

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GARY NULL & ASSOCIATES, INC.,

Plaintiff,

- against -

WIKIMEDIA FOUNDATION INC.
(solely as a nominal Defendant) and
JOHN OR JANE DOES 1-10,

Defendants.

Index #: 09112745

Amended
Complaint

Plaintiffs, GARY NULL & ASSOCIATES, Inc., by their undersigned counsel Leslie E. Fourton alleges as and for their Complaint against Defendants Wikimedia Foundation, Inc., (solely as a nominal Defendant) and John or Jane Does 1 through 10, respectfully allege as follows:

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NEW YORK
COUNTY CLERK'S OFFICE

INTRODUCTION

1. This defamation action arises out of an ongoing campaign by anonymous editors (and perhaps non-anonymous editors) within the website, WIKIPEDIA *The Free Encyclopedia* (<http://en.wikipedia.org>), a free encyclopedia available on the Internet to the public, to disparage and malign Gary Null & Associates, Inc. and its founder and President, Gary Null, by posting false and defamatory information about the academic credentials and/or qualifications of Gary Null, and Mr. Null's research findings in the field of alternative medicine; in addition, Mr. Null's professional reputation thereby negatively effecting his business, namely Gary Null & Associates, Inc.
2. The statements made (and references thereof) on the WIKIPEDIA *The Free Encyclopedia* Article Page regarding Gary Null have created substantial and irreparable damages. More specifically, since late 2008, anonymous editors on Gary Null's webpage on WIKIPEDIA *The Free Encyclopedia* have continued to post information that has Internet Link(s) that contain

1970-1971

1972-1973

1974-1975

1976-1977

1978-1979

1980-1981

1982-1983

1984-1985

1986-1987

1988-1989

1990-1991

1992-1993



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1996-1997

1998-1999

2000-2001

2002-2003

2004-2005

2006-2007

2008-2009

2010-2011

2012-2013

2014-2015

2016-2017

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incorrect, misleading, and disparaging information about Plaintiff's academic credentials and standing in the alternative healthcare community, which has threatened to destroy Plaintiffs' reputation and adversely affect the livelihood of Gary Null as well as the livelihoods of the employees of Gary Null & Associates, Inc.

PARTIES

3. Plaintiffs GARY NULL & ASSOCIATES, INC., (hereinafter, "GNA") is a domestic corporation with offices located at 2307 Broadway, 2nd Floor, New York, N.Y. 10024.
4. Gary Null (hereinafter "NULL") is the President of GNA.
5. Defendant WIKIMEDIA FOUNDATION INC. (hereinafter, "WIKIMEDIA") is located in San Francisco, California, and organized under the laws of the State of Florida, where it was initially based. It operates several online collaborative wiki projects including WIKIPEDIA *The Free Encyclopedia* (hereinafter, "WIKIPEDIA"). Its flagship project, the English-language WIKIPEDIA, ranks among the top ten most-visited websites worldwide. The true identities of the possible Defendants (e.g. John and Jane Does) are currently unknown to Plaintiffs; but, Plaintiffs believe that information obtained in discovery will lead to the identification of each anonymous Defendant's true name and identity.
6. Upon information and belief, Defendants John or Jane Does 1 through 10 ("Defendants") are anonymous editors of the Gary Null website entry (e.g. Article Page) on WIKIPEDIA, located on the Internet at <http://en.wikipedia.org/wiki/GaryNull>, attached hereto in its entirety as (Exhibit A), who have posted false and damaging information, as alleged herein, about Plaintiff on the webpage cited above. The true identities of Defendants may be currently unknown to Plaintiff, but Plaintiff believes that information obtained in discovery will lead to the identification of each anonymous Defendant's true name and identity.

