

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

Golzar Amirmotazedi
9474 Seven Locks Road
Bethesda, MD 20817

Plaintiff,

v.

Viacom, Inc.
1515 Broadway
New York, NY 10036

and

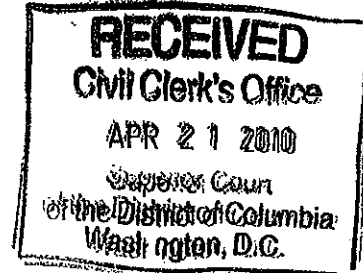
MTV Networks, Inc.
1515 Broadway
New York, NY 10036

and

Bunim/Murray Productions
6007 Sepulveda Blvd.
Van Nuys, CA 91411

Defendants.

0002563-10



JURY TRIAL DEMANDED

COMPLAINT AND JURY DEMAND

Plaintiff Golzar Amirmotazedi ("Plaintiff"), by and through her attorneys, Bailey & Ehrenberg PLLC, brings this action against Defendants Viacom, Inc., MTV Networks, Inc., and Bunim/Murray Productions (collectively "Defendants"), and for her Complaint states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction and venue over the claims asserted herein by virtue of D.C. Code § 11-921(a)(6) (and because the majority of the events that underlie this action and the injuries Plaintiff has sustained took place in the District of Columbia (the "District")).

PARTIES

2. Plaintiff is a 22-year-old female makeup artist of slight build who does not frequently drink alcoholic beverages.

3. Defendant Viacom, Inc. is a global entertainment content company that provides media and entertainment content to the public. Defendant Viacom, Inc. regularly does business in the District.

4. Defendant MTV Networks, Inc. is a Viacom, Inc. company that publishes to the public the reality television show titled "The Real World" which is filmed in a different city each season. Defendant MTV Networks, Inc. regularly does business in the District.

5. Defendant Bunim/Murray Productions is a company that works with MTV Networks, Inc. to film and produce The Real World. Defendant Bunim/Murray Productions regularly does business in the District.

FACTS

6. In the fall of 2009, Defendants filmed *The Real World in the District*. The cast members of that season resided in a townhome located in the 2000 block of S Street in the Northwest quadrant (specifically the DuPont Circle area) of the District.

7. On the evening of September 11, 2009, Plaintiff and her friend Isabella happened to be in the DuPont Circle area of the District. At approximately 11:00 p.m., Plaintiff and Isabella were passing by the Sign of the Whale restaurant (the "Restaurant") located on the 1800 block of M Street in the Northwest quadrant of the District.

8. As Plaintiff and Isabella were passing by the Restaurant, they encountered some male cast members from *The Real World*, including cast members named "Andrew" and "Josh". The cast members noted that they were going to "hang out" at the Restaurant and invited Plaintiff and Isabella to join them, and Plaintiff and Isabella did in fact enter the Restaurant with the cast members.

9. Between 11:00 p.m. and approximately 1:30 a.m., the cast members fed Plaintiff -- who at the time weighed approximately 100 pounds -- between 8 to 10 alcoholic beverages. On information and belief, the cast members supplied Plaintiff with several mixed alcoholic drinks, as well as shots of tequila and Jaegermeister, such that Plaintiff became heavily intoxicated while at the Restaurant. Plaintiff was so intoxicated as of 1:30 a.m. or so, that she has no recollection of leaving the Restaurant with Isabella and the cast members at or around that time.

10. On information and belief, Plaintiff and Isabella left the Restaurant with the cast members at approximately 1:30 a.m. and were taken to The Real World house.

11. On information and belief, Defendants threw Plaintiff out of the Real World house around 3:00 a.m. over her objection and with full knowledge of Plaintiff's significantly intoxicated state because Plaintiff did not desire to have sexual relations with one of the male cast members. On information and belief, Plaintiff stated to Defendants that she was concerned about leaving because she was intoxicated and could not drive herself home, and because she did not want to be wandering around the District alone in the middle of the night. Due to her substantial intoxication at the time, Plaintiff has little recollection of what transpired during her time at the Restaurant and during her time in The Real World house.

