

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

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CLAUDIA DELLA MORA, an individual;
and BRANDI KAMENAR, an individual,

Plaintiffs,

JOEY SITRA DIOR and JANE DOE DIOR,
husband and wife; JOHN DOE and JANE
DOES I-X,

Defendants.

No. CV2016-007260

**ORDER GRANTING
PLAINTIFFS’ MOTION FOR
SUMMARY JUDGMENT**

*(Assigned to the
Honorable Rose Mroz)*

On the 2nd day of July, 2019, came to be heard Plaintiffs’ Motion for Summary Judgment on Plaintiffs’ claims in their entirety. After considering the arguments and the evidence submitted, the Court finds Plaintiffs’ Motion be well-taken, and this Court enters Judgment in favor of Plaintiffs and against Defendant, as specified herein.

Defendant posted numerous false and defamatory statements of fact (“the Statements”) regarding Plaintiffs with the purpose of harming Plaintiffs in their industry, trade, and profession. The Statements falsely accuse Plaintiffs of serious misconduct in their business practices, and falsely associates Plaintiffs with individuals and businesses with which neither Plaintiff has any affiliation or marketplace interaction.

This Court finds that Defendant was properly served with notice of the lawsuit and given full opportunity to dispute the allegations.

This Court further finds that, based on the arguments and evidence submitted, Plaintiffs are entitled to judgment against Defendant as a matter of law on the causes of action alleged in the Complaint.

1 In support of its discussion and judgment, the Court additionally makes the following
2 specific findings of fact:

3 1. The Court finds that the following assertions of fact about Plaintiffs in Rip Off
4 Report (hereinafter “ROR”) #1301108 <https://www.ripoffreport.com/reports/leo-sarabia-runs-a-fraud-beverly-wilshire-group-inc-company-is-scam/los-angeles-california-90067/leo-sarabia-runs-a-fraud-beverly-wilshire-group-inc-company-is-a-scam-beverly-wilshire-1301108> are false and defamatory as a matter of law:

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8 a. “Others in the Scam: Claudia Della Mora, Brandi Kamenar Los Angeles
9 California”
10 b. “He has several women involved with him: Who run the Scam (sic) with
11 him. Brandi Kamenar Claudia Della Mora – Black Legend Capital”
12 c. “are fraud (sic) and really good grafters”
13 d. “His Partners and Scam Squad: 1. Claudia Della Mora
14 https://blacklegendcapital.com/team_m_dellamora.php 2. Brandi Kamenar
15 <https://www.brandikamenar.com/> These people belong in JAIL”

16 2. The Court finds that the following assertions of fact about Plaintiffs in ROR
17 #1302721 <https://www.ripoffreport.com/reports/claudia-della-mora-fraud-and-scammer-black-legend-capital-be-warned/los-angeles-california-90067/claudia-della-mora-fraud-and-scammer-black-legend-capital-be-warned-brandi-kamenar-1302721> are false and defamatory as a matter of law:

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21 a. “Claudia Della Mora, Fraud and Scammer, Black Legend Capital Be
22 Warned- Los Angeles California.”
23 b. “Web: www.blacklegendcapital.com”
24 c. “Claudia Della Mora, Fraud and Scammer, Black Legend Capital Be
25 Warned Brandi Kamenar: www.brandikamenar.com Claudia Della Mora,
26 Brandi Kamenar, Leo Sarabia work together and run a scam Los Angeles
27 California.”

- 1 d. “They use different company names. But the scam is the same. Black
2 Legend Capital Claudia Della Mora www.blacklegendcapital.com Brandi
3 Kamenar Beverly Hills Brandi Kamenar www.brandikamenar.com
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5 e. “Mr. Leo Sarabia and Ms. Della Mora are professional Scam artists.”
6
7 f. Plaintiffs are a “group of huslers (sic) and scammer (sic) in Beverly Hills
8 working together to scam.”
9
10 g. Plaintiffs “set up Fake (sic) websites and scam you out of money”
11
12 h. Plaintiffs have taken money and not performed work.
13
14 i. “It seems they are running out of victims in California- Now Claudia Della
15 Mora has started to look for new victims to SCAM in New York.”
16
17 j. “Authorities Below (sic) are Aware of the SCAM Artists Claudia Della
18 Mora and Leo Sarabia – United States Postal Inspections -Los Angeles &
19 New York FBI Offices.”
20
21 k. “There is NO Independent Investigator. This was written by [a] CONMAN
22 along with Claudia Della Mora.”
23
24 l. “It clearly suggests... Conwoman Claudia Della Mora try to suggest they
25 are somehow connected to Law Enforcement.”
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3. The Court further finds that Plaintiffs’ have never had any marketplace interaction or business association with Leo Sarabia, Beverly Wilshire Group Inc., Defendant, or each other.
4. The Court finds that Defendant authored and published ROR #1301108 and ROR #1302721 (collectively “The RORs”).
5. The Court finds that the RORs of and concern the Plaintiffs and are reasonably understood to reference Plaintiffs.
6. The Court finds that Defendant authored the RORs with knowledge that all mentions of Plaintiffs were false and without Plaintiffs’ knowledge or consent.

1 7. The Court finds that Defendant published the RORs with the intent that they would
2 cause harm to Plaintiffs' reputations and business interests and create a false
3 association with Leo Sarabia, Beverly Wilshire Group, and each other.

4 8. The Court finds that Defendant has never inquired about or used either of the
5 Plaintiffs' business services, nor had any marketplace interaction or association of
6 any kind with either Plaintiff.

7 9. The Court finds that Defendant included references to Plaintiffs in the RORs to
8 cause harm to the Plaintiffs in the form of lost business volume, lost income, and
9 by loss of intangible assets.

