearing officer, that she would “adjust” to Mr. Boye’s pain:

“Steven: A couple of questions. While in your relationship with Mr. Boyd, while you were having sexual relations at any time, did he express that there was something he did not like?

Devin: Yes, and when he would, I would not do it again.

Seven: So you would adjust?

Devin: Yes, that is correct.”

(Exhibit K).

75. This admission of Devin McCarthy’s own conduct, in her own words, while represented by defendant Dyller Solomon as counsel, that she had to “adjust” to stop hurting Mr. Boye is the basis for Mr. Boye’s complaint under Kings College policy; that he had to ask her to stop “something he did not like” constitutes the pain of the intimate partner violence that Devin McCarthy would “adjust” to. (id).

76. Thus, the defendants knew that it is false when the Alonso article states that Mr. Boye's complaint against Devin McCarthy had no bases in fact or under Kings College policy, because it was part of "false allegations [that] she raped him" or was "...all nonsense and just set up to apply this incredible pressure."

VIII. Falsity in the Alonso Article Exacerbates the Reality that the Plaintiffs

Could not file an Anti-SLAPP Claim in Pennsylvania:

77. An anti-SLAPP cause of action would have allowed the plaintiffs to at least have a better chance to defend their constitutionally protected speech from the strategic lawsuit against their public participation that defendants Dyller Solomon and Mr. Dyller filed against the plaintiffs, which Alonso's article, in its racist misandry, defamatorily transmogrified into a "new legal strategy" (**Exhibit C**).

78. Anti-SLAPP causes of action would have protected the plaintiffs' rights. See, Pennsylvania House Judiciary Committee December 16, 2019 Anti-SLAPP Hearing Testimony submitted by Michael E. Baughman, (hereinafter "testimony") available at: https://www.legis.state.pa.us/WU01/LI/TR/Transcripts/2019_0161_0006_TST_MNY.pdf

79. Alonso's article omits that the Jauregui Law Firm, Mr. Jauregui, and Mr. Boye faced a frivolous "abuse of process" lawsuit that sought to end their public participation in school discipline in their roles as respondent and respondent's counsel, "SLAPP" claiming that school discipline is a form of state action; a vile pretext really meant to deny justice for Title IX respondents like Mr. Boye.

80. The Alonso article re-publishes and magnifies defendants Dyller Solomon and Mr. Dyller's SLAPP with defamation the gist of which is stated at No. 25 of this

complaint, to then share it with defendant IHE's over 2.2 million monthly visitors and the world online. **(Exhibit A)**.

81. The plaintiffs' public participation includes their actions during disciplinary procedures at Kings College that should have but failed to adhere to Title IX rules, and during one defamation lawsuit against Debra McCarthy that the Pennsylvania Superior Court had already found was grounded in law and fact.

82. Thus, their public participation declared not only the truth--*that Devin McCarthy was not incapacitated while with Mr. Boye on August 30-31, 2020, that Devin McCarthy subjected Mr. Boye to intimate partner violence in a completely different set of sexual encounters, that Debra McCarthy defamed Mr. Boye, and that Oluwatomisin Olasimbo intimidated a witness in the Title IX procedures at Kings College*, but also public policy implications for these facts.

83. To the extent that this public participatory conduct sought to safeguard Mr. Boye's education and good name, it is constitutionally protected.

84. To the extent that this conduct brought up the important notion that men are entitled to fairness, particularly when engaged in Title IX adherent school discipline, it is constitutionally protected.

85. To the extent that this public participation in school discipline, and in defamation lawsuits constitutes the Jauregui Law Firm's and Mr. Jauregui's legal argument, it consists in essence, of their job, and that too is constitutionally protected.

86. Yet all the plaintiffs were defenseless to respond to the falsehoods in the "abuse of process" SLAPP lawsuit related passages of Alonso's article because Pennsylvania lacks an anti-SLAPP statute.

87. Mr. Baughman's testimony predicted the hard spot that Mr. Dyller and his clients in the SLAPP "abuse of process" lawsuit foisted on all the plaintiffs in this action:

"...their attorneys who specialize in this area - know this and, not surprisingly, use the costs associated with litigation as leverage to try to prevent speech on matters of public concern or to gain unwarranted settlements. They are free to use litigation to punish those who criticize them" (Testimony at 7).

88. In fact, defendants Dyller Solomon and Mr. Dyller, on behalf of their clients, have presented wildly varied settlement demands almost from day one of their filing of their frivolous SLAPP action, apparently trying to extort the plaintiffs away from their constitutionally protected public participation in the Kings College-related matters, offering to settle a claim that had no basis in law or fact.

