



E-Notice

2016-M3-003898

CALENDAR:

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NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

KOPF RYAN vs. DORN TRAE
2016-M3-003898

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AMENDED COMPLAINT FILED

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COOK COUNTY
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IN THE CIRCUIT COURT FOR COOK COUNTY
THIRD MUNICIPAL DISTRICT

RYAN KOPF,
Plaintiff,

vs.

**TRAE DORN, a/k/a ERIC T. DORN,
CHRISTOPHER STURZ, and
NERD & TIE,**
Defendants.

Case No. **2016-M3-003898**

AMENDED COMPLAINT AT LAW

Ryan Kopf, the Plaintiff, by and through his attorneys, Puryear Law P.C., hereby brings this action against the Defendants, Trae Dorn, a/k/a Eric T. Dorn ("Trae Dorn"), Christopher Sturz, and Nerd & Tie. In support of his Amended Complaint at Law, the Plaintiff respectfully states and alleges the following:

Background

1. The Plaintiff, Ryan Kopf, is a resident of Scott County, Iowa.
2. The Plaintiff owns a business named Chrono Pop L.L.C., which has a principal place of business in Scott County, Iowa, but which organizes conventions around the Midwest, including Anime-ZAP!, QC Anime-zing!, AniMinneapolis, Anime Midwest, Meta Con, and Con Alt Delete.
3. Individuals attending like American comic books, Japanese comics called "Manga," Japanese animated TV shows "Anime", Japanese culture, or other elements of Popular culture. These individuals come to these events to socialize, wear costumes, dance, and meet guest stars.

4. These anime conventions take place annually over a weekend from Friday morning to Sunday evening. Thousands of individuals on average show up to these events, dressed in costumes related to "nerd culture", including Japanese animation, comic books, TV shows, and video games.
5. During the course of these conventions, the attendees participate, typically in groups, in video game tournaments, group discussions, dances, Q&A sessions with famous guests, and workshops, and they can also watch concerts, screenings, and other performances. These annual anime conventions are typically held inside of a hotel or convention center. The attendees spend the majority of these conventions in social situations, making new friends with similar interests or participating in shared interests with existing friends.
6. Plaintiff is visible to attendees during the course of these events during opening ceremonies, checking tickets, and interacting with special guests.
7. Anime Midwest and Con Alt Delete, in particular, take place in Rosemont, Illinois. "The Defendant, Nerd & Tie, is a podcast and news website that covers various anime topics.
8. The Defendant, Trae Dorn, is a resident of Indiana.
9. The Defendant, Trae Dorn, is the creator and producer of Nerd & Tie and writes and publishes numerous blogs on the Defendant Nerd & Tie's website.
10. The Defendant, Trae Dorn, co-founded No Brand Con, a long-running anime convention in Wisconsin.
11. The Defendant, Nerd & Tie, was starting and then held a new anime convention in Wisconsin on September 23-25, 2016, called the Nerd & Tie Expo.

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- 12. The Defendant, Christopher Sturz, is a resident of Wisconsin.
- 13. The Defendant, Christopher Sturz, is a co-owner of Nerd & Tie and posts blogs on the Defendant Nerd & Tie’s website.
- 14. The Defendant, Sturz, also maintains a Facebook page.
- 15. On information and belief, the Defendants have participated as vendors in and sold products to Illinois residents at anime conventions in the Chicago, Illinois area, including Anime Central, in Rosemont, Illinois, within the Third Municipal District.

Facts

- 16. On or about August 18, 2014, the Defendant, Trae Dorn, wrote and posted a blog titled, “Do some of Ryan Kopf’s Conventions Break the Law? Quite Possibly” on the Defendant Nerd & Tie’s website. This title is not claimed to be defamatory.
- 17. On or about August 6, 2015, the Defendant Dorn wrote and posted a blog titled “Ryan Kopf’s Anime California Harasses, Threatens Maid Cafe Operators After they Refuse to Sign Over Ownership,” on the Defendant Nerd & Tie website.
- 18. The Defendant Dorn later states that “Ryan Kopf’s Anime California tried to strong arm the Maid Cafe group . . . into signing over ownership, and when they refused to, Anime California began a campaign of harassment that boggles the mind.”
- 19. On or about September 8, 2015, the Defendant Dorn wrote and posted a blog titled “Animecon.org CEO Ryan Kopf Allegedly Attacks Vendor During Metacon 2015” on the Defendant Nerd & Tie’s website.