FACTS

7. WIKIPEDIA ENCYCLOPEDIA (hereinafter, "WIKIPEDIA") is maintained and managed by WIKIMEDIA FOUNDATION INC. WIKIPEDIA has Internet Links to articles on the Internet, which are located specifically in the *Criticisms* section of NULL's webpage article, for example, entitled "Quackwatch." These Internet Links to the aforementioned within WIKIPEDIA presently remain on the Internet. The first link is to "Stephen Barrett," and the second one is to "Quackwatch," which are http://en.wikipedia.org/wiki/Stephen_Barrett and <http://www.quackwatch.org>, respectively. Here, through "Quackwatch," Barrett criticizes (and invalidates) the validity of Null's Ph.D. thesis, his alternative health claims, and several of his commercial products. Here, Plaintiffs' concern is the invalidation of NULL's Ph.D. thesis and his academic credentials regarding his education. Defendant(s) falsely states, for example, that "NULL's Ph.D. thesis made no sort of contribution to any scientific literature." In fact, NULL's thesis was titled, "A Study of Psychological and Physiological Effects of Caffeine on Human Health," which is a form of scientific literature and did make a contribution to scientific literature, thereof. Further, the article also implies that NULL's academic program was an inferior one because of its degree requirements and standards. That is, in comparison with other health-related doctoral degree programs, Barrett alleges that NULL's Ph.D. differs greatly from those of traditional universities. Specifically, Barrett states, "Traditional universities require that research for a doctoral degree in a scientific discipline make a genuine contribution to the scientific literature. Null's thesis made no such contribution." But, this is simply not a necessary truth as NULL not only earned his degree from an Accredited Academic Program, it is axiomatic that Null's Ph.D. thesis did make a genuine contribution to the scientific literature. The aforementioned statement by Barrett

about NULL's academic credentials regarding his education does not distinguish between fact and/or fiction, which clearly portray his mental anger directed at NULL.

8. In addition, WIKIPEDIA also has another Internet Link within the *Criticisms* section of NULL's Internet Page to the James Randi Educational Foundation, an organization that aims to promote critical thinking, has accused NULL, together with Wayne Dyer, of "dealing in nonsense", promoting the notion of eternal youth, and prescribing magnets and "other medieval tools" to prevent aging." Specifically, the aforementioned link is <http://www.randi.org>, respectively. Further, this aforementioned statement by James Randi regarding NULL's professional views, as previously stated, does not distinguish between fact and/or fiction, which again clearly portrays his anger directed at NULL, as well.
9. Further, NULL advised WIKIPEDIA, by way of his attorney, about the present existence of the libelous material(s) on his Article Page within WIKIPEDIA in August, 2009. In response, Mr. John Reaves, who acted for WIKIPEDIA either as an employee or as he claimed as "a volunteer administrator and e-mail responder" thereby as an Agent whereby his services were utilized to cleverly respond to NULL's requests to remove the false and defamatory material. Mr. John Reaves stated, "I removed one bit of the section where the source was dubious. WIKIPEDIA articles maintain a neutral point of view and facts are presented in a straightforward manner (hence the title section). There are many articles with similar sections. We don't remove text simply because it portrays the subject in an unfavorable light." In addition, Reaves then stated to NULL that, "if you are challenging the information presented on an external site, I suggest you take issue with that site."
10. Upon learning of Mr. Reaves' decision NULL, again through his attorney, advised WIKIPEDIA, which is managed by WIKIMEDIA, as previously stated, that the aforementioned writings existed on their website and that it invalidated NULL; but, WIKIPEDIA again chose to

ignore this notion that the information was both false and defamatory and presently continues to publish these forms of implied information and Internet Links on the Internet attacking NULL personally, along with his academic credentials, reputation within the community and professional findings within the alternative healthcare community, thereof. Therefore, WIKIPEDIA has control over the content of their Internet Encyclopedia. Therefore, WIKIPEDIA has a choice in that (not only did they choose to permit the libelous material(s) to remain on their Internet Article Page knowingly), they also presently intend to leave these materials on the aforementioned Internet Page (even after NULL has repeatedly attempted to remove them), and they have not permanently removed them even after being advised repeatedly to do so in an appropriate manner. It should also be noted that the question arises as to why WIKIPEDIA chooses to permit such Libelous materials to be placed on (and to currently remain) on their Website?

