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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING**

BRIAN BURKEL and XING WU,  
husband and wife, and the marital  
community composed thereof; and,  
AUTOGRAPHS AMERICA  
INCORPORATED, a Washington  
corporation,

Plaintiffs,

vs.

SKY BENSON and JANE DOE  
BENSON, husband and wife, and the  
marital community composed thereof;  
MICHAEL CREEL and JANE DOE  
CREEL, husband and wife, and the  
marital community composed thereof  
d/b/a ALLREADERS.NET and  
ALLSCAMS.US; MICHAEL FROST and  
JANE DOE FROST, husband and wife,  
and the marital community composed  
thereof; PROFESSIONAL  
AUTOGRAPH AUTHENTICATION  
SERVICES, a foreign entity,

Defendants.

**NO.  
COMPLAINT FOR  
DEFAMATION, INVASION OF  
PRIVACY, AND INTERFERENCE  
WITH BUSINESS EXPECTANCY**

**I. PARTIES**

1.1 Brian Burkel and Xing Wu are a married couple residing in King County  
Washington.

1           1.2     Autographs America Incorporated (“Autographs America”) is a  
2 Washington profit corporation.

3           1.3     Sky and Jane Doe Benson are a married couple residing in King County,  
4 Washington.

5           1.4     On information and belief, Michael and Jane Doe Creel are a married  
6 couple residing in Washington state.

7           1.5     On information and belief, Allreaders.net and Allscams.us are for profit,  
8 sole proprietorships, owned and managed by Michael Creel for the benefit of his marital  
9 community.  
10

11           1.6     On information and belief, Michael Frost and Jane Doe Frost are a married  
12 couple residing in Broward County, Florida.

13           1.7     On information and belief, Professional Autograph Authentication  
14 Services (PAAS), is a for profit sole proprietorship and/or partnership owned and  
15 managed by Mike Frost doing business nationally via the Internet.  
16

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18                                   **II.     JURISDICTION AND VENUE**

19           2.1     This court has jurisdiction because the Plaintiffs’ claims arise under  
20 Washington common and statutory law.

21           2.2     Venue is appropriate in King County, Washington because Mr. Benson  
22 committed the tort of defamation in King County and Mr. Benson resides in King  
23 County. Therefore, King County appropriate for all defendants because only one  
24 defendant need reside in the county for the venue to be appropriate for all defendants.  
25

26  
27 RCW 4.12.025(1)  
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1 **III. STATEMENT OF FACTS**

2 3.1 Mr. Burkel is the founder and owner of Autographs America. Autographs  
3 America sells music and entertainment memorabilia autographed by actual musicians and  
4 entertainers (“Authentic Memorabilia”) over the internet to collectors around the world.  
5 As can be expected, Autographs America’s reputation for selling only Authentic  
6 Memorabilia is vital to its success. Indeed, without this reputation it would cease to exist.  
7 Thus, Mr. Burkel, as the owner of Autographs America, upholds Autographs America’s  
8 reputation and integrity for selling only Authentic Memorabilia with absolute seriousness  
9 and intends and goes to great lengths to only sell Authentic Memorabilia. To that end,  
10 Autographs America takes all requisite measures to prevent the accidental sale or resale  
11 of forged signatures (“Fake Memorabilia”).  
12

13  
14 3.2 Mr. Burkel and Mr. Benson were business associates for approximately  
15 five years from the dates 2000-2005. Mr. Benson and Mr. Burkel had a disagreement and  
16 Mr. Burkel terminated his relationship with Mr. Benson.  
17

18 3.3 After his termination, Mr. Benson, with unlawful malice and  
19 vindictiveness, began a campaign to defame Mr. Burkel, his family, and Autographs  
20 America. Mr. Benson perpetuated falsehoods about Mr. Burkel, his family, and  
21 Autographs America. Mr. Benson publicized private facts about Mr. Burkel and his  
22 family which invaded their right to privacy.  
23

24 3.4 Mr. Benson knew that Autographs America’s reputation for selling  
25 Authentic Memorabilia was its most important asset. Mr. Benson began a campaign to  
26 disseminate falsehoods about Autographs America by telling multiple parties that  
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1 Autograph America intentionally and knowingly sells Fake Memorabilia to unsuspecting  
2 customers.

