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Spencer Cornelia, Cornelia Media LLC,  
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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC., and DALE BUCZKOWSKI,  
  
Plaintiffs,  
  
v.  
  
SPENCER CORNELIA, CORNELIA MEDIA  
LLC, and CORNELIA EDUCATION LLC,  
  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**MOTION TO  
CONSOLIDATE CASES**

WEALTHY INC. and DALE BUCZKOWSKI,  
  
Plaintiffs,  
  
v.  
  
JOHN MULVEHILL, JOHN ANTHONY  
LIFESTYLE, LLC, and OPTIMIZED  
LIFESTYLE LLC,  
  
Defendants.

Case No. 2:22-cv-00740-JCM-EJY

**MOTION TO  
CONSOLIDATE CASES**

1 **MOTION TO CONSOLIDATE CASES**

2 Pursuant to Fed. R. Civ. P. 42(a) and LR 42-1(b), Defendants Spencer Cornelia, Cornelia  
3 Media LLC, and Cornelia Education LLC (“Defendants”) respectfully move this Court for an  
4 Order consolidating the matter of *Wealthy Inc., et al. v. Spencer Cornelia, et al.*, Case No. 2:21-  
5 cv-01173-JCM-EJY (Dist. NV, filed June 21, 2021) (the “Cornelia Action”) with the matter of  
6 *Wealthy Inc., et al. v. John Mulvehill, et al.*, Case No. 2:22-cv-00740-JCM-EJY (Dist. NV, filed  
7 May 9, 2022) (the “Mulvehill Action”). The actions involve common questions of law and fact,  
8 and consolidation would aid in the efficient and economic disposition of an action.

9 **1.0 Introduction and Factual Background**

10 From the filing of their Complaint, Plaintiffs Dale Buczkowski and Wealthy, Inc. knew  
11 that John Mulvehill belonged in this case. The vast majority of their allegations concern statements  
12 Mr. Mulvehill made and *his* alleged knowledge of falsity. In their Answer, Defendants noted that  
13 the failure to name Mr. Mulvehill as a defendant was a defense to Plaintiffs’ claims. ECF No. 17  
14 at 11. Plaintiffs made the centrality of Mr. Mulvehill to their claims abundantly clear in their  
15 response to Mr. Mulvehill’s motion to quash regarding Plaintiffs’ subpoena to Google LLC asking  
16 for Mr. Mulvehill’s contact and identifying information. ECF No. 31 at 3, 8-10. The Complaint in  
17 the Mulvehill Action is nearly identical to Plaintiffs’ Complaint in the Cornelia Action. *Compare*  
18 Cornelia Action Complaint, attached as **Exhibit 1** (“Cornelia Complaint”); Mulvehill Action  
19 Complaint, attached as **Exhibit 2** (“Mulvehill Complaint”).

20 Mr. Mulvehill should have been a defendant from the inception of this case. Now that  
21 Plaintiffs have finally brought suit against the actual subject of their grievance, the Court should  
22 consolidate these two cases.

23 **2.0 Legal Standard**

24 Under Fed. R. Civ. P. 42(a), if actions before the court involve a common question of law  
25 or fact, the court has broad discretion to: (1) join for hearing or trial any or all matters at issue in  
26 the actions; (2) consolidate the actions; or (3) issue any other orders to avoid unnecessary cost or  
27

1 delay. *See also Pierce v. County of Orange*, 526 F.3d 1190, 1203 (9th Cir. 2008). In determining  
 2 whether to consolidate cases, courts weigh the time and effort that will be saved by the  
 3 consolidation against any inconvenience, delay, or expense the consolidation would cause. *Huene*  
 4 *v. U.S.*, 743 F.2d 703 (9th Cir. 1984).

### 5 **3.0 Argument**

6 Defendants ask that the Court consolidate these actions because the cases involve the same  
 7 facts and law, and consolidation will save the parties, and the Court, significant time and effort.  
 8 Further, no party will be substantially prejudiced by consolidation. However, the defendants in  
 9 both actions will be prejudiced by separate trials over the same exact statements on the same exact  
 10 broadcasts by the same exact people.

#### 11 **3.1. Similarities Between the Cases**

12 These actions should be consolidated because both cases involve the same law and the  
 13 same facts. The similarities are discussed below:

- 14 • Wealthy Inc. and Dale Buczkowski are Plaintiffs in both matters. *See generally*  
 15 *Cornelia Complaint*; *Mulvehill Complaint*.
- 16 • Both cases rely on allegations concerning the other case's parties. *See Cornelia*  
 17 *Complaint* at ¶¶ 41-54 (discussing *Mulvehill*); *Mulvehill Complaint* at ¶¶ 49-54  
 18 (discussing *Cornelia*).
- 19 • Both cases allege claims based upon the same exact videos, in which both *Cornelia*  
 20 and *Mulvehill* appear. *See Cornelia Complaint* at ¶ 55; *Mulvehill Complaint* at  
 21 ¶ 55.
- 22 • Both cases allege claims based upon identical statements. *See Cornelia Complaint*  
 23 at ¶¶ 55-105; *Mulvehill Complaint* at ¶¶ 55-97.
- 24 • Both cases allege exactly the same damages. *See Cornelia Complaint* at ¶¶ 106-  
 25 110; *Mulvehill Complaint* at ¶¶ 98-102.

- 1 • Both cases allege the exact same claims: (1) unfair competition and advertising,  
2 (2) defamation, (3) intentional infliction of emotional distress, and (4) business  
3 disparagement. *See* Cornelia Complaint at ¶¶ 111-138; Mulvehill Complaint at  
4 ¶¶ 103-130.
- 5 • Both complaints pray for nearly the exact same relief. *See* Cornelia Complaint at  
6 pgs. 22-23; Mulvehill Complaint at pgs. 21-22.
- 7 • By way of illustration, “Mulvehill” appears 58 times in the Cornelia Complaint,  
8 and “Cornelia” appears 59 times in the Mulvehill Complaint. *See* Cornelia  
9 Complaint; Mulvehill Complaint.

10 Considering the foregoing similarities, it can be inferred that both cases will rely upon the  
11 same applications of law, the same burdens of proof, the same witnesses, and the same evidence.

### 12 **3.2. Efficiencies in Consolidation**

13 Consolidating these cases will save time and effort by reducing the costs associated with  
14 duplicative discovery and motion practice. Although discovery is nearing completion in the  
15 Cornelia Action, there is still significant ground to cover in that action. For instance, Plaintiffs and  
16 Defendants in the Cornelia Action will each likely file motions for summary judgment, and those  
17 motions will likely be substantially similar to those that will eventually be filed in the Mulvehill  
18 Action. Those motions will cover the same facts relating to the same evidence and the same  
19 witnesses; the motions will cover the same standards of law as it applies to the exact same  
20 allegations of defamation.

21 Further, trial in both actions will likewise involve the same evidence, the same witnesses,  
22 and the same jury instructions. Likewise, the result of an appeal in one action will likely have a  
23 direct effect on the other. Conducting both matters simultaneously in parallel will therefore  
24 unnecessarily burden the courts and the parties with unnecessary duplication of efforts.

1 Finally, these cases are assigned to the same District Judge and the same Magistrate Judge,  
2 both of whom have already become familiar with the facts at issue in each matter. Accordingly,  
3 consolidation will not require the reassignment of either matter.

### 4 **3.3. No Party Will Be Prejudiced by Consolidation**

5 Ninth Circuit precedent requires that the foregoing efficiencies be weighed against the  
6 inconvenience, delay, or expense the consolidation would cause. *Huene*, 743 F.2d at 704. Here,  
7 any such prejudice is minimal, and is considerably less significant than the benefit the parties will  
8 receive through consolidation of these actions.

9 First, although consolidation will slightly delay the Cornelia Action while the Mulvehill  
10 Action proceeds through discovery, the delay is primarily attributable to the choices of the  
11 Plaintiffs, not the Defendants, and as such no party will ultimately be prejudiced. The only party  
12 with any right to complain about delay would be Cornelia, but Cornelia is prepared to allow *all*  
13 the facts in both cases to develop before going to trial.

14 As the Cornelia Complaint lays out, Plaintiffs knew full well who Mulvehill was and what  
15 his actions were as it relates to the allegations in both cases. In fact, Plaintiffs used the Cornelia  
16 Action as a fishing expedition to flesh out their claims against Mulvehill before filing the latter  
17 suit. *See* Cornelia Action, ECF Nos. 28, 31, & 36 (briefing on a Motion to Quash filed by Mulvehill  
18 in the Cornelia Action). Plaintiffs had the opportunity to bring claims against Cornelia and  
19 Mulvehill at the same time and chose not to do so – presumably for tactical reasons. Accordingly,  
20 Plaintiffs’ intentional delay in bringing the Mulvehill Action should not weigh against  
21 consolidation and rob Defendants of the benefits of consolidation.

22 Regardless, consolidation will not significantly delay the Cornelia Action. Although the  
23 Cornelia action was filed approximately 10 months before the Mulvehill Action, the schedule of  
24 both cases are not far off from one another. Currently, the discovery cutoff in the Cornelia Action  
25 is August 31, 2022. *See* Cornelia Action, ECF No. 39. In the Mulvehill Action, the discovery cutoff  
26 is December 6, 2022, **separating the cases by only three months and six days.** *See* Mulvehill  
27

1 Action, ECF No. 26. Accordingly, no actual significant delay will occur if these cases are  
2 consolidated.

3 Second, no inconvenience or added expense will befall any party as a result of  
4 consolidation. Instead, consolidation will cause litigation to be more convenient for the parties and  
5 less expensive. As stated *supra*, Plaintiffs' claims in both actions are nearly identical and involve  
6 examination of the same witnesses and the same evidence. The claims additionally will require the  
7 same application and analysis of law. Allowing the cases to proceed together in tandem will reduce  
8 the costs associated with discovery, motion practice, and eventually trial.

9 Accordingly, little weight should be given to any purported inconvenience, delay, or  
10 expense caused by consolidation.

11 **4.0 Conclusion**

12 In light of the foregoing, Defendants Spencer Cornelia, Cornelia Media LLC, and Cornelia  
13 Education LLC ask the Court to grant their Motion and consolidate these cases.