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- 20. In the blog, the Defendant Dorn accuses the Plaintiff of physically assaulting a vendor, David Silvieus of Plush in the USA, at an anime convention, Metacon, that the Plaintiff and his business were running on September 5, 2015 in Minneapolis, Minnesota.
- 21. The Defendant Dorn states in the same blog that the Plaintiff punched the vendor several times after the vendor was told to leave the convention for selling bootleg items at this booth, the vendor refused to leave, and the Plaintiff and his staff blocked attendees from approaching the vendor’s booth.
- 22. The Defendant Dorn, in the same blog, goes on to say that the Plaintiff’s “physical overreaction” in striking the vendor was “inexcusable.”
- 23. The Defendant Dorn further states that it is “impossible” not to question the safety of attendees at the Plaintiff’s events “if the organizer himself is physically attacking the other people at the events.”
- 24. The Defendant Dorn, in the blog, states that the Plaintiff has an “iffy” professional reputation and that he is a “sketchy con runner.” He further characterizes him as a “villain.”
- 25. Many website users commented on the blogs.
- 26. Furthermore, the blog posts have been re-posted on the Tumblr, Disqus, File770, Facebook, Twitter, and WebMii websites. The statements have been engineered by the Defendants to reach the maximum number of people as possible.

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- 27. On or about January 6, 2016, the Defendant Sturz posted on his Facebook page seeking donations and saying “Donate. Because somewhere is a young woman who was harassed and intimidated into not pressing charges after she was sexually assaulted and we need to show Ryan Kopf that ENOUGH IS ENOUGH.”
- 28. On or about January 6, 2016, the Defendant Sturz posted on his Facebook that the Plaintiff is “a rapist.” He also suggested that the Plaintiff should pay him in “ball lickings.”
- 29. These comments were publicly available. A simple search online through a search engine for the name “Ryan Kopf” will lead to results containing this post.
- 30. The Defendants sought support from the online community using the #SupportNerdAndTie hashtag on Tumblr, Facebook, and Twitter, directing more people to the statements about the Plaintiff.
- 31. The Defendant Sturz’s comments were viewed and commented on by many Facebook users.
- 32. These statements made by the Defendants were intentionally posted in a manner that would be publicly viewed by as many people as possible.
- 33. Thousands of people have seen and read the Defendants’ statements, which has caused irreparable injury to the Plaintiff’s reputation.

Count I – Defamation *Per Se*

- 34. The Plaintiff re-alleges and re-asserts the allegations and information contained in paragraphs 1 through 37 as if they were fully set forth below.

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- 35. The Defendant Sturz published statements on his Facebook page on January 6, 2016 which falsely represented that the Plaintiff was a rapist.
- 36. These statements, set forth in paragraphs 26 and 27, are defamation *per se* as they accused the Plaintiff of committing indictable crimes, and they attacked the Plaintiff's integrity, moral character, and professional reputation.

WHEREFORE, the Plaintiff, Ryan Kopf, prays that this Court enter a judgment in his favor and against the Defendant Sturz for:

- a. Actual damages suffered by the Plaintiff and his business as a result of the Defendant's defamatory statements in an as-yet-unknown amount that exceeds \$50,000;
 - b. Punitive damages to deter such conduct in the future;
 - c. An injunction for the Defendants to remove their posts and to prevent the Defendants for posting similar statements in the future;
 - d. The costs incurred in bringing this action; and
- Any such other and further relief that this Court deems equitable and just.

Count II – Defamation *Per Quod*

- 37. The Plaintiff re-alleges and reasserts the statements and allegations in paragraphs 1 through 33 as if fully set forth below.

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- 38. The Defendant Dorn maliciously and intentionally published statements on the Defendant Nerd & Tie website on or about August 6, 2015 and September 8, 2015, which statements falsely represented that the Plaintiff had physically assaulted a vendor at a convention he was running and that his business had harassed another business. These statements impinged on the Plaintiff's integrity, moral character, and professional reputation.
- 39. The Defendant Dorn's statements were viewed and commented on by many users of the Defendant Nerd & Tie's website and were further re-posted on various other websites.
- 40. The Defendant Sturz intentionally and maliciously published statements on his Facebook page on or about January 6, 2016, which falsely represented that the Plaintiff was a rapist.
- 41. The Defendants' GoFundMe page relies on statements about the Plaintiff as the basis for encouraging people to support the Defendants in this lawsuit.
- 42. The Defendants' statements set forth above have had a viral effect of causing others to repeat statements about the Plaintiff, including the statement that he is a rapist.
- 43. The Plaintiff's business is the primary source of his income, which means his income is tied to the success of the various conventions that he organizes.
- 44. As a result of the Defendants' actions, many potential attendees were dissuaded from attending the Plaintiff's conventions.
- 45. As a result of the Defendants' statements about the Plaintiff, convention attendees have stated that they do not wish to attend because of concerns about the Plaintiff's behavior – behavior that was alleged by the Defendants.