3           3.5     On or about February 2007, Mr. Benson filed a police report with the King  
4 County Sheriff's department that contained multiple untruths and falsehoods, specifically  
5 stating that Mr. Burkel sold "fake autographed stuff" and used Mr. Benson's credit card  
6 information without Mr. Benson's knowledge. The police report states that this "case for  
7 detective review." On information and belief, Mr. Benson also filed a similar report with  
8 federal law enforcement.  
9

10           3.6     Mr. Burkel has never been contacted by any law enforcement agency  
11 regarding these accusations of Fake Memorabilia, nor have any charges been filed against  
12 him. Mr. Benson was confronted by Mr. Burkel's attorney about retracting these false  
13 charges. Mr. Benson agreed that the accusations were false but did not want to publicly  
14 retract them because he would then subject himself to criminal liability.  
15

16           3.7     As part of his libelous campaign, Mr. Benson contacted Mr. Creel, the  
17 founder, owner, and "editor" of allreaders.net and allscams.us. Mr. Benson repeated the  
18 same falsehoods about Fake Memorabilia to Mr. Creel with the knowledge that Mr. Creel  
19 would publish the falsehoods on his internet sites allreaders.net and allscams.net.  
20

21           3.8     Mr. Creel published Mr. Benson's fabrications on his website. Mr. Creel  
22 reported, transcribed, edited and opined on his conversations with Mr. Benson and  
23 published summaries of them on allreaders.net and allscams.us. In addition, Mr. Creel  
24 undertook his own "investigative" acts and published additional falsehoods about  
25 Autographs America and Mr. Burkel on allreaders.net and allscams.us.  
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1           3.9     Mr. Creel actively contacted third parties, including and not limited to Mr.  
2 Frost of PAAS. Mr. Frost perpetrated additional falsehoods about Autographs America  
3 and Mr. Creel published these falsehoods on his website. Specifically, Mr. Creel states  
4 that he had conversations with Mr. Frost where Mr. Frost states that Autographs America  
5 has been “suspected of flooding the market with forgeries for quite some time.” Mr.  
6 Creel posted a link to Mr. Frost’s website where Mr. Frost “offers to reduce his  
7 authentication fee for victims of autographsamerica.com substantially.” In addition, Mr.  
8 Frost on behalf of PAAS stated that Autograph America is a “complete fraud” and that  
9 Autograph America has stated that PAAS certified one of their autographs as authentic.

10           3.10    On information and belief, Mr. Benson, Mr. Creel, Mr. Frost,  
11 allreaders.net, allscams.us and PAAS have an illegitimate personal vendetta and/or profit  
12 motive behind publication and dissemination of these falsehoods and defamatory  
13 statements.

14           3.11    Autographs America has suffered a loss of sales because of Mr. Benson,  
15 Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS’s false and defamatory  
16 statements.

17           3.12    Mr. Benson and Mr. Creel, individually and jointly, also disseminated and  
18 published personal details about Mr. Burkel and Mr. Burkel’s family, which are highly  
19 offensive and objectionable to a reasonable person and not of legitimate concern to the  
20 public. Mr. Burkel and his family have suffered mental distress from this public  
21 exposure.

1                                   **IV.    FIRST CAUSE OF ACTION - DEFAMATION**

2                                   *(As against Sky Benson and his marital community, Michael Creel his marital*  
3                                   *community, Michael Frost his marital community, allreaders.net, allscams.us, and*  
4                                   *Professional Autograph Authentication Services, each individually, as well as together*  
5                                     
6                                   *jointly and severably)*

7                                   Plaintiff realleges and reincorporate Paragraph 1.1 through Paragraph 3.13,  
8 inclusive, as though fully set forth herein.

9                                   4.1     Mr. Benson made false and defamatory communications about Mr.  
10 Burkel, Mr. Burkel's family, and Autographs America to law enforcement, Michael  
11 Creel, allreaders.net, and allscams.us.

12                                  4.2     Mr. Creel gathered, republished, edited, and opined upon Mr. Bensons'  
13 false and defamatory statements as well as made new false and defamatory  
14 communications and published the same on allreaders.net, allscams.us which was  
15 available for viewing by any person with internet access.

16                                  4.3     Mr. Frost and PAAS made false and defamatory communications about  
17 Mr. Burkel and Mr. Burkel's Businesses to Michael Creel, allreaders.net, allscams.net.

