



CLERK OF THE COURT

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15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 DAN BRANDON BILZERIAN, an Individual

18 Plaintiff,

19 v.

20 DIRTY WORLD, LLC, a Delaware limited
21 liability company, d/b/a THEDIRTY.COM;
22 HOOMAN KARAMIAN, an individual, d/b/a
23 Nik Richie; TMZ PRODUCTIONS, INC., a
24 California Corporation; DOES I-X inclusive; and
25 ROE BUSINESS ENTITIES I-X, inclusive

26 Defendants.

Case No.: A-15-722801-C
Dept. No.: XXXII

27 **FIRST AMENDED COMPLAINT**

28 Plaintiff, by and through his undersigned counsel of record, hereby alleges against the
Defendants as follows:

1. Plaintiff is and was at all times relevant to this action a Nevada resident.
2. Defendant Dirty World, LLC ("Dirty World") is and at all relevant times has been a Delaware limited liability company that does business as "TheDirty.com" and owns and operates a website called "TheDirty.com."
3. Upon information and belief, Defendant Hooman Karamian is an individual residing in Arizona who goes by the name Nik Richie ("Richie"). Richie is the owner of Dirty World and personally supervises and manages TheDirty.com website for Dirty World.

1 4. Upon information and belief, Defendant TMZ Productions, Inc. ("TMZ"), is and
2 at all times relevant to this action was a California corporation doing business in Nevada.

3 5. Plaintiff does not know the true names of the individuals, corporations,
4 partnerships and entities sued and identified in fictitious names as DOES I through X, ROE
5 BUSINESS ENTITIES I through X. Plaintiff will request leave of this Honorable Court to
6 amend this Complaint to show the true names and capacities of each fictitious defendants when
7 Plaintiff discovers the information.

8 **JURISDICTION AND VENUE**

9 6. This Court has subject matter jurisdiction over this case and venue is proper in Clark
10 County, because the Plaintiff is a Clark County, Nevada resident and because the claims at issue
11 involve defamatory statements that were published in, among many other places, Clark County,
12 Nevada. Additionally, Plaintiff brings this First Amended Complaint as a matter of course
13 pursuant to NRCP 15(a).

14 **GENERAL ALLEGATIONS**

15 7. Plaintiff and Richie have a long, adversarial history. Plaintiff has frequently been
16 targeted by the Defendants on Defendants' website, and Defendants have engaged in actionable
17 conduct toward the Plaintiff in the past.

18 8. On or about August 1, 2015, a story appeared on Defendants Richie and Dirty
19 World's website wherein a young woman, herein identified as Jane Doe I, misrepresented that
20 she had engaged in sexual relations with the Plaintiff and that the Plaintiff had transmitted a
21 sexually-transmitted disease to her.

22 9. The statement regarding the Plaintiff was submitted to Defendants' website by
23 Jane Doe I, but it was Richie who found the statement and made the determination, on behalf of
24 himself and Defendant Dirty World, to publish the false and defamatory statement, along with
25 photos of several young women, presumably including Jane Doe I, on the website, which is
26 accessible to anyone with access to the internet.

27 10. Richie also commented on the defamatory statement, thereby adding to the false
28 and defamatory information on Defendants' website.

1 11. On August 10, 2015, shortly after the initial filing of this suit, TMZ published a
2 story regarding the filing of the suit, and in that publication, TMZ posted the same untrue,
3 defamatory statements regarding the Plaintiff through various media. Notably, Plaintiff did not
4 articulate any specifics about the sexually-transmitted disease in the Complaint, but TMZ chose
5 to publish the specifics of this defamatory statement, including the specific disease Richie and
6 Dirty World improperly asserted the Plaintiff had and transmitted, and then compounded the
7 defamation by providing commentary about the statements and the action. Like Richie, TMZ
8 has a history of targeting the Plaintiff in its various media.

9 12. Plaintiff has never had sexual relations with any of the women from the
10 photograph on Defendants Richie and Dirty World's website, nor has Plaintiff ever had or
11 transmitted the sexually-transmitted disease attributed to him by the Defendants and Jane Doe I.