10 10. The Court finds that the RORs effectively have the tendency to deter others from
11 associating or dealing with the Plaintiffs.

12 11. The Court finds that the inclusion of Plaintiffs in the ROR actually caused harm to
13 the Plaintiffs in the form of lost business volume, lost income, loss of intangible
14 assets, and by deterring others from associating or dealing with the Plaintiffs.

15 12. The Court finds that Defendant was served with proper process and notice of this
16 lawsuit at his domicile, residence, principal place of business, by email, Facebook
17 messenger, and telephone.

18 **IT IS THEREFORE ORDERED** that the Plaintiffs' Motion for Summary Judgment
19 is **GRANTED** in full.

20 **IT IS FURTHER ORDERED** that Plaintiff Della Mora be awarded compensatory
21 damages in the amount of \$500,000.00.

22 **IT IS FURTHER ORDERED** that Plaintiff Kamenar be awarded compensatory
23 damages in the amount of \$500,000.00.

24 **IT IS FURTHER ORDERED** that Plaintiffs be awarded taxable costs of \$813.25
25 pursuant to A.R.S. § 44-1201.

26 **IT IS FURTHER ORDERED** that Plaintiffs be awarded interest on the foregoing
27 amounts at the rate of 5.25% per annum from the date judgment is entered herein until paid in
full pursuant to A.R.S. § 44-1201.

1 **IT IS FURTHER ORDERED** that Plaintiffs be awarded the costs and fees incurred
2 in the collection of this Judgment, pursuant to future application to this Court. This Court
3 shall retain jurisdiction over this matter for adjudication of any such application.

4 **IT IS FURTHER ORDERED** that Defendant is permanently enjoined as follows:

5 a. Defendant, his agents, employees, independent contractors, attorneys,
6 representatives, and those persons or entities in active concert or participation with
7 them, are prohibited from any further acts of defamation by way of publishing the
8 same or similar false or misleading statements, comments, and/ or information
9 regarding either Plaintiff.

10 b. Defendant, his agents, employees, independent contractors, attorneys,
11 representatives, and those persons or entities in active concert or participation with
12 him, are mandated to take all action, including, but not limited to removing the
13 Statements and publications about Plaintiffs from the Internet, including
14 www.ripoffreport.com, and submitting deindexing and removal requests to all
15 Internet search engines, including Google, Yahoo!, and Bing via their removal
16 request portals. In order to effectuate this necessary relief, Plaintiffs are
17 individually and collectively authorized by this order to request removal, on
18 Defendant's behalf and as Defendant's agent, the removal and/ or deindexing of the
19 following URLs:

20 i. [https://www.ripoffreport.com/reports/leo-sarabia-runs-a-fraud-beverly-
21 wilshire-group-inc-company-is-scam/los-angeles-california-90067/leo-
22 sarabia-runs-a-fraud-beverly-wilshire-group-inc-company-is-a-scam-
23 beverly-wilshire-1301108](https://www.ripoffreport.com/reports/leo-sarabia-runs-a-fraud-beverly-wilshire-group-inc-company-is-scam/los-angeles-california-90067/leo-sarabia-runs-a-fraud-beverly-wilshire-group-inc-company-is-a-scam-beverly-wilshire-1301108)

24 ii. [https://www.ripoffreport.com/reports/claudia-della-mora-fraud-and-
25 scammer-black-legend-capital-be-warned/los-angeles-california-
26 90067/claudia-della-mora-fraud-and-scammer-black-legend-capital-be-
27 warned-brandi-kamenar-1302721](https://www.ripoffreport.com/reports/claudia-della-mora-fraud-and-scammer-black-legend-capital-be-warned/los-angeles-california-90067/claudia-della-mora-fraud-and-scammer-black-legend-capital-be-warned-brandi-kamenar-1302721)

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iii. Any and all other Internet URLs which now or hereinafter display, contain, or otherwise publish the same or similar statements decreed and declared herein by this Court to be false and defamatory, and specifically including any and all URLs in which the subject RORs are now located at or are to be located at on a subsequent date. This court specifically finds that it is foreseeable that the above-referenced URLs and the statements contained therein will copied or reference on additional webpages in the future, including but not limited to index, directory, and search result pages, and that this order specifically contemplates, acknowledges, and provides remedy for the same. Plaintiffs are not required to re-open the case and obtain an amended judgement in order to effectuate the relief contemplated and provided by this paragraph.

THE COURT REQUESTS THAT Google, Yahoo!, Bing, RipoffReport.com, and other websites with similar defamatory content about Plaintiff remove all associated webpages and URLs listed herein containing the defamatory content about Plaintiffs from their respective search indexes and websites.

IT IS FURTHER ORDERED that this Court retains jurisdiction to enforce this Judgment. There being no just reason for delay, this is a FINAL JUDGMENT not subject to revision or alteration in this action pursuant to Rule 54(c), *Ariz.R.Civ.P.*

DATED this ____ day of _____, 2019.

The Honorable Rosa Mroz
Maricopa County Superior Court Judge

eSignature Page 1 of 1

Filing ID: 10819883 Case Number: CV2016-007260
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Grant with New Order



/S/ Rosa Mroz Date: 8/28/2019
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2016-007260

SIGNATURE DATE: 8/28/2019

E-FILING ID #: 10819883

FILED DATE: 8/29/2019 8:00:00 AM

LOGAN VINCENT ELIA

JOEY SITRA DIOR
NO ADDRESS ON RECORD

JOHN DOE
NO ADDRESS ON RECORD

UNKNOWN KAMENAR
NO ADDRESS ON RECORD