14  
15 Dated: August 16, 2022.

Respectfully Submitted,

16 /s/ Marc J. Randazza

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Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 16, 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document being served via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Marc J. Randazza  
Marc J. Randazza

# **EXHIBIT 1**

## Complaint

*Wealthy Inc., et al. v. Spencer Cornelia, et al.,*  
Case No. 2:21- cv-01173-JCM-EJY  
(Dist. NV, filed June 21, 2021)



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11 *Dale Buczkowski*

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 WEALTHY INC. and DALE  
15 BUCZKOWSKI,

16 Plaintiffs,

17 v.

18 SPENCER CORNELIA, CORNELIA  
19 MEDIA LLC, and CORNELIA  
EDUCATION LLC,

20 Defendants.

Case No.:

**COMPLAINT**

21 Plaintiffs Wealthy Inc. ("Wealthy") and Dale Buczkowski (collectively, "Plaintiffs"), by  
22 and through their undersigned counsel, Culhane Meadows PLLC and Peterson Baker, PLLC,  
23 hereby file this complaint against Defendants Spencer Cornelia, Cornelia Media LLC, and Cornelia  
24 Education LLC ("Defendants"), and in support thereof aver as follows:

25 **JURISDICTION AND VENUE**

26 1. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §  
27 1331 (federal question), § 1367 (supplemental jurisdiction) and under the Lanham Act, 15 U.S.C.  
28 § 1121(a) and 1125(a)(1)(B).



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1           13. Mr. Buczkowski had previously served as an Executive Coach and member of the  
2 Board of Directors of Real Social Dynamics, the world's largest dating coaching company, since  
3 November 2003.

4           14. Mr. Buczkowski is the President and Co-Founder of Larson Consulting, founded in  
5 2011, which is dedicated to helping leaders solve critical strategic issues, accelerate growth, and  
6 improve the reputation and brand of their organizations in the context of strongly held values.

7           15. Wealthy is a leading entrepreneurship, finance, business, real-estate and self-  
8 improvement company owned and operated by Mr. Buczkowski, who operates the business under  
9 the federally registered trademark, Derek Moneyberg®.

10          16. Wealthy offers several training programs to its clients.

11          17. Wealthy offers three entry level programs entitled Moneyberg® Mentoring, Markets  
12 Mastery, and Real Estate Riches. These programs focus on entrepreneurship, financial markets, and  
13 real-estate investing. These programs are currently offered at \$5,000 each.

14          18. Wealthy also offers its clients a program entitled Mastermind Network, which  
15 currently requires a \$20,000 initiation fee and a \$5,000 annual renewal fee. This program provides  
16 a monthly coaching call and a forum for top students to network and exchange ideas in a high value  
17 environment.

18          19. Wealthy also offers 1-ON-1 Training with Derek Moneyberg® which is currently  
19 offered at prices starting at \$60,000 and including prices of \$75,000 or more, for well qualified  
20 applicants.

21          20. Wealthy actively markets its courses on various social media channels, including  
22 YouTube, LLC (Derek Moneyberg), Instagram (@derekmoneyberg), Facebook  
23 (@derekmoneyberg), Twitter (@derekmoneyberg), LinkedIn (Derek Moneyberg), Spotify (The  
24 Derek Moneyberg Podcast), and Apple Podcast (The Derek Moneyberg Podcast).

25          21. Wealthy's YouTube channel, Derek Moneyberg, has approximately 23.7K  
26 subscribers and over 1.2 million views, according to YouTube, and targets an audience interested  
27 in self-improvement in the areas of entrepreneurship, finance, business, and real-estate.

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1           32.    The "House Hack Expert" e-book is a real-estate investing guide with a focus on  
2 managing rental properties, which is available at the landing page: "<http://househackexpert.com>".

3           33.    The "House Hack Expert" landing page states "Copyright 2021 Cornelia Education  
4 LLC, all rights reserved." A copy of the "House Hack Expert" e-book is attached at Exhibit F.

5           34.    The "First 1,000 Subscribers" e-book is a social media business guide aimed at  
6 building a YouTube business, which is available at the landing page:  
7 "<http://firstonethousandsubs.com/>".

8           35.    The "First 1,000 Subscribers" landing page states "Copyright 2021 Cornelia  
9 Education LLC, all rights reserved." A copy of the "First 1,000 Subscribers" e-book is attached at  
10 Exhibit G.

11           36.    Mr. Cornelia highlights the importance of monetization of videos in his "First 1,000  
12 Subscribers" e-book, stating: "If you're selling some kind of coaching or mentorship services, you  
13 may only get 3,000 views on a video, but if only a couple of people pay for your services, then that  
14 single video made you thousands of dollars. Now imagine putting out a new video every week. The  
15 important factor is treating YouTube like a business from the start." Exhibit G, "First 1,000  
16 Subscribers," p. 25.

17           37.    Mr. Cornelia acknowledges in his "First 1,000 Subscribers" e-book, "I give a simple  
18 description of the types of content I make and then I provide a passive sales pitch by mentioning  
19 my two mentorship programs." Exhibit G, "First 1,000 Subscribers," p. 40.

20           38.    Mr. Cornelia offers monthly coaching programs, among other services, in both of  
21 his e-books:

- 22           • "If you'd like to cut down the learning curve and start living for free ASAP, then  
23 I'd recommend joining my monthly membership for access to a Private Discord  
24 Community, Monthly Coaching Calls, and Access to having all of your  
25 questions answered. You can join here (VIP House Hack Expert Patreon):  
26 <https://www.patreon.com/spencercornelia>" (Exhibit F, "House Hack Expert," p.  
27 39.)

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1           48.     Mr. Mulvehill reached out to Mr. Buczkowski after Mr. Mulvehill's arrest requesting  
2 that Mr. Buczkowski testify on his behalf and against the female victim.

3           49.     Mr. Buczkowski refused to return Mr. Mulvehill's calls and texts.

4           50.     According to an article first published by the Daily Beast in 2015, available at  
5 <https://www.thedailybeast.com/the-pickup-artist-too-sleazy-for-pickup-artists>, Mr. Mulvehill  
6 "pleaded to lesser charges of conspiracy to commit coercion and received a one-year suspended  
7 sentence, contingent upon the successful completion of impulse control counseling and a promise  
8 to stay off the Vegas Strip." A copy of the article is annexed as Exhibit I.

9           51.     The John Anthony Lifestyle YouTube page has 22.3K subscribers and just over 3.3  
10 million views, according to YouTube.

11           52.     Mr. Mulvehill has since carried out a scorched earth smear campaign against Mr.  
12 Buczkowski and Real Social Dynamics, on the board of which Mr. Buczkowski previously served,  
13 releasing several critical videos on his YouTube channel, John Anthony Lifestyle, and falsely  
14 accusing Mr. Buczkowski of having set up Mr. Mulvehill to be arrested.

15           53.     Mr. Mulvehill has also released several videos attacking the instructors of Real  
16 Social Dynamics, his self-described direct competitor. Mr. Mulvehill has attacked Mr. Buczkowski  
17 as well, including his work with Real Social Dynamics and his more recent work with Wealthy  
18 under the Derek Moneyberg® brand.

19           54.     Upon information and belief, Mr. Mulvehill has collaborated with Mr. Cornelia to  
20 broaden Mr. Mulvehill's reach and extend his smear campaign to an audience relevant to Wealthy's  
21 business, and to market Mr. Mulvehill's own dating and self-improvement business to that  
22 audience.

23                   **DEFENDANTS' FALSE AND DEFAMATORY VIDEOS**

24           55.     Between December 2020 and February 2021, Defendants, in collaboration with Mr.  
25 Mulvehill, produced at least two videos on YouTube containing false and defamatory statements  
26 about Mr. Buczkowski and the Derek Moneyberg® brand:

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- "Authentic or Charlatan: Derek Moneyberg [RSD Derek]", uploaded December 19, 2020, available at – <https://youtu.be/47X1P03F-ls> – (approximately 30.2K views as of June 7, 2021) ("First Video"); and
- "Derek Moneyberg - Fake Guru?", uploaded February 19, 2021, available at – <https://youtu.be/hg44-wFMaQg> – (approximately 15.2K views as of June 7, 2021) ("Second Video").

56. The First and Second Videos involve Mr. Cornelia ("[SC]") interviewing Mr. Mulvehill, a.k.a. John Anthony ("[JA]").

57. The First and Second Videos include false and defamatory statements which are neither matters of opinion nor based on disputed anonymous accounts of potential witnesses, but are unqualified and provably false statements of fact. These statements which were published by Defendants in the First and Second Videos are among the subjects of this lawsuit.

58. These false and defamatory statements include at least the following factual assertions that Mr. Buczkowski: (1) lied about his educational achievement; (2) laundered money; (3) manufactured and/or sold illegal drugs; (4) framed Mr. Mulvehill for his 2013 arrest in Las Vegas, leading to four felony and four misdemeanor charges; and (5) was involved in the death of the woman who was the alleged victim in the arrest of Mr. Mulvehill.

59. The First and Second Videos include the following assertions that Mr. Buczkowski lied about his educational achievement:

- "[JA:] I'm Derek Moneyberg, I have this University of Chicago degree OK which is not even true . . . ." (First Video at 1:57–2:02).
- "[JA:] Yeah, he also like even his credentials, like someone said in one of the YouTube comments they provided proof that like that he never went to, like, you know, he never attended Chicago Business School, he did like some kind of online thing." (Second Video at 9:34–9:46).
- "[JA:] He just repackaged content, and then made it out, he made himself out to be some kind of genius because he studied business but he doesn't have a real .



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1 . . uh, he never actually went to University of Chicago." (Second Video at 19:31–  
2 41).

3 • "[JA:] He's always saying like, well I have this Ivy League degree and he didn't  
4 attend Chicago Business School, some online thing." (Second Video at 31:23–  
5 31:31).

6 60. The assertion that Mr. Buczkowski lied about his level of educational achievement  
7 is false.

8 61. Mr. Buczkowski obtained an MBA from the University of Chicago Booth School  
9 of Business in 2015. *See* Exhibit A.

10 62. Mr. Buczkowski also received an award from the University of Chicago Booth  
11 School of Business entitled the Dean's Prize for Building the Chicago Booth Brand. *See* Exhibits  
12 B–D.