89. Thus, the plaintiffs in this action had two options, give in to the extortion-like settlement demands of defendants Dyller Solomon and Mr. Dyller's SLAPP lawsuit, or to defend their public participation at a daunting cost:

"And while the costs of litigation are daunting to the media industry, they are perhaps even more daunting to individuals who are threatened with litigation over protected speech, who may lack insurance or the resources to defend such claims. Their voices are just as important. " (Testimony at 10).

90. The Alonso article exacerbates the extortive nature of this SLAPP action by re-publishing those frivolous claims as fact, or as implied fact, to millions of their online readers and to anyone with access to the internet.

91. Plaintiffs' voices are "just as important" as those of the media industry. (id).

IX. The Alonso Article Defames the Plaintiffs as a Matter of Law:

92. The Alonso article reasonably conveys the defamatory meaning the plaintiffs ascribe to it, the general gist of which is stated in No. 25 of this complaint.
93. That meaning is false and gravely defames the plaintiffs as a matter of law.
94. That meaning, stated both directly, by implication, and by republication of defamatory matters as well as of derogatory opinion based on undisclosed defamatory fact throughout Alonso's article (**Exhibit C**), is defamatory in character against each of the plaintiffs.
95. That meaning harms the reputation of each of the plaintiffs as to lower them in the estimation of the community, including in the City of Philadelphia.
96. That meaning deters third persons from associating with the plaintiffs, individually or collectively. (See Nos. 40, 42 and Fn. 7, 8).
97. That meaning provokes the kind of harm that grievously fractures the plaintiffs' standing in the community of respectable society.

X. The Alonso Article Defames the Plaintiffs Per Se:

98. Alonso's article reasonably conveys the defamatory per se meaning the plaintiffs ascribe to it, the gist of which is stated in No. 25 of this complaint.
99. The Alonso article defames plaintiffs the Jauregui Law Firm and Mr. Jauregui, per se, because its gist includes words imputing business misconduct to them.
100. Alonso's article further defames plaintiffs the Jauregui Law Firm and Mr. Jauregui, per se, because its gist ascribes to them characteristics that would adversely affect their fitness to properly conduct their lawful business--a law firm, and a law practice.

101. The Alonso article defames plaintiff Mr. Boye, per se, because its gist includes words imputing serious sexual misconduct to him.

102. Alonso's article also defames all of the plaintiffs per se, by implication, in the manner described in Nos. 54, 116, 117, and 156 - 159 of this complaint when it publishes those words the gist of which creates defamatory implications of business, professional and personal misconduct about each of the plaintiffs.

XI. The Alonso Article Drips with Venomous Derogatory False Fact and Does not Contain or State Opinion Other than Derogatory Opinion:

103. Alonso's article published as falsely stated facts the defamatory per se meaning and implications that the plaintiffs ascribe to it, the gist of which is stated in No. 25 of this complaint.

104. The gist of the Alonso article contains facts, which are false, or implications about undisclosed facts, which are also false, targeting the plaintiffs.

105. Alonso's article's defamatory statements, for example those identified in Nos. 32 and 44 of this complaint, are not opinion because these statements, unlike opinions, can be verified as true or false. And they are verifiably false.

106. Just for one example, when the Alonso article states "A sexual assault at King's College in Wilkes-Barre, Pa..." that is a falsely stated derogatory fact, because the docket that a responsible journalist would have reviewed for a June 14, 2023 publication, clearly deny that this sexual assault at Kings College was a fact, or even a legally prosecuted fact under criminal procedure.

107. Alonso's article takes pains to omit facts known by its publication time that clearly verify that its statements and implications, even those arguably styled as opinion, are false, including for example that:

- A. The Wilkes Barre police had closed their investigation.
 - B. There was never a criminal charge that Mr. Boye raped anyone, or that the Jauregui Law Firm and Mr. Jauregui conspired to cover-up that fiction.
 - C. Devin McCarthy, while sitting next to her attorney, a former employee of defendant Dyller Solomon, admitted to the conduct that supports Mr. Boye's complaint against her for intimate partner violence and bullying.
 - D. Mr. Boye's complaint is about intimate partner violence and social humiliation, not about rape, as allowed under Kings College policy.
108. Similarly, when the Alonso article declares that “...students accused of sexual misconduct on campus according to a standard that aligns with traditional civil or criminal cases” it falsely claims that students like Mr. Boye, while participating in disciplinary actions, become litigants in front of an actual tribunal, thus falsely stating as fact or implication the exact opposite of the real “standard” as defined in the Final Rule of the Office of Civil Rights about Title IX adherent disciplinary policies like the one at Kings College, which states:

“The Department agrees with commenters that schools, colleges, and universities are educational institutions and not courts of law. **The § 106.45 grievance process does not attempt to transform schools into courts**; rather, the prescribed framework provides a structure by which schools reach the factual determinations needed to discern when victims of sexual harassment are entitled to remedies. The Department declines to import into § 106.45 comprehensive rules of evidence, rules of civil or criminal procedure, or constitutional protections available to criminal defendants. **The Department recognizes that**

schools are neither civil nor criminal courts, and acknowledges that the purpose of the § 106.45 grievance process is to resolve formal complaints of sexual harassment in an education program or activity, which is a different purpose carried out in a different forum from private lawsuits in civil courts or criminal charges prosecuted by the government in criminal courts. The Department believes that the

final regulations prescribe a grievance process with procedures fundamental to a truthseeking process reasonably adapted for implementation in an education program or activity.”