18                                  4.4     No privilege, or qualified privilege, existed or exists for Mr. Benson, Mr.  
19 Creel, Mr. Frost, allreaders.net, allscams.us, or PAAS to make aforementioned false and  
20 defamatory communications.

21                                  4.5     Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS  
22 acted with negligence or malice when making the false and defamatory communications.  
23

1           4.6     As a result of the acts and omissions of Mr. Benson, Mr. Creel, Mr. Frost,  
2 allreaders.net, allscams.us and PAAS, Plaintiffs are entitled to costs, attorneys' fees and  
3 damages in an amount to be proven at trial.  
4

5           **V.     SECOND CAUSE OF ACTION – INTERFERENCE WITH BUSINESS**

6                           **EXPECTANCY**

7                           *(As against Sky Benson and his marital community, Michael Creel his marital*  
8                           *community, Michael Frost his marital community, allreaders.net, allscams.us, and*  
9                           *Professional Autograph Authentication Services, each individually, as well as together*  
10                           *jointly and severably)*  
11

12           Plaintiff realleges and reincorporates Paragraph 1.1 through Paragraph 4.6,  
13 inclusive, as though fully set forth herein.

14           5.1     Autographs America has, and had a valid business expectancy in obtaining  
15 additional prospective customers, sales, and profits by marketing and selling additional  
16 goods on the Internet.  
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18           5.2     Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS  
19 know of Autographs America's valid business expectancy.  
20

21           5.3     Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS  
22 intentionally interfered with this expectancy which caused a loss of prospective  
23 customers, sales, and profits.  
24

25           5.4     Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS  
26 acted with an improper motive—greed, retaliation, ill will, and deviating from  
27 commercial norms.  
28

1           5.5     Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS  
2 used improper means—publishing false and defamatory communications.

3           5.6     As a result of the acts and omissions of Mr. Benson, Mr. Creel, Mr. Frost,  
4 allreaders.net, allscams.us and PAAS, Plaintiffs are entitled to costs, attorneys' fees and  
5 damages in an amount to be proven at trial.  
6

7           **VI.     THIRD CAUSE OF ACTION – INVASION OF PRIVACY**

8           *(As against Sky Benson and his marital community, Michael Creel his marital*  
9 *community, allreaders.net, allscams.us, each individually, as well as together jointly and*  
10 *severably)*

11           Plaintiff realleges and reincorporates Paragraph 1 through Paragraph 5.6,  
12 inclusive, as though fully set forth herein.  
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14           6.1     Mr. Benson intentionally publicized, and continues to publish, Mr.  
15 Burkel's and Mr. Burkel's family's private history, affairs and concerns.  
16

17           6.2     Mr. Creel, allreaders.net, allscams.us intentionally publicized, and  
18 continues to publish, Mr. Burkel's and Mr. Burkel's Family's private history, affairs and  
19 concerns.  
20

21           6.3     This intentional publication was, and is, highly offensive and  
22 objectionable to a reasonable person and is not of legitimate concern to the public.

23           6.4     The publication set forth above harmed Mr. Burkel's interest in his  
24 privacy and caused him mental distress.

25           6.5     As a result of the acts and omissions of Mr. Benson, Mr. Creel,  
26 allreaders.net, allscams.us, Mr. Burkel is entitled to costs, attorneys' fees and damages in  
27 an amount to be proven at trial.  
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**VII. PRAYER FOR RELIEF**

Having fully set forth its causes of action, Plaintiff prays for relief as follows:

1. Declare that such acts of Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS and existed that such acts of constitute defamation, interference with business expectancy, and invasion of privacy.

2. Order injunctive and equitable relief enjoining Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS from continuing to publish false and defamatory information on the Internet as well as removing the false and defamatory information currently on the Internet.

3. Order injunctive and equitable relief enjoining Mr. Benson, Mr. Creel, allreaders.net, allscams.us and from continuing to publish information which violates Mr. Burkel's and his family's right to privacy

4. Award judgment in favor of Plaintiff and against of Mr. Benson, Mr. Creel, Mr. Frost, allreaders.net, allscams.us and PAAS in an amount to be proven at or before the time of trial resulting from defamation, interference with business expectancy, and invasion of privacy.

5. Award Plaintiff its costs, disbursements and reasonable attorneys' fees as allowed by contract and/or Washington law.