12. On or about March 10, 2010, Defendants aired a show titled "Girlfriends and Dead Ends" and another show titled "Aftershow" ("The Real World shows"). Defendants have since reaired The Real World shows. The shows were broadcast country- and world-wide on the MTV Networks television channels.

13. The Real World shows contained edited video footage of Plaintiff in the Restaurant and The Real World house that misrepresented Plaintiff as a "crazy" and "weird" "mess" with multiple emotional/psychological issues.

14. On The Real World shows, Andrew, one of the cast members, referred to Plaintiff as “Debbie Downer.”¹ Andrew also stated on The Real World shows that Plaintiff was a “girl he could not get rid of” (giving the impression that Plaintiff was stalking him in an attempt to have sexual relations with him) and that he never previously had to turn a girl down, and described Plaintiff as having “so many problems”.

15. On The Real World shows, other cast members referred to Plaintiff as being a “hot mess” and “that ugly girl”. One cast member even made a hand gesture to indicate her belief that Plaintiff was mentally unstable. In addition, The Real World shows made public private facts about Plaintiff that she did not intend the public to hear such as “I have problems”, “I was bullied in high school” and that she sometimes wears sunglasses because “I have anxiety and I freak out” when I take them off.

16. Plaintiff neither consented to Defendants portraying her in a false light nor making public private facts about her.

17. Outtakes from The Real World shows, titled “Too much Andrew Attention,” later posted on The Real World Dailies website and made available to the general public (both country- and world-wide), show that Plaintiff in fact was not in a position to provide her consent to Defendants portraying her in a false light or disclosing private facts about her.

¹ Debbie Downer is a slang phrase which refers to an individual who frequently brings down the mood of everyone in their presence by adding bad news and negative feelings to a conversation.

18. The outtakes show that, while Plaintiff was in The Real World house (on information and belief, between approximately 1:30 a.m. and 3:00 a.m.) cast members outwardly stated that Plaintiff appeared to be intoxicated and Plaintiff outwardly stated that she was in fact drunk. Andrew noted that Plaintiff had had “everything” to drink that evening, including “Redbulls and vodka”, “Jaeger bombs” and “tequila”.

19. Defendants publication of The Real World shows and the outtakes from those shows have caused Plaintiff significant embarrassment, emotional distress and humiliation. As a result of the shows and outtakes, members of the general public have made additional negative comments about Plaintiff. For example, in the Reality Smites section of the Express online newspaper, one contributor wrote about Plaintiff that “she’s as awful as she sounds”, is a “dirty skank”, and “she’s the worst local representation of Washington”. Other individuals commented on Plaintiff (as portrayed on the shows and outtakes) on the Real World Dailies as follows:

- “this chick is crazy”;
- “that girl is fucking craazy [sic]”;
- “that black hair girl is just weird . . . I like how [A]shley told her that her makeup was mess [sic] up and then she started to freak out”;
- “she has issues man, she just looks unstable”; and
- “that weird stalker chick of Andrews has some balls being around those 3 like that”

Members of the general public have also commented about Plaintiff (as portrayed on the shows and outtakes) on other internet sites. Such comments have included the following:

- “Oh boy --- she needs Xanax”;
- “this goth looking chick is a whore”;
- “Not exotic? That girl looks like a coke whore”; and
- “crazy bitch”

20. As a direct and proximate cause of Defendants actions, Plaintiff has, among other things: (a) lost her self-esteem and become depressed; (b) become afraid of leaving her home because of public ridicule; (c) been forced to resign her employment and lose wages; (d) been denied subsequent employment opportunities; (e) lost friends; (f) received harassing text messages; (g) had trouble sleeping at night such that she can no longer fall asleep at night without taking sleeping pills; (h) had frequent nightmares; (i) experienced headaches from stress; and (j) suffered from loss of appetite and nausea.

21. On or about March 30, 2010, Plaintiff, through undersigned counsel, contacted Defendants Viacom, Inc. and Bunim/Murray Productions to notify them that their publication of The Real World shows and outtakes from the shows had subjected Plaintiff to public ridicule and scorn and had caused Plaintiff extreme emotional distress. Plaintiff informed Defendants Viacom, Inc. and Bunim/Murray Productions that their actions were unauthorized and unwelcome and requested that Defendants Viacom, Inc. and Bunim/Murray Productions remove publications of her casting her in a false light and disseminating private facts from public access.