13 63. The Second Video includes the following assertions that Mr. Buczkowski laundered  
14 money:

15 • "[JA:] He has listed like that he had a business called like Larson Consulting  
16 which, which has like no you know substance behind it online, but it looks very  
17 well like it could be a front. [SC:] Yeah the address is right down the street from  
18 my house here too in Vegas. [JA:] It looks, it looks very well it could be a front  
19 for laundering money." (Second Video at 7:11–7:30).

20 64. The assertion that Mr. Buczkowski engaged in money laundering through his Larson  
21 Consulting business is false.

22 65. The assertion that Mr. Buczkowski engaged in money laundering appears to be  
23 based on nothing other than wild speculation by Defendants and Mr. Mulvehill.

24 66. The Second Video includes the following assertions that Mr. Buczkowski  
25 manufactured and/or sold illegal drugs:

26 • "[SC:] That's shady yeah so the next note on my notes is the drug house. So you  
27 believe, well I guess with public record. He must have been running a drug  
28 operation, if it's a house tied to him, it was a house purchased using drug money.

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1 Is there any reason to believe that it was him running a drug operation. Do you  
2 think that's how he made his money. [JA:] I don't I don't know the details. I  
3 know, I know he was. He has listed like that he had a business called like Larson  
4 Consulting which, which has like no you know substance behind it online, but it  
5 looks very well like it could be. [SC:] Yeah the address is right down the street  
6 from my house here too in Vegas. [JA:] It looks, it looks very well it could be a  
7 front for laundering money. " (Second Video at 6:45–7:31).

8 • "[JA:] He has like a lengthy arrest record where he was involved with, you know  
9 property forfeiture for manufacturing illegal drugs, for battery, all kinds of ...  
10 [SC:] it's public record too like it's known it's public. [JA:] Yeah, yeah and yeah  
11 and he's tried to hide all of it." (Second Video at 1:03–1:19).

12 67. The assertion that Mr. Buczkowski engaged in illicit drug manufacture and/or sale  
13 is false.

14 68. The assertion that Mr. Buczkowski engaged in illicit drug manufacture and/or sale  
15 appears to be based entirely on speculation by Defendants and Mr. Mulvehill about a prior litigation  
16 involving asset forfeiture of property owned by Mr. Buczkowski's deceased grandmother, in which  
17 Mr. Buczkowski temporarily served as the executor of the estate. The litigation in question was  
18 resolved without any finding of wrongdoing by Mr. Buczkowski following a decision by the Court  
19 of Appeals for the Eighth Circuit which reversed a decision of the District Court striking claims by  
20 the estate as untimely, *U.S. v. Real Properties Located at 7215 Longboat*, 750 F.3d 968 (8th Cir.  
21 2014).

22 69. Mr. Buczkowski has never been arrested for a drug crime, much less charged with  
23 or convicted of a drug crime.

24 70. The First and Second Videos include the following assertions that Mr. Buczkowski  
25 framed Mr. Mulvehill for his 2013 arrest in Las Vegas, leading to four felony and four misdemeanor  
26 charges:

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- "[JA:]That's why I don't give a fuck I'm saying all this stuff, they came out to me trying to set me up for an arrest and pass the pass which we'll discuss in another video that motherfucker." (First Video at 10:44–54).
- "[JA:] I've never been accused or charged with rape that situation with Derek did not involve any sex in the case or any kind of rape accusation. So, you know, like, it's very, very frustrating that they'll play like as low and dirty as they possibly can. Even to the point of setting people up for arrests, even in the point of using intimidation and bullying and threats, and all this stuff." (Second Video at 14:51–15:14).
- "[JA:] Yeah, I actually got arrested. My only time I've ever been arrested in my life was hanging out with this motherfucker one on one, okay he is like one of the worst human beings I've ever met. I didn't know at the time, but he was using aliases, okay. His real name is Dale Buczkowski. He goes by the alias, he was going by the alias RSD Derek had his face hidden everything, we can show you. I'll send you a picture of when he came to visit me in Vegas, basically I got a text and said, Hey, I'm coming to Vegas. Don't, don't let anyone know I'm in town, I'll explain later, okay never explained, without going into all the details of what happened, you know, it's, it's very obvious that he was involved there." (Second Video at 0:16–0:53).
- "[SC:] At the time of your arrest for a guy that's been in this dating world for so long you've had basically one night, that ended in an arrest and it happened to be with Derek, or Dale is his real name. [JA:] And were one-on-one as well. [SC:] You were one-on-one and there I know there was a lot of shady stuff too where he disappeared. He changed his number or something, and then it's like he's your friend he's hanging out with you and you get arrested and then he's gone. [JA:] He was using a burner phone, and he was using an alias at that time. And he claimed to not know the girls that we approached, and then it turns out

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1                   that one of the main girls in the group was working like a block from where he  
2                   lives in Chicago, and then that girl ended up dead." (Second Video at 5:45–6:45).

3           71.       The assertion that Mr. Buczkowski framed Mr. Mulvehill for Mr. Mulvehill's 2013  
4           arrest involving four felony and four misdemeanor charges is false and is based solely on  
5           speculation by Mr. Mulvehill.

6           72.       The Second Video includes the following assertions that Mr. Buczkowski was  
7           involved in the death of the woman who was the alleged victim in the arrest of Mr. Mulvehill:

- 8                   • "[JA:] That girl a 28 year old, living in Las Vegas who's like the primary witness  
9                   in the case ended up dead, and I couldn't find the cause of death I searched for  
10                  it. 28 doesn't make much sense. [SC:] Wow, that was really bizarre. [JA:] That  
11                  was the link to him." (Second Video at 5:45–6:45).
- 12                  • In reply to a comment on the Second Video's YouTube page stating the  
13                  following: "'And then that girl ended up dead' Whoa that escalated quickly.  
14                  RIP"; Mr. Cornelia stated "looked up the women in Clark County records and  
15                  she definitely passed. Tried to find the cause of death but they required a lawyer's  
16                  consent in order to attain those documents."

17           73.       The assertion that Mr. Buczkowski was involved in the death of the woman who  
18           was the alleged victim in the arrest of Mr. Mulvehill for four felony and four misdemeanor charges  
19           is false.

20           74.       Mr. Buczkowski did not know the woman before the night in question, and did not  
21           have any further contact with the woman afterward.

22           75.       The assertions that Mr. Buczkowski (a) framed Mr. Mulvehill for his 2013 arrest  
23           and (b) was involved in the death of the alleged victim appear to have been made by Mr. Mulvehill  
24           in an effort to absolve himself for his own actions in connection with which he was charged by the  
25           authorities with (1) kidnapping, 1st degree; (2) battery to commit mayhem/robbery/grand larceny;  
26           (3) kidnapping, 2nd degree; (4) coercion with force or threat of force; and four separate  
27           misdemeanor counts of open/gross lewdness.

28

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1           76. In addition to the above false and defamatory statements, Defendants made several  
2 additional statements that were asserted to be made by former clients and/or former colleagues of  
3 Plaintiffs to Mr. Mulvehill, and which Mr. Mulvehill relayed to Mr. Cornelia.

4           77. These additional statements are also false, defamatory and/or misleading, and  
5 which, even if they were first uttered by third parties, were published by Defendants in a manner  
6 that is at least misleading, if not false and defamatory in their own right.

7           78. These additional statements include, among others, assertions that Mr. Buczkowski  
8 (1) engaged in illegal activity in helping his clients obtain credit; (2) did not author any of his own  
9 content; and (3) coerced his clients to provide testimonials.

10           79. These additional statements were provided without any context and were made to  
11 seem more credible due to the false and defamatory statements discussed above, namely the  
12 assertions that Mr. Buczkowski (1) lied about his educational achievement; (2) laundered money;  
13 (3) manufactured and/or sold illegal drugs; (4) framed Mr. Mulvehill for his 2013 arrest in Las  
14 Vegas, leading to four felony and four misdemeanor charges; and (5) was involved in the death of  
15 the woman who was the alleged victim in the arrest of Mr. Mulvehill.

16           80. Mr. Cornelia also mentions his collaboration with John Anthony and further  
17 criticizes the Derek Moneyberg® brand in a video entitled "2020 Charlatan of the Year Awards",  
18 which was streamed live on Dec. 31, 2020 and is available at – <https://youtu.be/OPtscQP5W0c> –  
19 (approximately 15K views as of June 7, 2021) ("Third Video").

20           81. In the Third Video, Mr. Cornelia listed Derek Moneyberg along with several other  
21 people who Mr. Cornelia accuses of having engaged in certain nefarious and/or illegal activity in  
22 his "Authentic or Charlatan" series of videos.

23           82. The Third Video provides "awards" for people in the following categories: (1) Best  
24 Use of Scam or Fraudulent Money, (2) Best Use of Daddy's Money, (3) Plagiarist of the Year, (4)  
25 The Next Warren Buffett (Best Stock Trader), (5) Silencing Criticism, (6) Most Wealth Gained, (7)  
26 Fewest M&A Deals, (8) Worst Use of Money Raised, (9) Scammiest Webinar or Speech, (10)  
27 Worst Pyramid Scheme, (11) Scammiest Sales Pitch, (12) Snake Oil Salesman of the Year, and  
28 (13) Charlatan of the Year.

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1           83. Mr. Cornelia states in the Third Video that "I made a video with John Anthony on  
2 RSD Derek. I felt like that covered everything. I don't care for Derek at all." (Third Video at 27:43–  
3 27:53).

4           84. Mr. Cornelia further nominated Derek Moneyberg® to be Charlatan of the Year,  
5 stating:

- 6           • "It is Dan Bilzerian's Year. But here's the contender recently. Derek Moneyberg.  
7 Derek Moneyberg as #7 nominee for Charlatan of the Year. Derek Moneyberg.  
8 This one's tough." (Third Video at 39:07–39:25).
- 9           • "I think Dan Bilzerian is an absolute contender. But I'm thinking Derek  
10 Moneyberg. Derek Moneyberg fits all of the checkboxes for scammer of the  
11 year. Charlatan of the Year." (Third Video at 39:54–40:06).

