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Attorneys for Plaintiff,
JANE DOE NO. 14

BY _____

2012 APR 26 PM 12:33
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

FILED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CASE NO: **CV 12-3620** - JFW
(PJW)

JANE DOE NO. 14,

Plaintiff,

v.

INTERNET BRANDS, INC.
D/B/A MODEL MAYHEM.COM,

Defendant.

) COMPLAINT ALLEGING DAMAGES FOR:
)
) 1. NEGLIGENCE
)
)
)
)
)
)
) DEMAND FOR JURY TRIAL

BY FAX

PLAINTIFF COMPLAINS AND ALLEGES AS FOLLOWS:

INTRODUCTION

1. This is an action for damages arising from the sexual battery of JANE DOE NO. 14 ("JANE" or "JANE DOE") by Emerson Callum and Lavont Flanders, who, through the use of a false identity and deceit, used the website MODEL MAYHEM.COM to lure, drug, and rape JANE DOE. The rape was videotaped for purposes of marketing and sale as pornography for profit. Defendant INTERNET BRANDS, INC. knew that Flanders and Callum had used MODEL MAYHEM.COM to lure other users in this sexual battery scheme, yet failed to warn users in any way of this danger or otherwise attempt to curb this activity.

THE PARTIES

2. Plaintiff JANE DOE is sui juris and is a citizen and resident of the State of Arkansas. Because this Complaint concerns facts of the utmost intimacy regarding sexual battery, Plaintiff brings this Complaint under a fictitious name to protect her identity. Plaintiff has a well-grounded fear of further injury if her identity were publicly disclosed.

3. MODEL MAYHEM.COM is a modeling industry website with over 600,000 members. MODEL MAYHEM.COM provides a platform for professional models and those who seek a career in modeling to market their services to the modeling industry.

4. Defendant, INTERNET BRANDS, INC. ("INTERNET BRANDS") is a Delaware corporation with its principal place of business located in El Segundo, California. INTERNET BRANDS owns and operates over one hundred websites, including MODEL MAYHEM.COM.

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1332(a) as (i) Plaintiff seeks damages in the amount of no less than \$10 million, well in excess of the

jurisdictional minimum of \$75,000, exclusive of costs and interest, and (ii) this action is between citizens of different states.

FACTUAL ALLEGATIONS

Internet Brands Knew of the Rape Scheme Targeting Modelmayhem.com Users

6. At all relevant times, JANE DOE was an adult female, residing in Brooklyn, New York.

7. JANE DOE, an aspiring model, joined MODELMAHEM.COM in an effort to further her career as a model and market her services in the modeling industry.

8. Unbeknownst to JANE DOE, sexual predators used MODELMAHEM.COM as a tool and resource for finding and contacting victims.

9. At all relevant times, Defendant INTERNET BRANDS was aware of the misuse of MODELMAHEM.COM by sexual predators and the danger posed to unsuspecting MODELMAHEM.COM users. INTERNET BRANDS was aware of a particular scheme to deceive MODELMAHEM.COM users to come to Miami for a modeling audition, whereupon they were drugged and raped, and the rape videotaped and sold as pornography. INTERNET BRANDS as early as August, 2010, knew that two individuals, Lavont Flanders and Emerson Callum, had been criminally charged in this scheme, and further knew from the criminal charges, the particular details of the scheme, including how MODELMAHEM.COM had been used in the scheme and its members victimized. Specifically, INTERNET BRANDS knew that:

a. Lavont Flanders and Emerson Callum would contact female MODELMAHEM.COM members, using fake identities, disguised as talent scouts.

b. Lavont Flanders and Emerson Callum would lure female

MODEL MAYHEM.COM members to South Florida to participate in fake auditions for a fraudulent modeling contract opportunity.

c. Lavont Flanders and Emerson Callum would drug the female MODEL MAYHEM.COM members with a date-rape drug during the fake audition.

d. Emerson Callum would then rape the unknowingly drugged women.

e. Lavont Flanders and Emerson Callum would record the rape on video camera.

f. Lavont Flanders and Emerson Callum would produce the rape videos and distribute the video on the internet, guised as consensual hardcore pornography.

10. JANE DOE was never warned nor given any information about this scheme by INTERNET BRANDS, despite the fact that she was a MODEL MAYHEM.COM member, which made her particularly vulnerable to the scheme. At all relevant times, INTERNET BRANDS knew that JANE DOE was typical of the women who were targeted and horrifically raped in the scheme.