Federal Register / Vol. 85, No. 97 / Tuesday, May 19, 2020 / Rules and Regulations at 30097 [emphasis added].

109. Thus, the Alonso article’s sole defense for its false fact or implication that Mr. Boye is responsible of rape and that the Jauregui Law Firm and Mr. Jauregui conspired to cover that up and to abuse that process, depends on its lies about a “standard” that says exactly the opposite, that schools are not tribunals so they do not create “rapists”. See, DEPARTMENT OF EDUCATION 34 CFR Part 106 [Docket ID ED–2018–OCR–0064] RIN 1870–AA14 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, Final Rule, available at: Federal Register / Vol. 85, No. 97 / Tuesday, May 19, 2020 / Rules and Regulations.

110. Drunk on its own hateful ineptitude, Alonso’s article, over and over again, publishes falsely stated facts of vile and hurtful nature against Mr. Boye based on lies about this Title IX “standard”, for example that the “reported rape at King’s

College took place mere weeks after...” when no rape as defined under criminal or civil law took place at Kings College, or elsewhere involving Mr. Boye, and the “standard” does not turn schools into tribunals that can find “rape” as fact.

111. The Alonso article also publishes falsely stated fact of a vile and hurtful nature against the Jauregui Law Firm and Mr. Jauregui, for example, that “[t]hey made false allegations [that] she raped him;” a depraved falsehood about a non-existent criminal charge stated as fact, and which all three plaitniffs deny, and had denied prior to the publication date of June 14, 2023. (See Fn. 10, 11).

112. Thus, nothing in the Alonso article conveys a subjective belief about the plaintiffs, either through its false statements of the “standard” or through its passages from attorney Dyller.

113. Similarly, nothing in the Alonso article conveys a subjective belief, or an opinion, in the passages directly attributable to defendants Alonso or IHE, including those based on their defamatory reading of the “standard”. Again, everything is objective defamatory language meant to hurt the plaintiffs.

114. The defendants’ defamation in Alonso's article also includes passages of derogatory opinion based on undisclosed defamatory facts.

115. The Alonso article includes derogatory opinion based on undisclosed defamatory facts in passages attributed to attorney Laura Dunn:

“Laura Dunn, the founder of L.L. Dunn Law Firm in Washington, D.C., said that the case had been the talk of her circle of Title IX lawyers due to its potential impact on the increasingly common strategy of filing counterclaims—claims she said are almost always transparently retaliatory.”

116. The gist of this derogatory opinion as attributed to Attorney Dunn is that undisclosed defamatory facts, for example some evidence that the plaintiffs' filings at Kings College were "transparently retaliatory" exists, and was so outrageous as to become the "talk" of attorney Dunn's "circle of Title IX lawyers."

117. Similarly, the Alonso article contains derogatory opinion attributed to attorney Dunn *the gist of which is that plaintiff Mr. Boye filed and plaintiffs the Jauregui Law Firm and Mr. Jauregui instructed Mr. Boye to file a series of "almost always transparently retaliatory" claims at Kings College.*

118. The Alonso article contains the derogatory opinion by implication attributed to attorney Dunn *the gist of which is that there is a 90% chance that Mr. Boye filed claims for no real reason other than the malicious legal advice he received from plaintiffs the Jauregui Law Firm and Mr. Jauregui.*

"I ask why [respondents] filed the counterclaim, and nine times out of 10 they'll say, 'My attorney told me to,' she said."

XII. The Alonso Article Negligently Republishes the Defamatory Facts of Attorney Barry Dyller's Interview for IHE:

119. The Alonso article republishes vile, false, derogatory and defamatory statements of fact from attorney Barry Dyller as verbatim quotes.

120. The Alonso article never uses the words "in my opinion" or "in attorney Dyller's opinion" in connection with Mr. Dyller's quoted passages.

121. Defendants IHE and Alonso are responsible for their words as typed even when they re-published Mr. Dyller's independently defamatory conduct.

122. The gist of Mr. Dyller's defamatory conduct as republished in the Alonso article is the same as stated in No. 25 of this complaint.