12           85. Mr. Cornelia, in a comment on a YouTube video posted by Mr. Mulvehill, entitled  
13 "Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED LMAOOO | RSD  
14 Derek," uploaded February 10, 2021, available at – <https://youtu.be/qbqOkKQZ9h8>, included the  
15 following exchange between Spencer Cornelia and Mr. Mulvehill, a.k.a., John Anthony apparently  
16 speculating on reasons Instagram allegedly removed the Derek Moneyberg account:

17                           "[SC] Derek's man boobs were against Instagram's Terms of Service  
18 leading to an immediate termination. In the email, Instagram made it  
19 clear that Derek is at least 50 pounds away from appeal court.

20                           [JA:] Kaboom

21                           [Ragnarok Trasure:] Can't wait for your Moneyberg part 2 on Spencers  
22 Channel :D Loved part 1

23                           [JA:] coming soon!"

24           86. Defendants' statements about Plaintiffs in the First, Second, and Third Videos, and  
25 his statements on Mr. Mulvehill's February 10, 2021 video further demonstrate their reckless  
26 disregard for the truth, and actual malice.

27           87. Mr. Mulvehill's statements regarding Mr. Buczkowski, Wealthy and the Derek  
28 Moneyberg® brand are full of vitriolic language, including his concluding remarks on the First  
Video in which Mr. Mulvehill gestured toward his fist and stated about Mr. Buczkowski: "This is

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1 what that motherfucker needs right in his motherfuckin' nose the brass knuckles." (First Video at  
2 18:50–18:54)

3 88. Mr. Mulvehill's reckless disregard for the truth is demonstrated by his failure to  
4 properly investigate the charges he made, his motivation to compete with Mr. Buczkowski in the  
5 dating and lifestyle niche, his anger at Mr. Buczkowski for not testifying on his behalf regarding  
6 Mr. Mulvehill's 2013 arrest involving four felony and four misdemeanor charges, and by Mr.  
7 Mulvehill's vitriolic language throughout the First and Second Videos.

8 89. Defendants' publication of Mr. Mulvehill's remarks under the circumstances noted  
9 above exhibited negligence and/or reckless disregard for the truth.

10 90. Defendants' First and Second Videos both promote Mr. Mulvehill's services as  
11 shown by the following passages:

- 12 • "[JA:] Very much appreciate it. Yeah, for those of you that want real dating  
13 advice, John Anthony Lifestyle, on YouTube, Platinum dating system as I  
14 mentioned earlier ..." (First Video at 15:08–15:18).
- 15 • "[SC:] Okay, but, but yeah. Thanks everyone for watching. Thanks John for  
16 coming on. [JA:] Yeah, thanks for having me. So yeah, check out John Anthony  
17 Lifestyle YouTube, and platinum dating system dot com. I've got a whole ton of  
18 free content on YouTube as well to get your feet wet with the dating stuff that's  
19 very real and practical advice. So, but yeah, Thanks for having me. It was fun."  
20 (Second Video at 35:36–35:54).

21 91. Defendants further promoted Mr. Mulvehill's services by providing links on both  
22 the First and the Second Videos to John Anthony Lifestyle's website, YouTube channel, and the  
23 program entitled "Platinum Dating System."

24 92. Defendants also promoted their own services by providing references to their e-  
25 books on the Spencer Cornelia YouTube "About" page: (1) "House Hack Expert"; and (2) "First  
26 1,000 Subscribers," which in turn instruct readers to gain "access to a Private Discord Community,  
27 Monthly Coaching Calls, and Access to having all of your questions answered." *See* Exhibits F–G.

28

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1           93.     Upon information and belief, the references to Mr. Cornelia's e-books were available  
2 on his YouTube About page until approximately May 2021 but have since been removed. A  
3 screenshot of a search result showing archival references to the e-books on Mr. Cornelia's About  
4 page is annexed as Exhibit M.

5           94.     On information and belief, Defendants have derived revenue from the First, Second,  
6 and Third Videos, and through their e-books, Private Discord Community, and Monthly Coaching  
7 Calls.

8           95.     Defendants directly compete with Plaintiffs in providing monthly coaching on the  
9 topic of real-estate investing. Plaintiffs, on the one hand, and Defendants, on the other, each seek  
10 to build a social media following interested in self-improvement in the areas of entrepreneurship,  
11 finance, business, and real-estate.

12           96.     Defendants' guest Mr. Mulvehill competes directly with Mr. Buczkowski in  
13 providing dating and lifestyle advice, and directly with Wealthy and the Derek Moneyberg® brand  
14 in the area of lifestyle improvement.

15           97.     Defendants' guest Mr. Mulvehill competes indirectly with Wealthy and the Derek  
16 Moneyberg® brand in that many clients interested in the dating and lifestyle improvement niches  
17 tend to overlap with clients interested in the entrepreneurship, finance, business, and real-estate  
18 niches.

19           98.     Defendants' collaboration with Mr. Mulvehill greatly expanded Mr. Mulvehill's  
20 reach, which Mr. Mulvehill acknowledged in the First Video, stating: "But yeah, I really appreciate  
21 you bringing me on here you have more reach than my channel ... I like that you're, you're going to  
22 take these guys on, so yeah, ... I definitely go more head on, you're more objective and shit, and  
23 explore both sides there's no other side here." (First Video at 17:02–17:17).

24           99.     Plaintiffs have suffered significant harm as a result of Defendants' false and  
25 defamatory statements due to the nature of the false assertions involving deceit and illegal activity.

26           100.    Plaintiffs have suffered significant harm as a result of Defendants' false and  
27 defamatory statements through verbal and written cancellations, and declination of contracts for  
28 services.



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1           101. In one example of a written cancellation, a potential client of Plaintiffs' expressed  
2 interest in Wealthy's 1-on-1 coaching as part of a dialog on Instagram, and later cited a screenshot  
3 of the First Video when declining to purchase. A copy of this exchange is annexed as Exhibit J.

4           102. Defendants in the Second Video admit that Plaintiffs' clients pay up to \$75,000 per  
5 program for Wealthy's 1-on-1 coaching:

- 6           • "[JA:] So even as like a \$75,000 weekend training with him personally, for a  
7 weekend . . . [SC:] that might be the most expensive fake guru course." (Second  
8 Video at 1:47–1:54).
- 9           • "[SC:] You mentioned earlier 75,000 for a business training like I mean dude,  
10 you better be a VC with connections in Silicon Valley. [JA:] A weekend, that's  
11 for a weekend, and it's funny because I don't really watch much of his videos."  
12 (Second Video at 16:20–16:32).
- 13           • "[SC:] When I see Derek Moneyberg, I'm like, wait a second, and I rarely  
14 comment on people's physical appearance, I think that's a low blow, but I think  
15 in this case, it is fair, when you're trying to charge 75,000 for a business course  
16 and you dress like a bum. Your hair is like hideous, and he just, he does not  
17 present himself as what he is trying to be the image he's trying to portray."  
18 (Second Video at 17:19–17:42).
- 19           • "[JA:] So, I can teach them like an hour. So, you know, if they're just, they're  
20 just really like upping the upping the stakes on the scamming. Why not, you  
21 know, why not charge 75k for a weekend, why not. [SC:] If so, if you're a  
22 sociopath, and you have no empathy, why not charge the most if people want to  
23 pay it, why not, but that's the problem is these people have a certain mix of  
24 personality traits that form this concoction of, I don't want to say, evil, but in a  
25 way it is like you're just taking people's money and not delivering at all."  
26 (Second Video at 34:00–34:27).

27           103. Further, the false and defamatory videos have been used by those seeking to spread  
28 negative commentary about the Plaintiffs. The First Video was posted in a comment on an October

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1 22, 2020 Facebook Post on the Derek Moneyberg® page advertising One-on-One consulting calls,  
2 where the commenter stated: "For anyone who's looking to be a victim of Dale Buczkowski (aka  
3 Derek Moneyberg), please watch this first - <https://youtube/watch?v=47X1P03F-ls>." A copy of this  
4 comment is annexed as Exhibit K.

5 104. Since the Defendants' publication of the false and defamatory videos, Plaintiffs have  
6 received reports from their clients and potential clients that they have been contacted on Instagram  
7 by accounts with zero posts or followers that repeat the false and defamatory assertions published  
8 by Defendants. A copy of a comment by such an account named "dale\_buczkowski" is annexed as  
9 Exhibit L.

10 105. On information and belief, images widely published by Defendants as the thumbnail  
11 and main images for the First, Second, and Third Videos have been used by at least one account on  
12 Twitter entitled "Derek Moneyberg Hate Account" at the "@moneyberg\_hate" Twitter address,  
13 which was created on April 2021. A copy of the Derek Moneyberg Hate Account showing this  
14 image is annexed as Exhibit N. A copy of the thumbnail images used in the First, Second, and Third  
15 Videos is annexed as Exhibit O.

16 106. In addition to monetary harm, the false and defamatory statements in Defendants'  
17 videos have caused Mr. Buczkowski severe emotional distress.

18 107. Mr. Buczkowski grew up in difficult circumstances. He has spent much of his adult  
19 life distancing himself from the criminal environment of his childhood, where both his father and  
20 his uncle were convicted and incarcerated for drug-related crimes.

21 108. A large part of improving his life and distancing himself from his childhood  
22 environment involved achieving great academic success, including earning an MBA from the  
23 prestigious Chicago Booth School of Business and an undergraduate degree from Bradley  
24 University with academic honors.

25 109. The Defendants' and Mr. Mulvehill's false and defamatory statements about Mr.  
26 Buczkowski's level of educational achievement and involvement with illegal activities brought  
27 back terrible emotional and childhood trauma for Mr. Buczkowski.  
28

1 110. Aside from losing clients as a result of the defendants' false statements alleged in  
2 this Complaint, Mr. Buczkowski has endured significant mental anguish, including anxiety,  
3 tension, lost sleep and overeating as a result of Defendants' and Mr. Mulvehill's false and  
4 defamatory statements.

5 **CLAIMS FOR RELIEF**

6 **AS AND FOR A FIRST CLAIM**

7 **UNFAIR COMPETITION AND FALSE ADVERTISING**  
8 **UNDER THE LANHAM ACT, 15 U.S.C. § 1125 et seq.**

9 111. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

10 112. The statements published by Defendants and set forth above were false, misleading,  
11 and defamatory.