Jane Doe was Raped in the Modelmayhem.com Scheme

11. In or about February, 2011:

a. JANE DOE was contacted by Lavont Flanders through MODEL MAYHEM.COM using a fake identity, disguised as a talent scout.

b. JANE DOE was lured to come to South Florida by Lavont Flanders to participate in a fake audition for a fraudulent modeling contract opportunity.

c. JANE DOE was unknowingly drugged with a date-rape drug by Lavont Flanders and Emerson Callum during the fake audition.

d. While under the influence of the date-rape drug, JANE DOE was raped by Emerson Callum.

e. Lavont Flanders and Emerson Callum recorded JANE DOE's drug-induced rape on video camera.

12. The next morning, JANE DOE woke up in her hotel room feeling disoriented, sick, and confused. JANE DOE then noticed that her mouth was swollen and that there was blood in her vaginal and anal area, as well as blood in the bathtub.

13. JANE DOE contacted the police and was taken by police to the hospital where she was examined and given blood tests. The blood tests revealed that JANE DOE had benzodiazepine in her blood stream. Upon information and belief, benzodiazepine is a common "date rape" drug, that when combined with alcohol, has the effect of causing one to "black out", with the inability to control one's actions or remember anything that occurred while under the influence. Benzodiazepine also has the unique effect of allowing someone under the influence to appear normal and coherent, despite being unable to control one's actions or remember what occurred.

14. As a direct and proximate result of the fraudulent solicitation, drugging, and rape, JANE DOE has suffered and will continue to suffer severe physical and psychological damages, mental anguish and pain, and loss of enjoyment of life.

15. Upon information and belief, since as early as 2006, Lavont Flanders and Emerson Callum used MODEL MAYHEM.COM as a means to access potential victims for their fraudulent scheme to solicit aspiring female models, such as JANE DOE, into fake modeling auditions, where they were drugged, raped, and videotaped for profit.

**Internet Brands Purposely Kept Modelmayhem.com
Users in the Dark about the Rape Scheme**

16. Upon information and belief, in or about 2007, Lavont Flanders and Emerson Callum were arrested and charged with luring and victimizing at least five women in this scheme, whom they met through internet modeling websites, including MODELMAHYHEM.COM.

17. In 2008, INTERNET BRANDS purchased and acquired all rights, title, and interest in the website MODELMAHYHEM.COM from Donald Waitt and Taylor Waitt (the "Waitts").

18. Shortly after purchasing MODELMAHYHEM.COM, INTERNET BRANDS learned of the charges against Flanders and Callum, and the central role played by MODELMAHYHEM.COM in the rapes of MODELMAHYHEM.COM members.

19. In August, 2010, INTERNET BRANDS brought a claim against the Waitts, in Waitt v. Internet Brands, Inc., case no. 10-CV-3006- GHK, U.S. District Court for the Central District of California. In this lawsuit, INTERNET BRANDS asserts that the Waitts failed to inform INTERNET BRANDS of the potential for civil suits against MODELMAHYHEM.COM arising from the actions of Lavont Flanders.

20. Accordingly, on INTERNET BRANDS own admissions, it had actual knowledge no later than August 2010, that:

- a. MODELMAHYHEM.COM was being used as a means of luring unsuspecting female MODELMAHYHEM.COM users, like JANE DOE, to drug and rape them,
- b. Lavont Flanders and Emerson Callum, in particular, had used MODELMAHYHEM.COM on multiple occasions to lure unsuspecting women

to drug, rape and videotape them for pornography; and

- c. Flanders and Callum used MODEL MAYHEM.COM as an essential element of the scheme, horrifically victimizing MODEL MAYHEM.COM's members.

CAUSE OF ACTION

NEGLIGENCE

21. Jane Doe repeats and realleges paragraphs 1 through 20 above.
22. INTERNET BRANDS had actual knowledge that Lavont Flanders and Emerson Callum were contacting female MODEL MAYHEM.COM members, using fake identities, disguised as talent scouts.
23. INTERNET BRANDS had actual knowledge that Flanders and Callum were luring female MODEL MAYHEM.COM members to South Florida to participate in fake auditions for a fraudulent modeling contract opportunity.
24. INTERNET BRANDS had actual knowledge that Flanders and Callum were drugging the female MODEL MAYHEM.COM members with a date-rape drug during the fake audition.
25. INTERNET BRANDS had actual knowledge that Callum was raping the unknowingly drugged female MODEL MAYHEM.COM members.
26. INTERNET BRANDS had actual knowledge that Flanders and Callum were recording the drug-induced rape on video camera.
27. INTERNET BRANDS had actual knowledge that Flanders and Callum were producing the drug induced rape video of female MODEL MAYHEM.COM members and distributing the video on the internet, guised as consensual hardcore pornography.
28. No later than August 2010, INTERNET BRANDS had the requisite knowledge to

avoid future victimization of MODEL MAYHEM.COM users by warning users of online predators generally, and of the scheme employed by Flanders and Callum in particular.