12 13. The false and defamatory information was published by the Defendants with the
13 intent to harm the Plaintiff's reputation due to the prior history between the Defendants and the
14 Plaintiff. The Defendants made the decision to publish the false information through their
15 websites and other media, and therefore all of the Defendants are the publishers of the
16 information as a matter of law.

17 14. Defendants knew or should have known that the false and defamatory statements
18 were not true prior to publishing them.

19 15. Defendants' publication of the false and defamatory statements constitutes
20 defamation per se because the statements related to Plaintiff having and transmitting a sexually-
21 transmitted disease and because the statements were published to harm Plaintiff's personal and
22 business reputation.

23 16. Defendants' false publications/statements are libelous and slanderous on their
24 face. The statements have a clear tendency to injure Plaintiff personally and in his occupation
25 because the statements were published on a website and through other media that were
26 transmitted to anyone with access to the internet. Defendants' statements about Plaintiff
27 naturally harm Plaintiff's reputations by impugning and placing into doubt his honesty and
28 integrity, and the false statements have had the natural effect of decreasing the number of people

1 willing to engage in business with Plaintiff, thereby negatively impacting Plaintiff's business.

2 17. As a proximate result of Defendants' false publications/statements, Plaintiff has
3 suffered loss of his reputation, shame, mortification, and hurt feelings all to his general damages
4 in an amount in excess of \$10,000, the exact amount to be proven at trial.

5 18. As a proximate result of Defendants' false publications/statements, Plaintiff has
6 suffered loss of his reputation, shame, mortification, and hurt feelings all to his special damages
7 in an amount in excess of \$10,000, the exact amount to be proven at trial.

8 19. As a proximate result of Defendants' false publications/statements, Plaintiff has
9 been required to retain the undersigned counsel to prosecute the instant action and is entitled to
10 an award of his reasonable attorneys' fees and costs associated with the instant action.

11 **FIRST CLAIM FOR RELIEF**

12 **(DEFAMATION PER SE)**

13 20. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through
14 19 as though fully set forth herein.

15 21. Plaintiff has enjoyed a good reputation, both generally and in his occupation, for a
16 number of years.

17 22. On or about August 1, 2015, Defendants Richie and Dirty World published a
18 story on their website articulating that Plaintiff had transmitted a sexually-transmitted disease to
19 Jane Doe I and then commented on the story and the accompanying photograph of several
20 women, including, presumably, Jane Doe I.

21 23. On August 10, 2015, TMZ published a story regarding the filing of this action,
22 and in that publication, TMZ posted the same untrue, defamatory statements regarding the
23 Plaintiff through various media. Notably, Plaintiff did not articulate any specifics about the
24 sexually-transmitted disease in the Complaint, but TMZ chose to publish the specifics of this
25 defamatory statement, including the specific disease Richie and Dirty World improperly asserted
26 the Plaintiff had and transmitted, and then compounded the defamation by providing
27 commentary about the statements and the action.

28 24. These statements are all false and defamatory and constitute defamation per se

1 because the statements are harmful to the Plaintiff's personal and business reputation.
2 Defendants' false publications were disseminated to anyone with access to the internet and
3 Defendants' websites and other media.

4 25. The above-quoted false statements published by Defendants available to countless
5 millions of people with access to Defendants' websites and other media, the exact number of
6 whom actually read the defamatory statements being unknown at this time to Plaintiff.

7 26. The aforementioned statements/publications are false as they pertain to Plaintiff,
8 as Plaintiff has never had the sexually-transmitted disease in question.

9 27. Defendants' false publications/statements are libelous and slanderous on their
10 face. The statements have a clear tendency to injure Plaintiff personally and in his occupation.
11 Defendants' statements about Plaintiff naturally harm Plaintiff's reputations by impugning and
12 placing into doubt his honesty and integrity, and the false statements have had the natural effect
13 of decreasing the number of people willing to engage in business with Plaintiff, thereby
14 negatively impacting Plaintiff's business.