123. Defendants IHE and Alonso owed the plaintiffs a duty of care because it was foreseeable that the matters they published and republished in the Alonso article--including those by Mr. Dyller--were false.
124. Indeed, Mr. Dyller's statements, in their gist, are false and defamatory.
125. Defendants owed the plaintiffs a duty of care in their statements as published in the Alonso article because they knew that they came from Mr. Dyller, opposing counsel to the plaintiffs, and thus likely to defame them; as they actually do.
126. Further, in the historically rich field of hoax reporting about campus sexual assault, the defendants, who claim to specialize in reporting about higher education, had reason to know that the facts they published in the Alonso article from Mr. Dyller, were false, and had a high likelihood of being false, much as the facts published by Rolling Stone Magazine about the University of Virginia were also false. (See Nos. 6, 7).
127. Defendants breached their duty of care to the plaintiffs when they failed to check the accuracy of the published passages with Mr. Dyller's falsely stated fact, for example, by failing to interview any of the many witnesses, or by reading the many exhibits filed on the public record by June 14, 2023, which clearly contradicted the veracity of Mr. Dyller's falsely stated facts.
128. In terms of duty of care for republication of defamation, it is sheer malice of defendants to publish Mr. Dyller's defamatory words as if they were facts just because Mr. Dyller presents as white and represents at least two white women.
129. Finally, defendants knew or should have known, and negligently ignored the fact that Mr. Jauregui and Mr. Boye are Latinos and thus systematically likely to be discriminated against as men of color; particularly with the derogatory tropes

Alonso's article applied to them--male rapists, foreigners of color, liars, and savages who must be deterred so they do not abuse women again.

130. Defendants Alonso and IHE negligently failed in their duty to check for accuracy, or obtain corroboration of Mr. Dyller's quotes and paraphrases as used throughout Alonso's article, including by checking the related court docket.
131. As members of the media who allege a focus on higher education, the defendants had a duty of care not to discriminate against minorities, such as they did when they victimized the plaintiffs with their vile defamation.
132. The breach of duty of care averred in Nos. 71-76, and 119-132 of this complaint concerning the Alonso article is also true for the innuendo and defamatory implication in the same contained in Mr. Dyller's statements.

XIII. The Alonso Article Published to a Large Audience Casting all the Plaintiffs in a False Light:

133. Alonso's article (**Exhibit C**) casts the plaintiffs in a false light publishing misleading, false, actual and implied statements about facts, as well as derogatory opinion based on false undisclosed facts to an audience they claim to include 2.2 million monthly visitors. (**Exhibit A**).
134. The Alonso article's falsity is stated at Nos. 71-76 of this complaint and that falsity proves the defendants cast the plaintiffs in a false light.
135. This 2.2 million monthly visitor audience, and the fact that Alonso's article remains as a live internet link that IHE hosts to date, constitutes public disclosure of the false light meaning and implications of the Alonso article.
136. The Alonso article's general defamatory gist consists of false statements and implications as stated in No. 25 of this complaint.

137. Any reasonable person who reads Alonso's article will find it offensive or embarrassing to the plaintiffs because it casts them in a false light.
138. The Alonso article cast the plaintiffs in a false light publishing falsely stated facts and implications about them with reckless disregard for their truth or substantial truth.
139. Alonso's article casts the plaintiffs in false light because it publishes these falsehoods and their false implications interspersed with true facts, like, for example, that Mr. Boye was a student at Kings College, or that the Jauregui Law Firm and Mr. Jauregui represent him.
140. The Alonso article casts the plaintiffs in a false light when it recklessly re-published defamatory statements from attorney Dyller interspersed with true statements like that of Dyller Solomon and Mr. Dyller representing Devin McCarthy, Debra McCarthy, and Oluwatomism Olasimbo.
141. Consistent with the defendants malice and ineptitude, Alonso's article, (**Exhibit C**) now casts further false light on the plaintiffs with falsehoods stating that or implying that the plaintiffs violated Pennsylvania's abuse of process tort; a lie given that Judge Munley threw out those bald claims. (**Exhibit J**).
142. The Alonso article casts the plaintiffs in false light with the publication of derogatory opinion based on undisclosed defamatory facts attributed to, for one example, attorney Laura Dunn.

XIV. The Dyller Solomon Law Firm and Attorney Barry Dyller Defamed the Plaintiffs with Statements or with Derogatory Opinion in the Alonso Article.