12 113. Defendants' publication of false, misleading, and defamatory statements regarding  
13 Mr. Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services, and of other  
14 false and misleading statements praising the products, programs, and plans with which Defendants  
15 are affiliated and/or receive compensation from, constitutes unfair competition and/or false  
16 advertising.

17 114. Defendants' social media channels purport to be an independent review that provides  
18 viewers with an objective resource, but actually are conduits for the promotion of products,  
19 programs, and plans with which Defendants are affiliated and/or from which they receive  
20 compensation.

21 115. Plaintiffs and Defendants compete directly with each other in the entrepreneurship,  
22 finance, business, and/or real-estate self-improvement niches.

23 116. In promoting those other products, programs, and plans, and disparaging Mr.  
24 Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services, Defendants are  
25 making false and misleading statements about Wealthy's products and services, including but not  
26 limited to the statements alleged herein.

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1 117. Defendants' false and misleading statements are material, in that they deceive, and  
2 are likely to deceive, customers and potential customers of Plaintiffs and adversely influence their  
3 purchasing decisions.

4 118. Defendants' false and misleading statements were made on the internet and  
5 published to tens of thousands of potential customers throughout the United States and beyond, and  
6 therefore were made in interstate commerce.

7 119. Defendants' false and misleading statements are likely to cause and have caused  
8 competitive commercial injury to Plaintiffs, including the lost sales mentioned herein.

9 120. Defendants' acts constitute willful, deliberate, false, and misleading representations  
10 of fact as to the nature and characteristics of Wealthy's services in violation of 15 U.S.C. §  
11 1125(a)(1)(B).

12 **AS AND FOR A SECOND CLAIM**

13 **DEFAMATION**

14 121. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

15 122. The statements about Plaintiffs published by Defendants that are set forth above  
16 were false and defamatory.

17 123. The statements were published by Defendants to many people on YouTube who  
18 would have had no way of judging the veracity of those claims.

19 124. On information and belief, at the time Defendants published the above-mentioned  
20 statements, they knew that the statements concerning Mr. Buczkowski, the Derek Moneyberg®  
21 brand and Wealthy's products and services were totally false or, in any event, that Defendants' false  
22 statements were made with an utter and reckless disregard of their truth or falsity.

23 125. Defendants' false and defamatory statements have severely injured Plaintiffs, in that  
24 they have tended to blacken and besmirch (a) Mr. Buczkowski's reputation, (b) Wealthy, and (c)  
25 the Derek Moneyberg® brand.

26 126. Each of the complained-of defamatory statements was understood by third parties  
27 to pertain to, and to defame Plaintiffs.

28





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1           4.       That the Court enter judgment against Defendants for compensatory, consequential,  
2 and/or incidental damages in an amount not less than Two Million Dollars (\$2,000,000.00);

3           5.       That Defendants be ordered to account for and disgorge to Plaintiffs all amounts by  
4 which Defendants have been unjustly enriched by reason of the unlawful acts complained of herein;

5           6.       That Plaintiffs be awarded exemplary or punitive damages against Defendants in an  
6 amount appropriate to punish Defendants and to make an example of Defendants to the community;

7           7.       That Plaintiffs be awarded an amount sufficient to reimburse Plaintiffs for the costs  
8 of corrective advertising;

9           8.       That Plaintiffs be awarded pre-judgment interest on all appropriate damages;

10          9.       That Plaintiffs be awarded reasonable attorneys' fees and costs incurred in this  
11 action; and

12          10.      For such other and further relief at law or in equity which the Court deems proper.

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27       ///

28       ///

**DEMAND FOR JURY TRIAL**

1  
2 Plaintiffs hereby demand a jury trial as provided by Rule 38(a) of the Federal Rules of Civil  
3 Procedure.

4 Respectfully submitted this 21st day of June, 2021.

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6  
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27 *Dale Buczkowski*  
28

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# **EXHIBIT 2**

## Complaint

*Wealthy Inc., et al. v. John Mulvehill, et al.,*  
Case No. 2:22-cv-00740-JCM-EJY  
(Dist. NV, filed May 9, 2022)

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9 *Attorneys for Plaintiffs Wealthy Inc. and*  
10 *Dale Buczkowski*

11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 WEALTHY INC. and DALE  
14 BUCZKOWSKI,

Case No.:

**COMPLAINT**

15 Plaintiffs,

16 v.

17 JOHN MULVEHILL, JOHN ANTHONY  
LIFESTYLE, LLC, and OPTIMIZED  
18 LIFESTYLE LLC

19 Defendants.

20 Plaintiffs Wealthy Inc. ("Wealthy") and Dale Buczkowski (collectively, "Plaintiffs"), by  
21 and through their undersigned counsel, Culhane Meadows PLLC and Peterson Baker, PLLC,  
22 hereby file this complaint against Defendants John Mulvehill, John Anthony Lifestyle, LLC, and  
23 Optimal Lifestyle, LLC ("Defendants"), and in support thereof aver as follows:

24 **JURISDICTION AND VENUE**

25 1. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §  
26 1331 (federal question), § 1332 (diversity jurisdiction), § 1367 (supplemental jurisdiction) and  
27 under the Lanham Act, 15 U.S.C. §§ 1121(a) and 1125(a)(1)(B).  
28



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1 is annexed as Exhibit C. A picture of the Assistant Dean (George Andrews) with Mr. Buczkowski  
2 celebrating his receiving the award is annexed as Exhibit D.

3 14. Mr. Buczkowski graduated with a bachelors' degree in business management and  
4 administration (BMA) from Bradley University with honors in 2005. An image of his academic  
5 achievement award from Bradley University is annexed as Exhibit E.

6 15. Mr. Buczkowski had previously served as an Executive Coach and member of the  
7 Board of Directors of Real Social Dynamics, the world's largest dating coaching company, since  
8 November 2003.

9 16. Mr. Buczkowski is the President and Co-Founder of Larson Consulting, founded in  
10 2011, which is dedicated to helping leaders solve critical strategic issues, accelerate growth, and  
11 improve the reputation and brand of their organizations in the context of strongly held values.

12 17. Wealthy is a leading entrepreneurship, finance, business, real-estate and self-  
13 improvement company owned and operated by Mr. Buczkowski, who operates the business under  
14 the federally registered trademark, Derek Moneyberg®.

15 18. Wealthy offers several training programs to its clients.

16 19. Wealthy offers three entry level programs entitled Moneyberg® Mentoring, Markets  
17 Mastery, and Real Estate Riches. These programs focus on entrepreneurship, financial markets, and  
18 real-estate investing. These programs are currently offered at \$5,000 each.

19 20. Wealthy also offers its clients a program entitled Mastermind Network, which  
20 currently requires a \$20,000 initiation fee and a \$5,000 annual renewal fee. This program provides  
21 a monthly coaching call and a forum for top students to network and exchange ideas in a high value  
22 environment.

23 21. Wealthy also offers 1-ON-1 Training with Derek Moneyberg® which is currently  
24 offered at prices starting at \$60,000 and including prices of \$75,000 or more, for well qualified  
25 applicants.

26 22. Wealthy actively markets its courses on various social media channels, including  
27 YouTube, LLC (Derek Moneyberg), Instagram (@derekmoneyberg), Facebook  
28

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1 (@derekmoneyberg), Twitter (@derekmoneyberg), LinkedIn (Derek Moneyberg), Spotify (The  
2 Derek Moneyberg Podcast), and Apple Podcast (The Derek Moneyberg Podcast).

3 23. Wealthy's YouTube channel, Derek Moneyberg, has approximately 134K  
4 subscribers, up from 23.7K subscribers in June 2021, and about 3.3 million views, up from 1.2  
5 million in June 2021, according to YouTube. Wealthy's YouTube channel targets an audience  
6 interested in self-improvement in the areas of entrepreneurship, finance, business, and real-estate.

7 24. Mr. Buczkowski is focused on growing his entrepreneurship, finance, business, and  
8 real-estate focused clientele through Wealthy and the Derek Moneyberg® brand.

9 25. Mr. Buczkowski continues to provide services to his base of over one hundred and  
10 fifty clients in the dating and lifestyle niche that he began developing while at Real Social  
11 Dynamics, and plans to continue providing programs in that niche after restrictions due to the  
12 pandemic are lifted. Mr. Buczkowski has grown his business to over six hundred clients under the  
13 Moneyberg® brand.

14 26. Several of Mr. Buczkowski's clients whom he began working with in the dating and  
15 lifestyle niche have continued to work with him and Wealthy in the areas of entrepreneurship,  
16 finance, business, and real-estate.

17 27. Many of Mr. Buczkowski's clients in the areas of entrepreneurship, finance,  
18 business, and real-estate were newly developed by Mr. Buczkowski under the Derek Moneyberg®  
19 brand, and did not previously work with Mr. Buczkowski in the dating and lifestyle niche.

20 **JOHN MULVEHILL (A.K.A. JOHN ANTHONY)**

21 28. John Mulvehill is a dating and self-improvement coach who markets his services  
22 under the brand John Anthony Lifestyle, and goes by the name of John Anthony.

23 29. On information and belief, Mr. Mulvehill is the owner of John Anthony Lifestyle,  
24 LLC, and Optimal Lifestyle, LLC, which are companies focused on his teaching of dating and  
25 lifestyle concepts aimed at men.

26 30. Mr. Mulvehill acknowledges in the videos discussed below that he views Real  
27 Social Dynamics, with which Mr. Buczkowski has been associated, as a direct competitor of his.

28 31. Upon information and belief, Mr. Mulvehill currently resides in Brazil.

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1           32.     Messrs. Buczkowski and Mulvehill met in 2013 through a mutual acquaintance who  
2 was Mr. Mulvehill's roommate at the time.

3           33.     Upon information and belief, Mr. Mulvehill has had a personal vendetta against Mr.  
4 Buczkowski since an encounter the two had in Las Vegas one evening in May 2013.

5           34.     Plaintiff Buczkowski and Mr. Mulvehill visited a Las Vegas nightclub that evening.

