

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

MELANIA TRUMP
725 Fifth Avenue
New York, New York 10022

Plaintiff,

v.

WEBSTER GRIFFIN TARPLEY
115 Goucher Terrace
Gaithersburg, Maryland 20871

and

MAIL MEDIA, INC. d/b/a MAIL ONLINE
42 Greene Street, Fourth Floor
New York, New York 10013

SERVE:
Maryland State Department of
Assessments and Taxation
301 W. Preston St.
Baltimore, Maryland 21201

Defendants.

Case No. V424492

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SEP 01 2016

Clerk of the Circuit Court
Montgomery County, Md.

COMPLAINT

Plaintiff, Melania Trump, by and through counsel, brings this action against Defendants Webster Griffin Tarpley and Mail Media, Inc. d/b/a Mail Online.

PARTIES

1. Plaintiff is an individual residing in New York, New York.
2. On information and belief, Defendant Webster Griffin Tarpley ("Tarpley") is an individual residing in Gaithersburg, Maryland who operates Tarpley.net, a weblog on the Internet.

3. On information and belief, Defendant Mail Media, Inc. d/b/a Mail Online (“Daily Mail”) is a Delaware corporation, with its principal place of business in New York, New York, that manages, operates and/or publishes dailymail.co.uk, a news website. Daily Mail has United States web traffic of nearly 2 million visitors each day.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to Md. Code Ann., Courts and Judicial Proceedings § 6-102 because Tarpley is domiciled in Montgomery County, Maryland. This Court also has jurisdiction over this action pursuant to Md. Code Ann., Courts and Judicial Proceedings § 6-103 based upon the transaction of business in the State of Maryland by Tarpley and Daily Mail.

5. Venue in this Court is appropriate pursuant to Md. Code Ann., Courts and Judicial Proceedings § 6-201 because Tarpley resides in Montgomery County, Maryland.

COUNT I (Libel Against Tarpley)

6. Plaintiff realleges and incorporates by reference paragraphs 1 through 5 as though fully set forth herein.

7. On August 2, 2016, Tarpley published a blog post entitled “Where Is Melania Trump” on tarpley.net (the “Tarpley Post”).

8. The Tarpley Post contains the following false and defamatory statements:

a. “Rumors Swirl in Manhattan That Ms. Trump Is Having an Apoplectic Fit After Plagiarism Incident at GOP Convention and Is Refusing to Return to Campaign Trail, Putting Enormous Strain on Trump Operation;”

b. “Ms. Trump Reportedly Obsessed by Fear of Salacious Revelations by Wealthy Clients from Her Time as a High-End Escort;”

c. "It is also widely known that Melania was not a working model but rather a high end escort."

d. "But now, two wives of wealthy business associates of the GOP nominee have reportedly been overheard during this past weekend as saying that Melania is in a state of apoplectic tantrum, and is suffering from a full-blown nervous breakdown."

e. "She may also be contemplating flight, according to these unconfirmed reports coming from a well-informed source."

f. "It is speculated that Trump will attempt to hide Melania's mental breakdown and rejection of campaigning from the media and the public for as long as possible."

g. "Melania's condition is already compounding Trump's stress during the arduous presidential campaign."

h. "According to this report, Melania Trump is terrified about possible revelations involving her past activities, which are widely known to fellow Manhattan insiders, but are largely concealed from the general public."

i. "It is alleged that Melania did not work with any regularity as a model, much less a supermodel, before she knew Trump, but was described by the sources as a high end escort."

j. "Melania is said to be most afraid that some of her former clients will now come forward and implicate her as a luxury escort."

k. "Fear of embarrassing revelations is reported to be felt by both Trumps."

l. "The rapper 50 Cent has also made critical observations about Ms. Trump's past as a 'porn star.'"

m. “Certain Twitter feeds have also discussed Melania as a professional ‘service provider.’”

n. “As part of the atmospherics of Melania’s reported mental breakdown, the Rupert Murdoch-owned *New York Post* has chosen to publish nude photos of Melania for two separate issues in recent days.”

9. The statements of fact in the Tarpley Blog Post are false. Plaintiff did legitimate and legal modeling work for legitimate business entities. Plaintiff was not an escort or prostitute. Plaintiff did not have an apoplectic fit, apoplectic tantrum, nervous breakdown or mental breakdown, nor is she terrified or obsessed by fear about revelations from her past. Finally, Plaintiff never refused to return to the campaign trail or contemplated flight.