143. Alonso's article quotes false statements of derogatory fact from defendant Mr. Dyller in his role as a member of defendant Dyller Solomon, and as attorney for Devin McCarthy, Debra McCarthy and Oluwatomisim Olasimbo.
144. The false statements from defendant Mr. Dyller in his role as member of defendant Dyller Solomon defame the plaintiffs because of the quotes' gist which is stated in No. 25 of this complaint.
145. Dyller Solomon's and Mr. Dyller's intended meaning in publishing the defamatory implications in Nos. 25, 54, 149, 150, and 151 this complaint was to exacerbate the gist of the falsehoods in the Alonso article against all the plaintiffs.
146. While Mr. Dyller's and Dyller Solomon's quotations are falsely stated fact, and not opinion, even if they were to be considered opinion, they would constitute derogatory opinion based on undisclosed defamatory facts.
147. As a result of their gravity, Mr. Dyller's false statements, as identified in Nos. 32, 44, 156, 158 and 159 of this complaint, published as facts quoted verbatim within the Alonso article, do significantly more than embarrass or annoy the plaintiffs.
148. Mr. Dyller's false statements, as identified in Nos. 32, 44, 156, 158 and 159 of this complaint, factually label the plaintiffs as rapists as defined under the criminal or civil laws, or as conspirators to lie about rape, and as retaliators against a rape victim, or as men who violated the tort of abuse of process in order to intimidate this woman, Devin McCarthy, her mother, Debra McCarthy, and Devin's friend, Oluwatomisn Olasimbo; indeed the kind of harm that has grievously fractured the plaintiffs' standing in their communities.

149. Specifically, Mr. Dyller's statements in the Alonso article declare as fact that the Jauregui Law Firm and Mr. Jauregui advised their client Mr. Boye to violate, and then violated, the very rules and laws involved in these plaintiffs' work, for example publishing what Mr. "Dyller told inside Higher Ed. "And that's what they did. They made false allegations [that] she raped him."
150. Mr. Dyller's intended meaning in stating the defamation quoted in Nos. 32, 44, 156, 158 and 159 of this complaint for publication by IHE was defamation against the Jauregui Law Firm and Mr. Jauregui, the gist of which is stated in No. 25 of this complaint.
151. Mr. Dyller's intended meaning in stating the defamation quoted in Nos. 32, 44, 156, 158 and 159 of this complaint for publication by IHE was defamation against Mr. Boye, the gist of which is stated in No. 25 of this complaint.
152. Recipients of Mr. Dyller's quotations as stated in Nos. 32, 44, 156, 158 and 159 of this complaint would have correctly understood Mr. Dyller's and Dyller Solomon's intended defamatory implication from their statements for the Alonso article the gist of which is stated in No. 25 of this complaint.
153. Recipients of Mr. Dyller's quotations as stated in Nos. 32, 44, 156, 158 and 159 of this complaint would have mistakenly, but reasonably understood Mr. Dyller's and Dyller Solomon's defamatory implication from the statements for the Alonso article under their gist as stated in No. 25 of this complaint.
154. The recipients Mr. Dyller's and Dyller Solomon's quotations as stated in Nos. 32, 44, 156, 158 and 159 of this complaint would have assumed the existence of undisclosed but actually defamatory and false facts.

155. The defamatory quotations from Mr. Dyller and Dyller Solomon as stated in Nos. 32, 44, 156, 158 and 159 of this complaint, as a whole, are false.
156. The defamatory quotations from Mr. Dyller and Dyller Solomon defame plaintiffs the Jauregui Law Firm and Mr. Jauregui, per se, because they include words imputing business misconduct to them particularly when Mr. Dyller states: “It was all nonsense and just set up to apply this incredible pressure most young women just couldn’t take,” he said.”
157. The defamatory quotations from Mr. Dyller and Dyller Solomon further defame plaintiffs the Jauregui Law Firm and Mr. Jauregui, per se, because they ascribe to them characteristics that would adversely affect their fitness to properly conduct their lawful business--a law firm, and a law practice.
158. The defamatory quotations from Mr. Dyller and Dyller Solomon defame plaintiff Mr. Boye, per se, because they use words imputing both perjury and serious sexual misconduct to him, particularly when he states that: “We have transcripts of hearings with his sworn testimony, where he basically says that she never forced him to do anything” which of course misleads on purpose for it was Devin McCarthy’s forced actions on Mr. Boye’s body that Mr. Boye rejected.²²
159. The defamatory quotations from Mr. Dyller and Dyller Solomon also defame all of the plaintiffs per se, by implication, in the manner described in Nos. 25 and 54 of this complaint as they create defamatory implications of business, professional and personal misconduct about each of the plaintiffs particularly when Mr. Dyller falsely states the derogatory opinion based on false undisclosed

²² See **Exhibit E** for the full text of Mr. Boye’s complaint describing intimate partner violence on his body from Devin McCarthy’s acts and **Exhibit K** for her admission that she would “adjust” to Mr. Boye’s requests that she not cause him pain..

facts that: “To me, and I think other similar Title IX lawyers, it’s really important. Because it’s important to deter false-type pleadings and false-type defenses, which just further damage people who are already victims,” he said.”