6           35.     Later the same evening, Mr. Mulvehill was involved in an incident as a result of  
7 which Mr. Mulvehill, according to Las Vegas Township Justice Court records, eventually was  
8 arrested and charged with felony counts of: (1) kidnapping, 1st degree; (2) battery to commit  
9 mayhem/robbery/grand larceny; (3) kidnapping, 2nd degree; (4) coercion with force or threat of  
10 force; and (5) four separate misdemeanor counts of open/gross lewdness. A copy of the charging  
11 information for this incident is annexed as Exhibit F.

12           36.     Mr. Mulvehill reached out to Mr. Buczkowski after Mr. Mulvehill's arrest requesting  
13 that Mr. Buczkowski testify on his behalf and against the female victim.

14           37.     Mr. Buczkowski refused to return Mr. Mulvehill's calls and texts.

15           38.     According to an article first published by the Daily Beast in 2015, available at  
16 <https://www.thedailybeast.com/the-pickup-artist-too-sleazy-for-pickup-artists>, Mr. Mulvehill  
17 "pleaded to lesser charges of conspiracy to commit coercion and received a one-year suspended  
18 sentence, contingent upon the successful completion of impulse control counseling and a promise  
19 to stay off the Vegas Strip." A copy of the article is annexed as Exhibit G.

20           39.     Mr. Mulvehill operates a website [www.johnanthonylifestyle.com](http://www.johnanthonylifestyle.com), and a YouTube  
21 page, entitled The John Anthony Lifestyle.

22           40.     The John Anthony Lifestyle YouTube page has 127 K subscribers and just over 7.28  
23 million views, according to YouTube.

24           41.     Mr. Mulvehill has since carried out a scorched earth smear campaign against Mr.  
25 Buczkowski and Real Social Dynamics, on the board of which Mr. Buczkowski previously served,  
26 releasing several critical videos on his YouTube channel, John Anthony Lifestyle.

27           42.     Mr. Mulvehill has also released several videos attacking the instructors of Real  
28 Social Dynamics, his self-described direct competitor. Mr. Mulvehill has attacked Mr. Buczkowski

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1 as well, including his work with Real Social Dynamics and his more recent work with Wealthy  
2 under the Derek Moneyberg® brand.

3 43. Upon information and belief, Mr. Mulvehill has collaborated with Mr. Cornelia to  
4 broaden Mr. Mulvehill's reach and extend his smear campaign to an audience relevant to Wealthy's  
5 business, and to market Mr. Mulvehill's own dating and self-improvement business to that  
6 audience.

7 44. Upon information and belief, Mr. Mulvehill owns and operates his dating and  
8 lifestyle businesses under John Anthony Lifestyle, LLC, and Optimal Lifestyle, LLC.

9 **MR. MULVEHILL'S SMEAR CAMPAIGN**  
10 **AGAINST DEREK MONEYBERG**

11 45. In May 2020, Mr. Mulvehill began to release a series of videos containing false,  
12 misleading, and defamatory statements about Plaintiffs on his YouTube channel, titled John  
13 Anthony Lifestyle.

14 46. The initial video released on May 10, 2020 by Mr. Mulvehill achieved the most  
15 views of this series of videos critical of Plaintiff, reaching 18,430 by June 2020 and a view count  
16 of over 21 K views before being taken down:

- 17 • Derek Moneyberg (RSD Derek) Exposed. Shady Criminal Past + Terrible Reviews +  
18 Fake Results, uploaded May 10, 2020, available at – <https://youtu.be/cV478KH4fw0>  
19 ("First JAL Video").

20 47. Mr. Mulvehill released several other videos critical of Plaintiffs. However, the  
21 majority of those videos had received just under six thousand views as of June 2021, including the  
22 following videos:

- 23 • "DEREK MONEYBERG ROAST REINSTATED!!!!," uploaded Jul 9, 2020, available  
24 at – [https://youtu.be/S1\\_9vPRglI4](https://youtu.be/S1_9vPRglI4) ("Second JAL Video").
- 25 • "Derek Moneyberg (RSD Derek) -- Biggest SCAMMER On Earth," uploaded September  
26 15, 2020, available at – [https://youtu.be/FEhqQHntw\\_M](https://youtu.be/FEhqQHntw_M) ("Third JAL Video").

27  
28





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1           50. Mr. Cornelia also publishes a series of videos entitled "Authentic or Charlatan" in  
2 which he asserts he seeks to expose "fake gurus on social media."

3           51. Upon information and belief, the YouTube channel is owned and operated by  
4 Cornelia Media LLC and/or Mr. Cornelia.

5           52. The "About" page for Mr. Cornelia's YouTube channel states "[t]he theme of the  
6 channel is to uncover truths that the world may struggle to notice."

7           53. Mr. Cornelia's "About" page provides links to his other social media sites: Patreon  
8 (Spencer Cornelia), Instagram (@spencercornelia1), Facebook (spencer.cornelia), LinkedIn  
9 (spencercornelia), and TikTok (spencercornelia).

10          54. Mr. Cornelia collaborated with Defendants, e.g., John Mulvehill (a.k.a. John  
11 Anthony), to produce a series of YouTube videos in the "Authentic or Charlatan" series that target  
12 Wealthy's business, Mr. Buczkowski, and the Derek Moneyberg® brand with false and defamatory  
13 statements that are at the core of this lawsuit.

14                   **DEFENDANTS' FALSE AND DEFAMATORY VIDEOS MADE IN**  
15                   **CONJUNCTION WITH SPENCER CORNELIA**

16          55. Between December 2020 and February 2021, Defendants, in collaboration with Mr.  
17 Cornelia, produced at least two videos released on Mr. Cornelia's YouTube channel containing  
18 false and defamatory statements about Mr. Buczkowski and the Derek Moneyberg® brand:

- 19           • "Authentic or Charlatan: Derek Moneyberg [RSD Derek]", uploaded December 19, 2020,  
20 available at – <https://youtu.be/47X1P03F-ls> – (approximately 30.2K views as of June 7,  
21 2021) ("First Cornelia Video"); and
- 22           • "Derek Moneyberg - Fake Guru?", uploaded February 19, 2021, available at –  
23 <https://youtu.be/hg44-wFMaQg> – (approximately 15.2K views as of June 7, 2021)  
24 ("Second Cornelia Video").

25          56. The First and Second Cornelia Videos involve Mr. Cornelia ("[SC]") interviewing  
26 Mr. Mulvehill ("[JM]").

27          57. The First and Second Cornelia Videos include false and defamatory statements  
28 which are neither matters of opinion nor based on disputed anonymous accounts of potential

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1 witnesses, but are unqualified and provably false statements of fact. These statements made by  
2 Defendants in the First and Second Cornelia Videos and published by Mr. Cornelia are among the  
3 subjects of this lawsuit.

4 58. These false and defamatory statements include at least the following factual  
5 assertions that Mr. Buczkowski: (1) lied about his educational achievement; (2) laundered money;  
6 (3) manufactured and/or sold illegal drugs; (4) framed Mr. Mulvehill for his 2013 arrest in Las  
7 Vegas, leading to four felony and four misdemeanor charges; and (5) was involved in the death of  
8 the woman who was the alleged victim in the arrest of Mr. Mulvehill.

9 59. On information and belief, Defendants first made each of these false and defamatory  
10 statements to Mr. Cornelia before and/or during their recording of the First and Second Cornelia  
11 Videos, and prior to the publication of those videos with the reasonable expectation that Mr.  
12 Cornelia would publish those videos on his YouTube channel.

13 60. The First and Second Cornelia Videos include the following assertions that Mr. Buczkowski  
14 lied about his educational achievement:

- 15 • "[JM:] I'm Derek Moneyberg, I have this University of Chicago degree OK which is not  
16 even true . . . ." (First Cornelia Video at 1:57–2:02).
- 17 • "[JM:] Yeah, he also like even his credentials, like someone said in one of the YouTube  
18 comments they provided proof that like that he never went to, like, you know, he never  
19 attended Chicago Business School, he did like some kind of online thing." (Second  
20 Cornelia Video at 9:34–9:46).
- 21 • "[JM:] He just repackaged content, and then made it out, he made himself out to be some  
22 kind of genius because he studied business but he doesn't have a real . . . uh, he never  
23 actually went to University of Chicago." (Second Cornelia Video at 19:31–41).
- 24 • "[JM:] He's always saying like, well I have this Ivy League degree and he didn't attend  
25 Chicago Business School, some online thing." (Second Cornelia Video at 31:23–31:31).

26 61. The assertion that Mr. Buczkowski lied about his level of educational achievement  
27 is false.

28

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1           62. Mr. Buczkowski obtained an MBA from the University of Chicago Booth School  
2 of Business in 2015. *See* Exhibit A.

3           63. Mr. Buczkowski also received an award from the University of Chicago Booth  
4 School of Business entitled the Dean's Prize for Building the Chicago Booth Brand. *See* Exhibits  
5 B–D.

6           64. The Second Cornelia Video includes the following assertions that Mr. Buczkowski  
7 laundered money:

8           • "[JM:] He has listed like that he had a business called like Larson Consulting which,  
9 which has like no you know substance behind it online, but it looks very well like it could  
10 be a front. [SC:] Yeah the address is right down the street from my house here too in  
11 Vegas. [JM:] It looks, it looks very well it could be a front for laundering money."  
12 (Second Cornelia Video at 7:11–7:30).

13           65. The assertion that Mr. Buczkowski engaged in money laundering through his Larson  
14 Consulting business is false.

15           66. The assertion that Mr. Buczkowski engaged in money laundering appears to be  
16 based on nothing other than wild speculation by Mr. Mulvehill.

17           67. The Second Cornelia Video includes the following assertions that Mr. Buczkowski  
18 manufactured and/or sold illegal drugs:

19           • "[SC:] That's shady yeah so the next note on my notes is the drug house. So you believe,  
20 well I guess with public record. He must have been running a drug operation, if it's a  
21 house tied to him, it was a house purchased using drug money. Is there any reason to  
22 believe that it was him running a drug operation. Do you think that's how he made his  
23 money. [JM:] I don't I don't know the details. I know, I know he was. He has listed like  
24 that he had a business called like Larson Consulting which, which has like no you know  
25 substance behind it online, but it looks very well like it could be. [SC:] Yeah the address  
26 is right down the street from my house here too in Vegas. [JM:] It looks, it looks very  
27 well it could be a front for laundering money. " (Second Video at 6:45–7:31).