10. The defamatory statements made in the Tarpley Blog Post were of and concerning Plaintiff, and were attacks on her reputation which discouraged members of the public from having a positive opinion of her.

11. On information and belief, Tarpley published the Tarpley Blog Post while consciously doubting the truth of the claims in the article and thus acted with actual malice.

12. The defamatory statements in the Tarpley Blog Post were not privileged.

13. On or about August 21, 2016, Plaintiff, through counsel, sought a retraction and apology from Tarpley. On or about August 22, 2016, Tarpley removed the Tarpley Blog Post and published an apology and retraction of the Tarpley Blog Post.

14. The injurious character of the defamatory statements in the Tarpley Blog Post is self evident and therefore constitutes defamation *per se*. Further, Plaintiff is involved in many business ventures involving the licensing of her name and likeness, and relying upon her valuable reputation, and the defamatory publication foreseeably caused substantial damage to her

business, career, reputation and her actual and prospective economic relationships. As a result of Tarpley's conduct, Plaintiff has been damaged in an amount to be proven at trial.

15. Tarpley's conduct was despicable, abhorrent, intentional, malicious, and oppressive, and thus justifies an award of punitive damages.

WHEREFORE, the plaintiff, Melania Trump, demands judgment against the defendant, Webster Griffin Tarpley, in an amount in excess of Seventy Five Thousand Dollars (\$75,000.00) in compensatory damages and punitive damages, for a permanent injunction enjoining the publication of the defamatory statements set forth herein, plus interest and costs and for such other relief as this Court deems proper.

COUNT II
(Libel Against Daily Mail)

16. Plaintiff realleges and incorporates by this reference paragraphs 1 through 5 as though fully set forth herein.

17. On or about August 19, 2016, Daily Mail published an article entitled "Naked photoshoots, and troubling questions about visas that won't go away: The VERY racy past of Donald Trump's Slovenian wife" (the "Daily Mail Article") on dailymail.co.uk.

18. The Daily Mail Article contained the following false and defamatory statements:

a. "Just as it's now claimed Melania moved to New York in 1995 — not 1996 as she still says — based on a set of highly-charged, lesbian-themed, nude photographs of her said to have been taken in New York in 1995, which re-surfaced last week — it is also now being suggested the Trumps may have got confused about the date of their first meeting."

b. "According to a Slovenian journalist who has recently published an unauthorised biography of Melania, the Kit Kat meeting was staged — an elaborate act

for the benefit of the public.”

c. “Bojan Pozar claims the pair first met three years earlier, in 1995, around the time of the nude photo shoot. ‘During my research I was told that they met in 1995,’ says Pozar, a journalist who is co-author of *Melania Trump — The Inside Story: From A Slovenian Communist Village To The White House.*”

d. “‘The years between 1995 and 1998 are the most secret years of Melania Trump. She’d had a number of boyfriends in Slovenia, but we did not find anyone involved with Melania romantically during these years — it is very strange.’”

e. “‘But why lie about the dates in the first place? Well, firstly, in 1995 Trump was still married to his second wife, Marla Maples, whom he’d wed in 1993.’”

f. “‘Claims that the 1998 meeting was a ‘ruse’ are also made in another book, published this year, and available on Amazon.’”

g. “‘The book makes a number of unpleasant claims — such as one that a modelling agency Melania worked for in Milan before moving to New York was ‘something like a gentleman’s club’.’”

h. “‘Earlier this month, a Slovenian magazine, *Suzy*, published a front page story claiming Melania’s modelling agency in New York, run by New York entrepreneur, Paolo Zampolli, also operated as an escort agency for wealthy clients.’”

i. “‘“On the one hand they [the girls] pretended to be models, but they principally earned money as elite escorts,’ the magazine article claimed. ‘They even had two composite cards (presentation cards held by each model) — with two photos and basic information such as measurements, eye and hair colour, and agency details.’”

j. “One composite card was for the modelling business, and the other one for the sex business, as it stated whether they prefer the older men and described their abilities in the bedroom.”

k. “The article added: ‘What Melania’s [composite card] looked like only the people involved know, but it is no coincidence she got a rich husband.’”

l. “Biography writer Bojan Pozar has been told conflicting stories. One is that they were introduced at a restaurant in New York’s Soho, another that it was at a party given by a well known basketball player. But his sources agree on one thing — that it wasn’t at the Kit Kat Club in 1998.”