XV. The Plaintiffs Suffered Multiple Damages Including Damages Within the City of Philadelphia as a Result of the Alonso Article’s Defamation:

160. Plaintiffs the Jauregui Law Firm and Mr. Jauregui are based out of and conduct as well as solicit business within the City of Philadelphia.
161. The Alonso article has negatively affected the Jauregui Law Firm’s and Mr. Jauregui’s ability to conduct and solicit business within the City of Philadelphia just by being available online.
162. Alonso’s article has negatively affected the Jauregui Law Firm’s and Mr. Jauregui’s prestige or reputation within the City of Philadelphia.
163. Plaintiffs the Jauregui Law Firm and Mr. Jauregui have suffered out of pocket loss as a result of the defamation in the Alonso article.
164. Plaintiffs the Jauregui Law Firm and Mr. Jauregui will suffer out of pocket loss in the future, as a result of their efforts to cure the effect of the defamation they suffered through Alonso’s article in the City of Philadelphia, and beyond.
165. Plaintiff Mr. Jauregui has suffered emotional distress and reputational loss, within the City of Philadelphia and beyond, as a result of the defamation of his character in the Alonso article.
166. Plaintiff Mr. Boye is a Pennsylvanian who was expected to conduct as well as solicit business within the City of Philadelphia.
167. The Alonso article has negatively affected Mr. Boye’s ability to conduct and solicit business within the City of Philadelphia just by being online.

168. Alonso's article has negatively affected Mr. Boye's prestige or reputation within the City of Philadelphia.
169. Plaintiff Mr. Boye has suffered out of pocket loss as a result of the defamation in the Alonso article.
170. Plaintiff Mr. Boye will suffer out of pocket loss in the future, as a result of his efforts to cure the effect of the defamation he suffered through the Alonso article within the City of Philadelphia, and beyond.
171. Plaintiff Mr. Boye has suffered deep emotional distress and reputational loss, within the City of Philadelphia and beyond, as a result of the defamation of his character in the Alonso article.

CAUSES OF ACTION

COUNT 1

DEFAMATION

ALL PLAINTIFFS AGAINST ALL DEFENDANTS

172. Paragraphs 1-171 of this complaint are incorporated as if stated here at length.
173. The Alonso article is defamatory in character seen individually, as a whole, or considering the gist of its falsely stated facts and implications.
174. Plaintiffs aver that the gist of the defamatory character of the defendants' defamation is stated at No. 25 of this complaint.
175. The defendants IHE and Alonso published Alonso's article as contained in **Exhibit C** since June 14, 2023, and not before, defaming the plaintiffs ever since.
176. The Alonso article contains and thus republishes defamatory statements and implications from Dyller Solomon and attorney Dyller.

177. Defendants Dyller Solomon and attorney Dyller defamed the plaintiffs through the falsely stated facts quoted for publication in Alonso's article.
178. The Alonso article specifically applies to the plaintiffs, in fact, Alonso's article mentions all of them by name but omits Devin McCarthy, her mother, Debra McCarthy, and Kings College student Oluwatomisn Olasimbo's names.
179. Given the gist of Alonso's article as stated in No. 25, any reader of it, and particularly the higher-education audience defendants IHE and Alonso claim to publish for, would understand the defamatory meaning of the defendants' words because these lower the plaintiffs' standing in the community including ascribing conduct that questions their character and their ability to conduct business.
180. This is the same audience that defendants Dyller Solomon and Mr. Dyller now claim to work for, given that the Alonso article quotes Mr. Dyller's factual statement that "[t]o me, and I think other similar Title IX lawyers,..." an admission that these defendants also addressed the higher-education audience.
181. Plaintiffs aver that each of them, as a law firm, a practitioner with a focus on higher education, and as a person seeking to complete his higher education, have a particular interest that their character and ability to conduct business not be lowered within the higher education community or beyond.
182. Plaintiffs aver that readers and recipients of Alonso's article understand that its gist as stated in No. 25 of this complaint applies to all of the plaintiffs.
183. Plaintiffs have sustained special harm as a result of the defamation in the Alonso article in the City of Philadelphia and elsewhere.

184. Defendants IHE and Alonso have abused and thus waived any conditional privilege or other special treatment afforded to them as self-proclaimed members of the news media.
185. The defendants' defamation is not opinion.
186. The defendants' defamation includes defamation by implication.
187. The defendants' defamation includes derogatory opinion based on undisclosed defamatory facts.

COUNT 2

DEFAMATION PER SE

ALL PLAINTIFFS AGAINST ALL DEFENDANTS

188. Paragraphs 1-171 of this complaint are incorporated as if stated here at length.
189. The Alonso article is defamatory per se in character seen individually, as a whole, or considering the gist of its falsely stated facts and implications because these falsely stated facts and implications fit Pennsylvania's statutory definitions of defamation per se against the plaintiffs.
190. Plaintiffs aver that No. 25 of this complaint states the gist of the defamation per se in Alonso's article.
191. That gist of Alonso's article defames per se with words that impute business misconduct against plaintiffs the Jauregui Law Firm and Mr. Jauregui.
192. That gist of the Alonso article defames per se with words that impute both a criminal offense and serious sexual misconduct against Plaintiff Boye.
193. The gist of the Alonso article defames per se all the plaintiffs because it ascribes to them facts (criminal or civil rape/malicious filings/abuse of process), characteristics (lying/dishonesty), and a deplorable condition (the propensity to

rape or to intimidate women/the willingness to lie about that), any of which adversely affects the plaintiffs' fitness to conduct business in the City of Philadelphia and elsewhere.