15 28. As a proximate result of Defendants' false publications/statements, Plaintiff has
16 suffered loss of his reputation, shame, mortification, and hurt feelings all to his general damages
17 in an amount in excess of \$10,000, the exact amount to be proven at trial.

18 29. As a further proximate result of Defendants' false publications/statements,
19 Plaintiff has suffered the following special damages: the false publications/statements have had
20 the natural effect of decreasing the number or individuals willing to engage in business with
21 Plaintiff, thereby decreasing Plaintiff's business. Plaintiff has been specially damaged in an
22 amount in excess of \$10,000, the exact amount to be proven at trial.

23 30. Further, Plaintiff is entitled to special damages because the
24 publications/statements are defamation per se as they have the natural effect of damaging
25 Plaintiff's professional reputation and improperly suggest that Plaintiff has and has transmitted a
26 sexually-transmitted disease.

27 31. Defendants' false publications/statements were published with malice as
28 Defendants knew that these publications/statements were false when made and/or had reason to

1 doubt the truthfulness of these publications/statements when made. Further, Defendants' history
2 or animosity toward Plaintiff was the reason for Defendants' publication of these defamatory
3 publications/statements on their websites and other media, again demonstrating Defendants'
4 malice. Thus, Plaintiff is entitled to an award of punitive damages against Defendants.

5 32. As a result of the aforementioned conduct on the part of Defendants, it has been
6 necessary for Plaintiff to hire an attorney to prosecute this matter, such that an award of
7 reasonable attorney's fees is appropriate in this matter.

8 **SECOND CLAIM FOR RELIEF**

9 **(PRELIMINARY AND PERMANENT INJUNCTION)**

10 33. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through
11 32 as though fully set forth herein.

12 34. Immediate and irreparable injury will result to Plaintiff unless this Court enters an
13 injunction, pursuant to NRCP 65, enjoining Defendants and their agents, servants, employees,
14 attorneys, subsidiaries and any other individual or entity in active concert or participation with it
15 who receives actual notice of the order, from publishing the aforementioned defamatory
16 statements/publications.

17 35. Defendants' actions in publishing the aforementioned defamatory
18 statements/publications are causing irreparable harm to Plaintiff because (1) injuries related to
19 Plaintiff's potential loss of business cannot be readily quantified and relief may never be
20 forthcoming; and (2) Defendants' continuing conduct in publishing the defamatory
21 statements/publications inflicts injury to Plaintiff's goodwill and reputation.

22 36. Plaintiff has a likelihood of success on the merits given that there is no dispute
23 that Defendants have published false statements of fact about Plaintiff that are defamatory on
24 their face. Plaintiff has a likelihood of success as to defamation per se due to the fact that the
25 aforementioned defamatory statements/publications involve misstatements about Plaintiff having
26 and spreading a sexually-transmitted disease.

27 37. In view of the fact that the damage Plaintiff has sustained, and continues to
28 sustain, as a result of Defendants' unlawful activities, Plaintiff has no adequate remedy at law.

1 38. Accordingly, Plaintiff is entitled to a judgment enjoining Defendants from
2 publishing the aforementioned defamatory statements regarding Plaintiff.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff prays that the Court enter judgment as follows:

- 5 1. Awarding Plaintiff actual damages from Defendants in an amount in excess of
6 \$10,000.
7
8 2. Awarding Plaintiff punitive damages from Defendants in an amount in excess of
9 \$10,000.
10
11 3. Issuing an order preliminarily and permanently enjoining Defendants' and their
12 respective agents, servants, officers, directors, employees and all persons acting in concert with
13 them, directly or indirectly, from publishing the defamatory statements about the Plaintiff
14 articulated in this Complaint;
15
16 4. Awarding Plaintiff its reasonable attorneys' fees and costs incurred in bringing
17 and maintaining this action;
18
19 5. Awarding such other and further relief as this Court may deem just, proper and
20 equitable.

21 Dated this 11 day of August, 2015.

22 **HOLLEY DRIGGS WALCH**
23 **FINE WRAY PUZEY & THOMPSON**

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