22. On or about March 31, 2010, Defendant MTV Networks, Inc. responded on behalf of Defendants MTV Networks, Inc. and Viacom, Inc., merely stating that MTV Networks, Inc. had forwarded Plaintiff's concerns to Bunim/Murray Productions. To date, Plaintiff has not received any other response from any of the Defendants and Defendants have not taken any action to stop the dissemination of The Real World shows and outtakes from the shows that cast Plaintiff in a false light and contain private facts of Plaintiff.

COUNT I
Against All Defendants
(Invasion of Privacy – False Light)

23. Paragraphs 1 through 22 are incorporated by reference as though fully set forth herein.

24. Defendants' actions, noted above, resulted in the publication of false statements, representations and imputations regarding and concerning Plaintiff which have resulted in Plaintiff being placed in a false light that would be offensive to any reasonable person.

25. Specifically, Defendants caused a widespread communication/publication of edited video footage of Plaintiff on the MTV Networks' television channels and its various related internet sites, without Plaintiff's consent, that (among other things) misrepresented Plaintiff as a "crazy whore" with many emotional and psychological issues. In the edited footage, Andrew referred to Plaintiff as "Debbie Downer" and described Plaintiff as having "so many problems" and as a girl he "could not get rid of"

(implying that Plaintiff was stalking him in an attempt to have sexual relations with him). Other cast members referred to Plaintiff as being a “hot mess.” One cast member even made a hand gesture to indicate that Plaintiff was crazy and made derogatory comments regarding Plaintiff’s name and ethnicity.

26. Defendants portraying Plaintiff in such a light – and the offensiveness of Defendants’ portrayal of Plaintiff – is further evidenced by the disparaging and embarrassing statements members of the general public have made on various internet sites (including sites owned and controlled by Defendants) about Plaintiff which include:

- “she’s as awful as she sounds”, is a “dirty skank”, and “she’s the worst local representation of Washington”;
- “this chick is crazy”;
- “that girl is fucking craazy [sic]”;
- “that black hair girl is just weird . . . I like how Ashley told her that her; makeup was mess [sic] up and then she started to freak out”;
- “she has issues man, she just looks unstable”;
- “that weird stalker chick of Andrews has some balls being around those 3 like that”
- “Oh boy --- she needs Xanax”;
- “this goth looking chick is a whore”;
- “Not exotic? That girl looks like a coke whore”; and
- “crazy bitch”

27. Portraying Plaintiff in such a way is and would be highly offensive to a reasonable person given that a reasonable person would not want the public to think of them as “crazy”, a “whore”, a “dirty skank”, a “hot mess” and/or a “stalker” with many emotional and psychological issues.

28. Defendants’ aforementioned portrayal of Plaintiff, without Plaintiff’s consent, invaded Plaintiff’s privacy by portraying her in a false light and was the proximate cause of Plaintiff’s aforementioned damages.

29. Defendants’ actions vis-à-vis Plaintiff were outrageous, malicious, reckless and in willful disregard of Plaintiff’s rights. Defendants’ reasonably should have expected that their airing of such footage, as edited and without Plaintiff’s lawful consent, would result in significant embarrassment, harassment and damage to Plaintiff.

COUNT II
Against All Defendants
(Invasion of Privacy – Disclosure of Private Facts)

30. Paragraphs 1 through 29 are incorporated by reference as though fully set forth herein.

31. By airing footage of Plaintiff on The Real World shows and outtakes from the shows, Defendants caused a widespread publication and disclosure of the private facts that Plaintiff was bullied throughout high school and that she suffers from anxiety in a manner that would be deemed outrageous and highly offensive to an ordinary reasonable person without Plaintiff providing her consent.

32. Plaintiff's private facts were not matters of public concern where such facts about Plaintiff have not previously been made public, Plaintiff is not a public figure, and Plaintiff has no affiliation with the show or its cast members. The fact that Plaintiff was bullied in high school and suffers from anxiety are not matters of legitimate interest to the citizens of the District, the United States or any foreign country.