194. Alonso's article contains defamatory per se statements from Dyller Solomon and Mr. Dyller the gist of which is also stated in No. 25 of this complaint.

COUNT 3

FALSE LIGHT

ALL PLAINTIFFS AGAINST DEFENDANTS IHE and ALONSO ONLY

195. Paragraphs 1-171 of this complaint are incorporated as if stated here at length.
196. Plaintiffs aver that the gist of the Alonso article casts them in a false light with the public as identified in No. 25 of this complaint.
197. The false light that Alonso's article casts on the plaintiffs is highly offensive to a reasonable person.
198. The defendants had knowledge or acted in reckless disregard as to the falsity of the matters they published and republished in the Alonso article and as to its effect on the plaintiffs.
199. The matters stated in, alluded to, republished from Mr. Dyller, and even those opined about in Alonso's article are false, defamatory, defamatory by implication, or derogatory opinion implying defamatory undisclosed facts, all of which casts the plaintiffs in a false light.
200. Defendant IHE admits that the Alonso article, which has been posted online since June 14, 2023, has been available to the 2.2 million persons who visit the IHE web page every month. (**Exhibit A**).

201. Thus, both IHE subscribers and non-subscribing members of the public at large, including those who do a Google search of the plaintiffs' names for any reason, have found Alonso's article online since June 14, 2023.
202. Alonso's article has been online for 328 days, or roughly 10.7 months as of the date on this complaint.
203. That means that the defendants IHE and Alonso have cast the plaintiffs in a false light publishing the Alonso article to a large audience of at least 23,540,000 members of their public given IHE's claim of visitorship size.

COUNT 4

COMMERCIAL DISPARAGEMENT

PLAINTIFFS THE JAUREGUI LAW FIRM AND RAUL JAUREGUI ONLY AGAINST ALL DEFENDANTS

204. Paragraphs 1-171 of this complaint are incorporated as if stated here at length.
205. Plaintiffs the Jauregui Law Firm and Mr. Jauregui aver that the gist of the Alonso article commercially disparages them as identified in No. 25 of this complaint.
206. The commercial disparagement contained in the Alonso article's victimization of plaintiffs the Jauregui Law Firm and Mr. Jauregui directly attacks their business, a law firm, and profession, a law practitioner.
207. The statements in Alonso's article are false, and those at Nos. 71-76 concerning falsity relating to plaintiffs the Jauregui Law Firm and Mr. Jauregui character and honesty particularly attack essential elements for these plaintiffs' commercial viability.

208. The Alonso article contains commercial defamation in passages that quote defendants Dyller Solomon and attorney Dyller.
209. The quotations that attorney Dyller gave for publication in Alonso's article attack essential elements of the Jauregui Law Firm and Mr. Jauregui's commercial viability.
210. The defendants intended for Alonso's article to cause pecuniary loss to plaintiffs the Jauregui Law Firm or Mr. Jauregui.
211. The defendants should have recognized that the Alonso article would cause pecuniary loss to the plaintiffs the Jauregui Law Firm or Mr. Jauregui particularly given these plaintiffs' focus on higher education related work and their status as a law practice and a law practitioner.
212. Plaintiffs the Jauregui Law Firm and Mr. Jauregui have in fact sustained pecuniary loss as a result of Alonso's article.
213. The defendants knew the statements in the Alonso article, particularly those at Nos. 32, 44 B, C, D, J, K, M, N, O, and 54G concerning plaintiffs the Jauregui Law Firm and Mr. Jauregui were false.
214. The defendants acted with reckless disregard concerning the truth or falsity of the statements in Alonso's article, particularly those at Nos. 32, 44 B, C, D, J, K, M, N, O, and 54G relating to plaintiffs the Jauregui Law Firm and Mr. Jauregui.

PRAYER FOR RELIEF ON ALL COUNTS:

WHEREFORE, Plaintiffs demand judgment and equitable relief as follows:

Against Defendants IHE and Johanna Alonso only:

- A. In their favor and against Defendants IHE and Alonso, for compensatory and punitive damages, as well as costs and interest, for all Counts 1, 2, 3, and in the case of

plaintiffs the Jauregui Law Firm and Mr. Jauregi for Count 4 in this Complaint in an amount to be determined at trial currently claimed at no less than \$51,000.00 which is an amount exceeding this Court's arbitration program maximum of \$50,000.00.