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- 46. At least one person in particular has emailed the Plaintiff's business directly referencing his "assault on a vendor," "reading up on CEO Ryan Kopf and his behavior, criminal record, and so on," and stated "I am not comfortable attending a con that he is in charge of."
- 47. Several people made similar statements on social media, often looking to the Defendants' articles in the process.
- 48. Despite adding conventions, guests, new marketing, and entertainment, revenue growth year-over-year has been reduced since the Defendants began making statements about the Plaintiff.
- 49. The Plaintiff estimates that the slowed growth of this company was approximately \$17,000 less than it was in 2013 in 2014, and approximately \$101,000 less in 2015 compared with 2013 levels.
- 50. Had the Defendants not made these statements, the Plaintiff's company would have met or exceeded the 2013 growth rate based on conventions/marketing added.
- 51. The Defendants, Dorn, Sturz, and Nerd & Tie's statements caused the Plaintiff to suffer actual damages including injury to his reputation, emotional distress, and economic injury due to loss of business.
- 52. This damage to the Plaintiff's business is likely to continue in the future.
- 53. The Defendants, Dorn, Sturz, and Nerd & Tie, posted statements with willful and wanton disregard for the rights of the Plaintiff.

WHEREFORE, the Plaintiff, Ryan Kopf, prays that this Court enter a judgment in his favor and against the Defendants, Dorn, Sturz, and Nerd & Tie, for:

- a. Actual damages suffered by the Plaintiff and his business as a result of the Defendant's defamatory statements in an as-yet-unknown amount that exceeds \$50,000;
- b. Punitive damages to deter such conduct in the future;
- c. An injunction for the Defendants to remove their posts and to prevent the Defendants from posting similar statements in the future;
- d. The costs incurred in bringing this action; and
- e. Any such other and further relief that this Court deems equitable and just.

Count III – Injunction

54. The Plaintiff re-alleges and reasserts the statements and allegations in paragraphs 1 through 33 as if fully set forth below.
55. Based upon the Defendants' past conduct and response to legal action, and upon information and belief, some or all of the improper statements of the Defendants set forth above are continuing and will continue in the absence of injunctive relief from the court. And the Plaintiff will continue to be damaged by the same.
56. The Plaintiff has a right to not have his reputation tarnished by false and defamatory statements by the Defendants.
57. In the absence of entry of preliminary and permanent injunctive relief by the Court, the Plaintiff will suffer and will continue to suffer serious and irreparable injury and harm, including but not limited to damage to his reputation. The defamation by the Defendants will forever reduce the Plaintiff's ability to sell tickets, and it is unlikely that a retraction will ever reach everyone who originally viewed the defamatory statements.

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- 58. The entry of a preliminary and permanent injunction will not present an undue burden on the Defendants, because they are required by law already to refrain from disseminating defamatory statements regarding the Plaintiff.
- 59. Damage to the Plaintiff's reputation is irreparable and not the sort of damage that can be compensated fully through money damages. Accordingly, there is no adequate remedy at law.
- 60. Based on the conduct of the Defendants, the Plaintiff stands likely to succeed on the merits.
- 61. Public policy favors the entry of a preliminary and permanent injunction as such relief will prevent the unlawful conduct of the Defendants and preserve the Plaintiff's reputation.

WHEREFORE, the Plaintiff, Ryan Kopf, prays that this Court enter a judgment in his favor and against the Defendants, Dorn, Sturz, and Nerd & Tie, for:

- a. An entry of preliminary and permanent injunction preventing the Defendants from further disseminating any false and defamatory statements regarding the Plaintiff.
- b. An order requiring the Defendants to post a retraction of their earlier statements.
- c. Any such other and further relief that this Court deems equitable and just.

Respectfully submitted,
Ryan Kopf, the Plaintiff

By: 
Eric S. Mail

Illinois ARDC No. 6306491

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Certificate of Service

The undersigned certifies that the foregoing instrument was served on all parties to the cause of action by:
__ Depositing a copy thereof in the U.S. Mail, postage prepaid, in envelopes addresses to each party at their respective addresses disclosed on the pleadings

__ Facsimile
__ Placing same in their respective boxes at the local County Courthouse
__ Hand delivery

X Other: efiling on November 25, 2016

Date: November 25, 2016



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Suburban Municipal DIVISION

Litigant List

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Plaintiffs

Plaintiffs Name	Plaintiffs Address	State	Zip	Unit #
KOPF RYAN			0000	

Total Plaintiffs: 1

Defendants

Defendant Name	Defendant Address	State	Unit #	Service By
DORN TRAE	3716 ASHLEY OAKS DR	IN	0000	
STURZ CHRISTOPHER	1120 W HAMILTON AVE	WI	0000	
NERD AND TIE	1509 EXCALIBUR DR	WI	0000	

Total Defendants: 3