33. Accordingly, Defendants' dissemination of the above mentioned private facts about Plaintiff invaded Plaintiff's privacy and Plaintiff has been damaged as a direct and proximate result of Defendants' dissemination.

34. Defendants' actions vis-à-vis Plaintiff were outrageous, malicious, reckless and in willful disregard for Plaintiff's rights. Defendants' reasonably should have expected that their airing of such footage, as edited and without Plaintiff's lawful consent, would result in significant embarrassment, harassment and damage to Plaintiff.

COUNT III
Against All Defendants
(Intentional Infliction of Emotional Distress)

35. Paragraphs 1 through 34 are incorporated by reference as though fully set forth herein.

36. Defendants were aware and knew, or should have known, of Plaintiff's particular susceptibility to emotional distress due to their obtaining video footage of Plaintiff in which she explicitly stated to Andrew during a private conversation that she has anxiety problems.

37. By publishing the edited footage of Plaintiff, Defendants intended to cause Plaintiff severe emotional distress and/or published the edited footage and private facts about Plaintiff with reckless disregard of the probability that doing so would cause severe emotional distress to Plaintiff.

38. Defendants also intended to cause Plaintiff severe emotional distress and/or published the edited footage and private facts about Plaintiff with reckless disregard of the probability that doing so would cause severe emotional distress to Plaintiff, by continuing the publication of Plaintiff's private facts and representing Plaintiff in a false light even after Plaintiff requested on March 31, 2010 that Defendants remove the publications from public access and notified them that the publications have caused her extreme emotional distress.

39. As a direct and proximate result of Defendants' actions, Plaintiff has suffered and continues to suffer severe emotional distress so acute in nature that harmful physical consequences have already resulted (including, but not limited to, the inability to sleep, severe depression, headaches, loss of appetite, and loss of weight).

COUNT IV
Against All Defendants
(Negligent Infliction of Emotional Distress)

40. Paragraphs 1 through 39 are incorporated by reference as though fully set forth herein.

41. Defendants were aware and knew, or should have known, of Plaintiff's particular susceptibility to emotional distress due to their obtaining video footage of

Plaintiff in which she explicitly stated to Andrew in a private conversation that she has anxiety problems.

42. Defendants engaged in negligent conduct by representing Plaintiff in a false light and publishing private facts about Plaintiff (without Plaintiff's consent and without prior disclosure of their intent to do so to Plaintiff) such that when Plaintiff viewed the Real World shows and outtakes from the shows, she was shocked, surprised, horrified, outraged and became nauseated and anxious.

43. Defendants were further negligent by continuing the publication of Plaintiff's private facts and representing Plaintiff in a false light even after Plaintiff requested in writing that Defendants remove the publications from public access and notified Defendants that the publications have caused her extreme emotional distress.

44. As a direct and proximate result of Defendants' actions, Plaintiff has suffered and continues to suffer severe emotional distress so acute in nature that harmful physical consequences have already resulted (including, but not limited to, Plaintiff's inability to sleep, having to take sleeping pills, severe depression, headaches, loss of appetite, and loss of weight).

PRAYER FOR RELIEF

45. Paragraphs 1 through 44 are incorporated by reference as though fully set forth herein.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in her favor and against Defendants on all counts of this complaint, as follows:

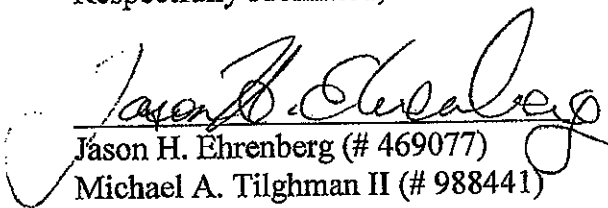
(1) compensatory damages in an amount not less than Five Million Dollars (\$5,000,000) which shall be proven at trial; (2) punitive damages in an amount to be determined at trial; (3) attorneys fees and costs; and (4) any and all other relief to which Plaintiff may be entitled.

JURY DEMAND

Plaintiff respectfully demands a jury trial in this action.

Dated: April 16, 2010

Respectfully submitted,



Jason H. Ehrenberg (# 469077)

Michael A. Tilghman II (# 988441)

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