29. With this actual knowledge, INTERNET BRANDS had a duty to make adequate disclosures and warn MODEL MAYHEM.COM users of the danger presented, and inform them of the need to screen and verify the legitimacy of persons using MODEL MAYHEM.COM to contact them for modeling services.

30. INTERNET BRANDS knew that Plaintiff, in using MODEL MAYHEM.COM, was exposed to an unreasonable risk of harm from the foreseeable acts of sexual predators, particularly Callum and Flanders.

31. INTERNET BRANDS had superior knowledge of the scheme used by Flanders and Callum to lure and rape unsuspecting female MODEL MAYHEM.COM members.

32. INTERNET BRANDS controlled MODEL MAYHEM.COM and had the means and ability to warn MODEL MAYHEM.COM users and protect them from a known harm.

33. INTERNET BRANDS had a duty to disclose to, or warn Plaintiff, and other MODEL MAYHEM.COM users, of the dangers that were known to Defendant from Flanders and Callum using MODEL MAYHEM.COM to carry out the scheme.

34. INTERNET BRANDS owed JANE DOE a duty of protection from reasonably foreseeable harm.

35. INTERNET BRANDS breached its duty to warn MODEL MAYHEM.COM users, including Plaintiff, by choosing not to warn them about the danger of online predators or the scheme used by Flanders and Callum. As a result, JANE DOE was unknowingly drugged and raped in this scheme.

36. With willful and wanton disregard for the health and safety of its users,

INTERNET BRANDS brazenly sought compensation from the Waitts for failing to disclose the Flanders/Callum charges in 2008, while leaving its users vulnerably in the dark and exposed to heinous sexual batteries. Upon information and belief, INTERNET BRANDS was purposely silent to its users in an effort to evade or limit negative publicity and civil claims and liabilities arising from the acts and conduct of Flanders and Callum.

37. INTERNET BRANDS breached its duty to JANE DOE by failing to make any disclosure or warning that would have placed JANE DOE on notice of the danger and prevented the harm perpetrated by Flanders and Callum.

38. INTERNET BRANDS' failure to warn users of MODEL MAYHEM.COM, including JANE DOE, of the danger presented by sexual predators, particularly Flanders and Callum, demonstrates an egregious failure to exercise reasonable care.

39. As a direct result of INTERNET BRANDS negligent breach of its duty to warn, JANE DOE was an unknowing and helpless victim to the fraudulent solicitation, drugging, and rape by Lavont Flanders and Emerson Callum.

40. As a direct and proximate result of INTERNET BRAND'S negligence, JANE DOE has suffered and will continue to suffer severe mental anguish and pain, physical, psychological and emotional injuries, and loss of enjoyment of life.

**WHEREFORE, PLAINTIFF PRAYS FOR JUDGMENT AGAINST DEFENDANT,
AS TO THE CAUSE OF ACTION, AS FOLLOWS:**

1. General, special and consequential damages according to proof at time of trial;
2. Reasonable value of all medical expenses, medications, hospitalizations, therapy, counseling, and other related expenses, according to proof at time of

trial;

3. Loss of earning capacity, according to proof at time of trial;
4. For costs of the suit incurred herein;
6. For pre-judgment interest according to proof, pursuant to Civil Code § 3291; and
7. Such other and further relief this Court deems just and proper and/or is appropriate under law.

Dated: April 26, 2012.

By: _____



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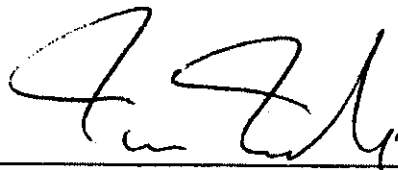
DEMAND FOR JURY TRIAL

Plaintiff, JANE DOE NO. 14;

HEREBY demands a jury trial.

Dated: April 26, 2012.

By: _____



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JANE DOE NO. 14 v. INTERNET BRANDS, INC., ET. AL.
ATTACHMENT 1(b)

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See Attachment 1(b)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JANE DOE NO. 14,

PLAINTIFF(S)

v.

INTERNET BRANDS, INC.
D/B/A MODEL MAYHEM.COM,

DEFENDANT(S).

CASE NUMBER

CV12-3626 JFW (BWX)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Kevin M. McGuire, whose address is 43460 Ridge Park Drive, Suite 200 Temecula, CA 92590. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

By: _____



(Seal of the Court)

Dated: APR 26 2012

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Arkansas

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles, California	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles, California	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
 Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date April 26, 2012
 Kevin M. McGuire, Attorney for Plaintiff

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3 -1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))