B. Plaintiffs demand the separation of defendant Johanna Alonso from her employment at defendant IHE in order to protect the public from further hoax publications about campus sexual assault from defendant Alonso.

C. Plaintiffs demand the separation of IHE current editor Doug Lederman from his employment at defendant IHE in order to protect the public from further hoax publications about campus sexual assault under his editorship.

D. Plaintiffs seek an equitable order from this Court directing defendants IHE and Alonso to immediately remove the Alonso article from the internet and from any other platform, including all social media, as well as to destroy any link to or other record of the Alonso article.

E. Plaintiffs seek an equitable order from this Court directing defendant IHE to immediately publish an apology to the plaintiffs for defaming their character and to maintain that apology, as a live link on all of the IHE-related platforms, including all social media, for 5 years.

Against Defendants the Dyller Solomon Law Firm and attorney Barry Dyller only:

A. All plaintiffs demand judgment in their favor and against Defendants the Dyller Solomon Law Firm and attorney Barry Dyller for compensatory and punitive damages, as well as costs and interest, for Counts 1, 2.

B. Plaintiffs the Jauregui Law Firm and Mr. Jauregui demand judgment in their favor for Count 4.

C. All plaintiffs seek judgment in an amount to be determined at trial currently claimed at no less than \$51,000.00 which is an amount exceeding this Court's arbitration program maximum of \$50,000.00.

D. All Plaintiffs seek an equitable order from this Court directing defendants the Dyller Solomon Law Firm and attorney Barry Dyller to immediately sign an apology to the plaintiffs for defaming their character and to publish that apology, in the Legal Intelligencer, and in a national circulation newspaper once for each of the next 5 years.

Respectfully submitted,

Jauregui Law Firm

A handwritten signature in black ink, appearing to read 'R. Jauregui', written over a horizontal line.

Raul Jauregui
Attorney for plaintiffs
Plaintiff in pro se

May 7, 2024

Jauregui Law Firm	:	FIRST JUDICIAL DISTRICT
Raul Jauregui, Esq., and	:	Court of Common Pleas for
Daniel Boye,	:	Philadelphia County
	:	
Plaintiffs	:	
	:	May TERM, 2024
VS.	:	
	:	NO. _____
Inside Higher Education,	:	
Johanna Alonso,	:	
Dyller Solomon Law Firm, and	:	Jury Demanded
Barry Dyller, Esq	:	
Defendants	:	

CERTIFICATE OF SERVICE

I certify that today I caused service of process of the Complaint in this matter on the defendants as follows:

On Defendants **IHE** and **Johanna Alonso**, pursuant to Pa.R.C.P. 404(2) by certified mail, return receipt requested, to their last known business address of:

**1150 Connecticut Avenue NW, Suite 400
Washington, DC 20036**

On Defendants the **Dyller Solomon Law Firm** and **Barry Dyller** by deputized service pursuant to Pa.R.C.P. 400(d) at their last known business address of:

**88 North Franklin Street
Wilkes Barre, PA 18701**

Jauregui Law Firm



Raul Jauregui
Attorney for plaintiffs
Plaintiff in pro se

May 7, 2024

Jauregui Law Firm
Raul Jauregui, Esq., and
Daniel Boye,

Plaintiffs

VS.

Inside Higher Education,
Johanna Alonso,
Dyller Solomon Law Firm, and
Barry Dyller, Esq

Defendants

**FIRST JUDICIAL DISTRICT
Court of Common Pleas for
Philadelphia County**

May TERM, 2024

NO. _____

Jury Demanded

VERIFICATION

I, Raul Jauregui, am one of the plaintiffs in this matter. I am also an employee at and the person in charge of verifications for the business entity suing as plaintiff the Jauregui Law Firm.

On my behalf and on behalf of the Jauregui Law Firm, I state that the averments in this complaint are made to the best of my information, knowledge, or belief. I understand that the verified averments in this complaint are subject to penalty pursuant to 18 P.A. C.S. §4904's provision for unsworn falsification to authorities.



Raul Jauregui

Dated: May 7, 2024

The Jauregui Law Firm
Raul Jauregui, Esq., and
Daniel Boye,

Plaintiffs

VS.

Inside Higher Education,
Johanna Alonso,
Dyller Solomon Law Firm, and
Barry Dyller, Esq

Defendants

**FIRST JUDICIAL DISTRICT
Court of Common Pleas for
Philadelphia County**

May TERM, 2024

NO. _____

Jury Demanded

VERIFICATION

I, Daniel Boye, am one of the plaintiffs in this matter.

I state that the averments in this complaint are made to the best of my information, knowledge, or belief. I understand that the verified averments in this complaint are subject to penalty pursuant to 18 P.A. C.S. §4904's provision for unsworn falsification to authorities.



Daniel Boye

Dated: May 7, 2024