28

- 1           • "[JM:] He has like a lengthy arrest record where he was involved with, you know  
2           property forfeiture for manufacturing illegal drugs, for battery, all kinds of ... [SC:] it's  
3           public record too like it's known it's public. [JM:] Yeah, yeah and yeah and he's tried to  
4           hide all of it." (Second Video at 1:03–1:19).

5           68.     The assertion that Mr. Buczkowski engaged in illicit drug manufacture and/or sale  
6           is false.

7           69.     The assertion that Mr. Buczkowski engaged in illicit drug manufacture and/or sale  
8           appears to be based entirely on speculation by Defendants and Mr. Mulvehill about a prior litigation  
9           involving asset forfeiture of property owned by Mr. Buczkowski's deceased grandmother, in which  
10          Mr. Buczkowski temporarily served as the executor of the estate. The litigation in question was  
11          resolved without any finding of wrongdoing by Mr. Buczkowski following a decision by the Court  
12          of Appeals for the Eighth Circuit which reversed a decision of the District Court striking claims by  
13          the estate as untimely, *U.S. v. Real Properties Located at 7215 Longboat*, 750 F.3d 968 (8th Cir.  
14          2014).

15          70.     Mr. Buczkowski has never been arrested for a drug crime, much less charged with  
16          or convicted of a drug crime.

17          71.     The First and Second Cornelia Videos include the following assertions that Mr.  
18          Buczkowski framed Mr. Mulvehill for his 2013 arrest in Las Vegas, leading to four felony and four  
19          misdemeanor charges:

- 20          • "[JM:] That's why I don't give a fuck I'm saying all this stuff, they came out to me trying  
21          to set me up for an arrest and pass the pass which we'll discuss in another video that  
22          motherfucker." (First Video at 10:44–54).
- 23          • "[JM:] I've never been accused or charged with rape that situation with Derek did not  
24          involve any sex in the case or any kind of rape accusation. So, you know, like, it's very,  
25          very frustrating that they'll play like as low and dirty as they possibly can. Even to the  
26          point of setting people up for arrests, even in the point of using intimidation and bullying  
27          and threats, and all this stuff." (Second Video at 14:51–15:14).

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1           • "[JM:] Yeah, I actually got arrested. My only time I've ever been arrested in my life was  
2 hanging out with this motherfucker one on one, okay he is like one of the worst human  
3 beings I've ever met. I didn't know at the time, but he was using aliases, okay. His real  
4 name is Dale Buczkowski. He goes by the alias, he was going by the alias RSD Derek  
5 had his face hidden everything, we can show you. I'll send you a picture of when he came  
6 to visit me in Vegas, basically I got a text and said, Hey, I'm coming to Vegas. Don't,  
7 don't let anyone know I'm in town, I'll explain later, okay never explained, without going  
8 into all the details of what happened, you know, it's, it's very obvious that he was  
9 involved there." (Second Video at 0:16–0:53).

10          • "[SC:] At the time of your arrest for a guy that's been in this dating world for so long  
11 you've had basically one night, that ended in an arrest and it happened to be with Derek,  
12 or Dale is his real name. [JM:] And were one-on-one as well. [SC:] You were one-on-  
13 one and there I know there was a lot of shady stuff too where he disappeared. He changed  
14 his number or something, and then it's like he's your friend he's hanging out with you and  
15 you get arrested and then he's gone. [JM:] He was using a burner phone, and he was using  
16 an alias at that time. And he claimed to not know the girls that we approached, and then  
17 it turns out that one of the main girls in the group was working like a block from where  
18 he lives in Chicago, and then that girl ended up dead." (Second Video at 5:45–6:45).

19           72.       The assertion that Mr. Buczkowski framed Mr. Mulvehill for Mr. Mulvehill's 2013  
20 arrest involving four felony and four misdemeanor charges is false and is based solely on  
21 speculation by Mr. Mulvehill.

22           73.       The Second Cornelia Video includes the following assertions that Mr. Buczkowski  
23 was involved in the death of the woman who was the alleged victim in the arrest of Mr. Mulvehill:

24          • "[JM:] That girl a 28 year old, living in Las Vegas who's like the primary witness in the  
25 case ended up dead, and I couldn't find the cause of death I searched for it. 28 doesn't  
26 make much sense. [SC:] Wow, that was really bizarre. [JM:] That was the link to him."  
27 (Second Video at 5:45–6:45).

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1           • In reply to a comment on the Second Video's YouTube page stating the following: "'And  
2           then that girl ended up dead' Whoa that escalated quickly. RIP"; Mr. Cornelia stated  
3           "looked up the women in Clark County records and she definitely passed. Tried to find  
4           the cause of death but they required a lawyer's consent in order to attain those  
5           documents."

6           74.     The assertion that Mr. Buczkowski was involved in the death of the woman who  
7           was the alleged victim in the arrest of Mr. Mulvehill for four felony and four misdemeanor charges  
8           is false.

9           75.     Mr. Buczkowski did not know the woman before the night in question, and did not  
10          have any further contact with the woman afterward.

11          76.     The assertions that Mr. Buczkowski (a) framed Mr. Mulvehill for his 2013 arrest  
12          and (b) was involved in the death of the alleged victim appear to have been made by Mr. Mulvehill  
13          in an effort to absolve himself for his own actions in connection with which he was charged by the  
14          authorities with (1) kidnapping, 1st degree; (2) battery to commit mayhem/robbery/grand larceny;  
15          (3) kidnapping, 2nd degree; (4) coercion with force or threat of force; and four separate  
16          misdemeanor counts of open/gross lewdness.

17          77.     In addition to the above false and defamatory statements, Mr. Mulvehill made  
18          several additional statements that were asserted to be made by former clients and/or former  
19          colleagues of Plaintiffs to Mr. Mulvehill, and which Mr. Mulvehill relayed to Mr. Cornelia.

20          78.     These additional statements are also false, defamatory and/or misleading, and  
21          which, even if they were first uttered by third parties, were published by Defendants in a manner  
22          that is at least misleading, if not false and defamatory in their own right.

23          79.     These additional statements include, among others, assertions that Mr. Buczkowski  
24          (1) engaged in illegal activity in helping his clients obtain credit; (2) did not author any of his own  
25          content; and (3) coerced his clients to provide testimonials.

26          80.     These additional statements were provided without any context and were made to  
27          seem more credible due to the false and defamatory statements discussed above, namely the  
28          assertions that Mr. Buczkowski (1) lied about his educational achievement; (2) laundered money;

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1 (3) manufactured and/or sold illegal drugs; (4) framed Mr. Mulvehill for his 2013 arrest in Las  
2 Vegas, leading to four felony and four misdemeanor charges; and (5) was involved in the death of  
3 the woman who was the alleged victim in the arrest of Mr. Mulvehill.

4 81. Mr. Mulvehill's statements about Plaintiffs in the First and Second Cornelia Videos  
5 and his conversation with Mr. Cornelia in the lead up to making those videos further demonstrate  
6 his reckless disregard for the truth, and actual malice.

7 82. Mr. Mulvehill's statements regarding Mr. Buczkowski, Wealthy and the Derek  
8 Moneyberg® brand are full of vitriolic language, including his concluding remarks on the First  
9 Cornelia Video in which Mr. Mulvehill gestured toward his fist and stated about Mr. Buczkowski:  
10 "This is what that motherfucker needs right in his motherfuckin' nose the brass knuckles." (First  
11 Cornelia Video at 18:50–18:54)

12 83. Mr. Mulvehill's reckless disregard for the truth is demonstrated by his failure to  
13 properly investigate the charges he made, his motivation to compete with Mr. Buczkowski in the  
14 dating and lifestyle niche, his anger at Mr. Buczkowski for not testifying on his behalf regarding  
15 Mr. Mulvehill's 2013 arrest involving four felony and four misdemeanor charges, and by Mr.  
16 Mulvehill's vitriolic language throughout the First and Second Cornelia Videos.

17 84. Mr. Mulvehill's remarks under the circumstances noted above, and his collaboration  
18 with Mr. Cornelia which foreseeably led to Mr. Cornelia publishing the videos on his own channel,  
19 exhibited negligence and/or reckless disregard for the truth.

20 85. The First through Eleventh JAL Videos that Mr. Mulvehill published on his own  
21 YouTube channel, The John Anthony Lifestyle, contain similar false and defamatory statements  
22 against Plaintiffs.

23 86. Defendants' promoted their services on Mr. Cornelia's channel as shown by the  
24 following passages:

- 25 • "[JM:] Very much appreciate it. Yeah, for those of you that want real dating advice, John  
26 Anthony Lifestyle, on YouTube, Platinum dating system as I mentioned earlier ..." (First  
27 Video at 15:08–15:18).

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1           • "[SC:] Okay, but, but yeah. Thanks everyone for watching. Thanks John for coming on.  
2           [JM:] Yeah, thanks for having me. So yeah, check out John Anthony Lifestyle YouTube,  
3           and platinum dating system dot com. I've got a whole ton of free content on YouTube as  
4           well to get your feet wet with the dating stuff that's very real and practical advice. So,  
5           but yeah, Thanks for having me. It was fun." (Second Video at 35:36–35:54).

6           87. Mr. Mulvehill further promoted his services by requesting that Mr. Cornelia provide  
7           links from his videos to John Anthony Lifestyle's website, YouTube channel, and the program  
8           entitled "Platinum Dating System."

9           88. Defendants compete directly with Mr. Buczkowski in providing dating and lifestyle  
10          advice, and directly with Wealthy and the Derek Moneyberg® brand in the area of lifestyle  
11          improvement.

12          89. Defendants compete indirectly with Wealthy and the Derek Moneyberg® brand in  
13          that many clients interested in the dating and lifestyle improvement niches tend to overlap with  
14          clients interested in the entrepreneurship, finance, business, and real-estate niches.

