

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON MUNICIPAL COURT
CENTRAL DIVISION

C.A. NO. 2015 01 CU - 1313

_____)
PAM LERNER JEWELRY, INC. DBA))
PAGEO, AND GEORGE PELZ,))
Plaintiffs,))
))
v.))
))
LINDA G. DOE,))
Defendant.))
_____)

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BOSTON MUNICIPAL COURT
CENTRAL DIVISION

COMPLAINT AND JURY DEMAND

Plaintiffs, Pam Lerner Jewelry, Inc. dba PAGEO, and George Pelz, for their
Complaint against Defendant, LINDA G. DOE, allege as follows:

NATURE OF THE ACTION

1. This is an action for libel and negligence under the common law of the Commonwealth of Massachusetts.
2. Linda G. Doe ("Linda G.") defamed PAGEO by publishing false, malicious and defamatory material on Yelp.

THE PARTIES

3. Linda G. Doe identified herself as "Linda G." of Boulder, Colorado on Yelp. Plaintiffs will subpoena Linda G.'s correct name and address from Yelp.
4. Pam Lerner Jewelry, Inc. dba Pageo (hereinafter "Pageo") is a domestic for profit Corporation with a location at 33 Newbury Street, Boston, Massachusetts.

5. George Pelz is a Massachusetts resident residing in Chestnut Hill, Massachusetts.

6. This Court has personal jurisdiction over Linda G. because the causes of action alleged arise from her (1) transacting business in this commonwealth, (2) contracting to supply services or things in this commonwealth, (3) causing tortious injury by an act or omission in this commonwealth, and (4) causing tortious injury in this commonwealth and (i) regularly doing business and (ii) deriving substantial revenue from services rendered in this commonwealth.

COUNT ONE - LIBEL

7. Paragraphs 1-6 are hereby incorporated by reference as if fully set forth herein.

8. On or about February 28, 2015, Linda G. published a defamatory review in Yelp as follows:

Run! Way overpriced, but worse than that is the ethics or LACK THEREOF!!

My husband, myself and some friends of ours were loyal customers of Pageo Newton, Nantucket and Boston. Together we spent 100s of thousands of dollars on some gorgeous but definitely way overpriced jewelry. It would be cheaper to fly to Italy, get a villa and buy it yourself!

The reason why am writing today is that at one point I was in a very desperate situation and I sold my diamond ring to George my wedding ring/engagement ring. I was in abusive relationship and was very desperate. I thought I could trust him since I had given him so much business, but basically gave me not even near one 10th of what it was worth, but I was so desperate I took it so I could find a place to live and get away from my abusive husband who controlled all of our assets. George took all the jewelry that I had ever bought there and gave me peanuts for it!! I had asked him if he could hold onto it and I would give him a good interest if he would just let me borrow to get out of my situation but he was unwilling to do so. I know he's not a bank, but considering our relationship and if anyone knew the true value of my jewelry it would be him!! He had no heart no soul. Disgusting to take

advantage of a woman like that!! The least he could have done was send me somewhere else, somewhere where I could have received at least half of what it was worth!

Incredibly at a later point I went to a fundraiser where they were raising money for abused women and different artists were donating their paintings and guess who sat at the same table? yes that's right the man who basically ripped me off when I was so down and out I could not believe he was at a fundraiser for abused women and sitting right next to me , I think he was with his sister , sister in law? If that's not a hypocrite I don't know what it is I say stay away-for many reasons thank you!! One word to end GROSS!!! Read less

9. On or about March 15, 2015, Linda G. published a defamatory review in Yelp

as follow:

I am so not surprised By your comment George!

I have written 6 reviews in my life time which anyone smart enough can see that to be true.

Very interesting how your first message was that you would like to know my last name and try to make it right. What happened to that response?

Hmmm

The fact that you wanted to know my last name show either you have scammed and ripped off many other vulnerable and desperate women who had to sell their jewelry in order to escape from controlling and abusive men or just a ploy as your second comment displays.

A yelp terrorist!! One word ,LAUGHABLE!

I have gone on with my life and want nothing in return I just thought possibly I could help even if just one other woman from being scammed by YOU!

What comes around goes around.

Good luck to YOU!

10. In the reviews, Linda G. published false and defamatory statements, including,

but not limited to:

- a. that Pageo lacked ethics;
- b. that she sold a diamond ring to George Pelz;
- c. that Mr. Pelz did not give her "near one 10th of what it was worth;"
- d. that "George took all the jewelry that I had ever bought there and gave

me peanuts for it!!”

- e. that George Pelz and Linda G met at a fundraiser for abused women;
- f. that Mr. Pelz “ripped me off” and “Disgusting to take advantage of a woman like that!;”
- g. that Pageo and Mr. Pelz scammed and ripped off many other vulnerable and desperate women; and,
- h. that she has “on with . . . life and want/s/ nothing in return . . . /she/ just thought possibly . . . /she/ could help even if just one other woman from being scammed by YOU.”

11. By publishing the foregoing statements on Yelp, Linda G. published defamatory statements to a wide range of persons in the public via the Internet.

12. The foregoing statements were and are wholly false and untrue and defamed PAGEO and George Pelz.

13. Linda G. negligently published the foregoing statements about PAGEO and George Pelz, causing them to suffer damages.

14. Linda G. refused to take down the review or issue a retraction; instead, she reaffirmed the defamatory statements in the review.

15. Linda G. published the foregoing statements with knowledge that the statements were false, or with reckless disregard as to the falsity of the statements.

16. Linda G.'s defamatory statements injured the reputation of PAGEO and Mr. Pelz.

17. Plaintiffs suffered damage to their reputation and standing in the community.

Mr. Pelz suffered personal humiliation, shame and disgrace and mental suffering as a direct result of this.

PRAYER FOR RELIEF

WHEREFORE, PAGEO and George Pelz prays for the following:

1. Money damages;
2. Punitive damages;
3. Prejudgment interest;
4. An order enjoining Linda G. from continuing to post on Yelp and commanding that Linda G. permanently remove the review from Yelp and from any other on-line media;
5. An order that Linda G. publicly retract her libelous statements; and
6. Such other relief as this Court deems just and proper.

COUNT TWO – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

18. Paragraphs 1-17 are hereby incorporated by reference as if fully set forth herein.

19. Linda G. intended to inflict emotional distress or knew or should have known that emotional distress was the likely result of her conduct.

20. Linda G.'s comments were extreme and outrageous and outside the bounds of civilized society

21. Defendant's conduct were the direct and proximate result of extreme emotional distress suffered by George Pelz.

PRAYER FOR RELIEF

WHEREFORE, GEORGE PELZ prays for the following:

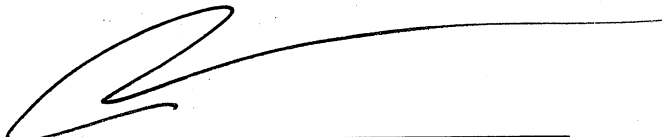
1. Money damages;
2. Punitive damages;
3. Prejudgment interest;
4. An order enjoining Linda G. from continuing to post on Yelp and commanding that Linda G. permanently remove the review from Yelp and from any other on-line media;
5. An order that Linda G. publicly retract her libelous statements; and
6. Such other relief as this Court deems just and proper.

JURY DEMAND

PAGEO and GEORGE PELZ request a trial by jury of any issue so triable as of right.

Respectfully submitted,
PAGEO and George Pelz,
By Their attorneys,

Dated: 7-29-15


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