19. The statements of fact in the Daily Mail Article are false. Plaintiff did legitimate and legal modeling work for legitimate business entities and did not work for any “gentleman’s club” or “escort” agencies. Plaintiff was not a sex worker, escort or prostitute in any way, shape or form, nor did she ever have a composite or presentation card for the sex business. Plaintiff did not come to the United States until 1996. Thus, Plaintiff did not, and could not have participated in a photo shoot in the United States or met her current husband in the United States prior to that time.

20. The defamatory statements made in the Daily Mail Article were of and concerning Plaintiff, and were attacks on her reputation which discouraged members of the public from having a positive opinion of her.

21. On information and belief, Daily Mail wrote, edited and/or published the Daily Mail Article while consciously doubting the truth of the claims in the article, and after having received a written statement from Plaintiff’s representative that the claims in the article were false, and specifically that the source that they relied on was “*an unauthorized book written by*

malicious and bitter 'reporters' who have never met or spoken to Mrs. Trump and wrote a book filled with lies for their own personal gain". Further, the Daily Mail Article itself admitted that the claims that Plaintiff worked as an escort were "unsubstantiated" and that the author of the article was unable to contact the book author who was the supposed "source" of the claims. The book upon which the Daily Mail Article was based was apparently self-published and inherently unreliable. Daily Mail thus acted with actual malice.

22. The defamatory statements in the Daily Mail Article were not privileged.

23. On or about August 22, 2016, Plaintiff, through counsel, sought from Daily Mail a retraction of the Daily Mail Article, and an apology. On August 25, 2016, the Daily Mail Article was removed from dailymail.co.uk. However, as of the date of filing of this Complaint, there has been no retraction of the Daily Mail Article, or an apology.

24. The injurious character of the defamatory statements in the Daily Mail Article is self evident and therefore constitutes defamation *per se*. Further, Plaintiff is involved in many business ventures involving the licensing of her name and likeness, and relying upon her valuable reputation, and the defamatory publication foreseeably caused substantial damage to her business, career, reputation and her actual and prospective economic relationships. As a result of the conduct of Daily Mail, Plaintiff has been damaged in an amount to be proven at trial.

25. The conduct of Daily Mail was despicable, abhorrent, intentional, malicious and oppressive, and thus justifies an award of punitive damages.

WHEREFORE, the plaintiff, Melania Trump, demands judgment against the defendant, Mail Media, Inc. d/b/a Mail Online, in an amount in excess of Seventy Five Thousand Dollars (\$75,000.00) in compensatory damages and punitive damages, for a permanent injunction enjoining the publication of the defamatory statements set forth herein, plus interest and costs

and for such other relief as this Court deems proper.

COUNT III
(Tortious Interference With Actual and/or Prospective Business Advantage
Against All Defendants)

26. Plaintiff realleges and incorporates by this reference paragraphs 1 through 25 as though fully set forth herein.

27. Plaintiff has numerous licensing and endorsement contracts based on her good name and reputation as a prominent woman in American business, politics and fashion.

28. The defamatory statements of each of the Defendants, as pleaded in this Complaint, were intentionally made and were foreseeably and substantially certain to cause interference with Plaintiff's actual and/or prospective business relationships by damaging Plaintiff's good name and reputation, and deterring persons and entities from doing business with her.

29. Defendants' conduct in publishing the defamatory statements alleged herein actually interfered with Plaintiff's actual and/or prospective business relationships by sullyng her good name and accusing her of criminal, immoral conduct which advertisers and business people did not wish to be associated with.

30. Defendants' conduct in publishing false and defamatory statements was wrongful and tortious conduct.

31. Defendants' publication of false and defamatory statements was not privileged.

32. As a proximate result of Defendants' conduct, Plaintiff has suffered damage to her actual and/or prospective business relationships in an amount to be proven at trial.

33. Defendants' conduct was despicable, abhorrent, intentional, malicious, and oppressive, and thus justifies an award of punitive damages.

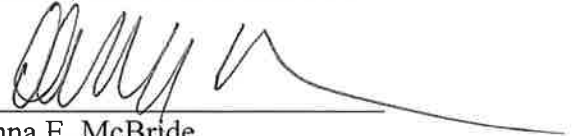
WHEREFORE, the plaintiff, Melania Trump, demands judgment jointly and severally against all defendants in an amount in excess of Seventy Five Thousand Dollars (\$75,000.00) in compensatory damages and punitive damages, for a permanent injunction enjoining the publication of the defamatory statements set forth herein, plus interest and costs and for such other relief as this Court deems proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues in this case pursuant to Md. Rule 2-325.

Respectfully submitted,

MILLER, MILLER & CANBY



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(*Pro hac vice* application to be filed)

September 1, 2016