15          90. Mr. Mulvehill greatly expanded his reach through his collaboration with Mr.  
16          Cornelia, which Mr. Mulvehill acknowledged in the First Cornelia Video, stating: "But yeah, I  
17          really appreciate you bringing me on here you have more reach than my channel ... I like that you're,  
18          you're going to take these guys on, so yeah, ... I definitely go more head on, you're more objective  
19          and shit, and explore both sides there's no other side here." (First Cornelia Video at 17:02–17:17).

20          91. Plaintiffs have suffered significant harm as a result of Defendants' false and  
21          defamatory statements due to the nature of the false assertions involving deceit and illegal activity.

22          92. Plaintiffs have suffered significant harm as a result of Defendants' false and  
23          defamatory statements through verbal and written cancellations, and declination of contracts for  
24          services.

25          93. Plaintiffs observed shortly after the release of the First Cornelia Video, a significant  
26          loss in clients resulting in lost revenue on the order of \$5.3 million in total lifetime value of those  
27          clients.

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1 94. Defendants in the Second Cornelia Video admit that Plaintiffs' clients pay up to  
2 \$75,000 per program for Wealthy's 1-on-1 coaching:

- 3 • "[JM:] So even as like a \$75,000 weekend training with him personally, for a weekend .  
4 . . [SC:] that might be the most expensive fake guru course." (Second Video at 1:47–  
5 1:54).
- 6 • "[SC:] You mentioned earlier 75,000 for a business training like I mean dude, you better  
7 be a VC with connections in Silicon Valley. [JM:] A weekend, that's for a weekend, and  
8 it's funny because I don't really watch much of his videos." (Second Video at 16:20–  
9 16:32).
- 10 • "[SC:] When I see Derek Moneyberg, I'm like, wait a second, and I rarely comment on  
11 people's physical appearance, I think that's a low blow, but I think in this case, it is fair,  
12 when you're trying to charge 75,000 for a business course and you dress like a bum. Your  
13 hair is like hideous, and he just, he does not present himself as what he is trying to be the  
14 image he's trying to portray." (Second Video at 17:19–17:42).
- 15 • "[JM:] So, I can teach them like an hour. So, you know, if they're just, they're just really  
16 like upping the upping the stakes on the scamming. Why not, you know, why not charge  
17 75k for a weekend, why not. [SC:] If so, if you're a sociopath, and you have no empathy,  
18 why not charge the most if people want to pay it, why not, but that's the problem is these  
19 people have a certain mix of personality traits that form this concoction of, I don't want  
20 to say, evil, but in a way it is like you're just taking people's money and not delivering at  
21 all." (Second Video at 34:00–34:27).

22 95. Further, the false and defamatory videos have been used by those seeking to spread  
23 negative commentary about the Plaintiffs. The First Cornelia Video was posted in a comment on  
24 an October 22, 2020 Facebook Post on the Derek Moneyberg® page advertising One-on-One  
25 consulting calls, where the commenter stated: "For anyone who's looking to be a victim of Dale  
26 Buczkowski (aka Derek Moneyberg), please watch this first - <https://youtube/watch?v=47X1P03F->  
27 [ls.](https://youtube/watch?v=47X1P03F-)" A copy of this comment is annexed as Exhibit H.  
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1           96.     Since the Defendants' and Mr. Cornelia's publication of the false and defamatory  
2 videos, Plaintiffs have received reports from their clients and potential clients that they have been  
3 contacted on Instagram by accounts with zero posts or followers that repeat the false and  
4 defamatory assertions published by Defendants. A copy of a comment by such an account named  
5 "dale\_buczowski" is annexed as Exhibit I.

6           97.     On information and belief, images widely published by Defendants as the thumbnail  
7 and main images for the First and Second Cornelia Videos have been used by at least one account  
8 on Twitter entitled "Derek Moneyberg Hate Account" at the "@moneyberg\_hate" Twitter address,  
9 which was created on April 2021. A copy of the Derek Moneyberg Hate Account showing this  
10 image is annexed as Exhibit J. A copy of the thumbnail images used in the First and Second  
11 Cornelia Videos is annexed as Exhibit K.

12           98.     In addition to monetary harm, the false and defamatory statements in Defendants'  
13 videos have caused Mr. Buczkowski severe emotional distress.

14           99.     Mr. Buczkowski grew up in difficult circumstances. He has spent much of his adult  
15 life distancing himself from the criminal environment of his childhood, where both his father and  
16 his uncle were convicted and incarcerated for drug-related crimes.

17           100.    A large part of improving his life and distancing himself from his childhood  
18 environment involved achieving great academic success, including earning an MBA from the  
19 prestigious Chicago Booth School of Business and an undergraduate degree from Bradley  
20 University with academic honors.

21           101.    Mr. Mulvehill's false and defamatory statements about Mr. Buczkowski's level of  
22 educational achievement and involvement with illegal activities brought back terrible emotional  
23 and childhood trauma for Mr. Buczkowski.

24           102.    Aside from losing clients as a result of the defendants' false statements alleged in  
25 this Complaint, Mr. Buczkowski has endured significant mental anguish, including anxiety,  
26 tension, lost sleep and overeating as a result of Mr. Mulvehill's false and defamatory statements.

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**CLAIMS FOR RELIEF**

**AS AND FOR A FIRST CLAIM**

**UNFAIR COMPETITION AND FALSE ADVERTISING  
UNDER THE LANHAM ACT, 15 U.S.C. § 1125 et seq.**

103. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

104. The statements made and published by Defendants and set forth above were false, misleading, and defamatory.

105. Defendants' publication of false, misleading, and defamatory statements regarding Mr. Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services, and of other false and misleading statements praising the products, programs, and plans with which Defendants are affiliated and/or receive compensation from, constitutes unfair competition and/or false advertising.

106. The social media channels of Defendants and Mr. Cornelia purport to serve as an independent review that provides viewers with an objective resource, but actually are conduits for the promotion of products, programs, and plans with which Defendants are affiliated and/or from which they receive compensation.

107. Plaintiffs and Defendants compete with each other through the lifestyle self-improvement niche.

108. In promoting those other products, programs, and plans, and disparaging Mr. Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services, Defendants are making false and misleading statements about Wealthy's products and services, including but not limited to the statements alleged herein.

109. Defendants' false and misleading statements are material, in that they deceive, and are likely to deceive, customers and potential customers of Plaintiffs and adversely influence their purchasing decisions.

110. Defendants' false and misleading statements were made on the internet and published to tens of thousands of potential customers throughout the United States and beyond, and therefore were made in interstate commerce.

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121. As a proximate result of Defendants' malicious, intentional, or reckless conduct as set forth above, Plaintiffs are entitled to such damages as will compensate them for the injury to their professional reputations and lost income, and for punitive damages as well to punish Defendants for their conduct and deter Defendants and others similarly situated from like acts in the future.

**AS AND FOR A THIRD CLAIM**

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

122. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

123. Defendants committed the acts and made the statements alleged previously with the intention of, or with reckless disregard for the possibility of, causing severe or extreme emotional distress to Plaintiff Buczkowski.

124. Plaintiff Buczkowski suffered severe or extreme emotional distress as a proximate consequence of the acts and statements of Defendants alleged previously.

125. By reason of the foregoing, Plaintiff Buczkowski is entitled to actual damages for his emotional distress caused by Defendants' statements and acts complained of as well as punitive damages.

**AS AND FOR A FOURTH CLAIM**

**BUSINESS DISPARAGEMENT**

126. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

127. The statements made and published by Defendants concerning Plaintiffs and set out above were false and disparaging.

128. The statements made by Defendants and set out above were understood by third parties to pertain to and to disparage Plaintiffs.

129. The statements made by Defendants concerning Plaintiffs and set out above were made with malice, because Defendants published the statements with intent to cause harm to Plaintiffs and with knowledge of their falsity, or because Defendants made the statements with reckless disregard for whether or not they were true.

1 130. As the proximate result of Defendants' publication of the statements set out above,  
2 Plaintiffs suffered pecuniary loss and also suffered a general decline in their business and income.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, based on the foregoing, Plaintiffs pray for relief as follows:

5 1. For a declaratory judgment that:

- 6 a. Defendants engaged in false advertising in violation of Section 43 of  
7 the Lanham Act, 15 U.S.C. § 1125 *et seq.*;
- 8 b. Defendants defamed Plaintiffs under common law;
- 9 c. Defendants intentionally inflicted emotional distress on Plaintiff  
10 Buczkowski; and
- 11 d. Defendants disparaged Plaintiffs' business under common law;

12 2. That the Court enter judgment against Defendants that acts they committed as set  
13 forth in this Complaint were willful, making this an exceptional case;

14 3. That the Court issue a preliminary and permanent injunction enjoining and  
15 restraining Defendants and their agents, servants, employees, successors, assigns, and all other  
16 persons acting in concert or in conspiracy with or affiliated with Defendants, from:

- 17 e. Engaging in false advertising concerning Plaintiffs;
- 18 f. Engaging in further defamation of Plaintiffs;
- 19 g. Engaging in further infliction of emotional distress on Plaintiff  
20 Buczkowski; and
- 21 h. Engaging in further business disparagement of Plaintiffs' business;

22 4. That the Court enter judgment against Defendants for compensatory, consequential,  
23 and/or incidental damages in an amount not less than Six Million Dollars (\$6,000,000.00);

24 5. That Defendants be ordered to account for and disgorge to Plaintiffs all amounts by  
25 which Defendants have been unjustly enriched by reason of the unlawful acts complained of herein;

26 6. That Plaintiffs be awarded exemplary or punitive damages against Defendants in an  
27 amount appropriate to punish Defendants and to make an example of Defendants to the community;

1           7.       That Plaintiffs be awarded an amount sufficient to reimburse Plaintiffs for the costs  
2 of corrective advertising;

3           8.       That Plaintiffs be awarded pre-judgment interest on all appropriate damages;

4           9.       That Plaintiffs be awarded reasonable attorneys' fees and costs incurred in this  
5 action; and

6           10.       For such other and further relief at law or in equity which the Court deems proper.

7   **DEMAND FOR JURY TRIAL**

8           Plaintiffs hereby demand a jury trial as provided by Rule 38(a) of the Federal Rules of Civil  
9 Procedure.

10          Respectfully submitted this 9<sup>th</sup> day of May, 2022.

11                                       PETERSON BAKER, PLLC

12  
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