AS AND FOR A FIRST CAUSE OF ACTION
(Defamation)

11. Plaintiffs hereby adopt and incorporate by reference the allegations contained in paragraphs 1 through 10 of this Complaint as if fully set forth herein.
12. Defendants defamed NULL by either editing, publishing, or writing (e.g. or permitting the publishing thereof) of false and defamatory statements and writings regarding Plaintiff's credentials regarding his education, professional publications and professional reputation on publicly available WebPages (e.g. to third parties) on WIKIPEDIA's website.
13. Defendant's writings and statements identified Plaintiff, published to third parties, specifically the public, via the Internet, and are false and defamatory. That is, these writings and statements invalidate Plaintiff's educational (and training) credential(s) as well as professional reputation and are calculated precisely to discredit the Plaintiff and his

reputation (along with Gary Null & Associates, Inc.) to the community at large, including (but not limited to) members of the alternative healthcare community.

14. In addition, WIKIPEDIA permitted the aforementioned material to remain on the Internet after being notified that these comments are false and defamatory on several occasions in writing. Specifically, WIKIPEDIA was notified of potentially libelous material on NULL's Internet Article Page within WIKIPEDIA in the *Criticisms* section; in addition, because of the notification WIKIPEDIA edited the material in the *Criticisms* section and facilitated the removal (and remainder) of the material that was libelous, thereof. Here, WIKIPEDIA intentionally acted as a Facilitator and/or Co-Author upon examining the material, removing some (and leaving some) of the libelous material. The issue is whether WIKIPEDIA is immunized from liability under section 230 of the Communications Decency Act (CDA) after having intentionally performed editions to the *Criticisms* section on NULL's Article Page? In *Fair Housing Council v. Roommate.com*, 521 F.3d 1157, 1166 (9th Cir. 2008), the Ninth Circuit Court of Appeals referenced a format of three questions and a drop-down menu format, Chief Judge Alex Kozinski wrote, "By requiring subscribers to provide the information as a condition of accessing its service, and by providing a limited set of pre-populated answers, Roommates becomes much more than a passive transmitter of information provided by others; it becomes the developer, at least in part, of that information. Since section 230 provides immunity only if the service provider does not "create or develop" the content in question, "in whole or in part," the court reasoned that immunity did not apply in this situation." 47 U.S.C. Section 230(f)(3).; *see also Batzel v. Smith*, 333 F.3d 1018, 1031 (9th Cir. 2003). Although the information was being provided by the website's members, Judge Kozinski explained that the offending content was still a collaborative effort involving RoomMates.com. "The projectionist in the theater may push the last button before a film is

displayed on the screen, he clarified, “but surely this doesn’t make him the sole producer of the movie.” *Id.* at 521 F.3d 1157, 1167 (9th Cir. 2008). The Court’s opinion here set forth two independent tests to determine whether Roommate, an interactive computer service, is responsible in part for creating or developing information under Section 230(c): first, whether Roommate categorizes, channels and limits the distribution of information, thereby creating another layer of information, *Op.* at 5721-22, 5723; and second, whether Roommate actively prompts, encourages, or solicits the unlawful information. Meeting either test results in a computer service’s inability to obtain Section 230(c) immunity. The court held that Roommate’s conduct with respect to statements in the “Additional Comments” satisfies both tests, and, thus, that Roommate is not immune for publishing that information.” *Id.* At 5725. Here, Plaintiffs satisfy both tests because, as previously explained, Defendants categorized, channeled, and limited the distribution of information by judging which particular information to categorically place literally within NULL’s WIKIPEDIA page, thereby creating another layer of information; and second, they at least encouraged (and perhaps even solicited) the unlawful information due to their underlying policies of knowingly permitting and replacing such information on their web-site. That is, because of the aforementioned procedures, WIKIPEDIA knowingly co-authored and/or facilitated the material(s) by analyzing and judging, which material(s) is considered to be well-sourced so as to be placed in the *Criticisms* section on NULL’s Internet Page. Here, information providers are inspired to input libelous material as they can do so anonymously under code names, thereby WIKIPEDIA becomes much more than a passive transmitter of information provided by others, it becomes the developer, at least in part, of that information because it determined the specific information to be permitted (or included) on the article page after being advised it was false and defamatory. In addition, Defendant did

not specifically alter the actual language in each libelous statement; but, it is axiomatic that they did alter the overall libelous content of the Criticisms section thereby creating a 'condition' and provided a 'limited set' of libelous comments. Further, this validates our reasoning why we believe that WIKIPEIDA becomes much more than a passive transmitter of information provided by others, it becomes the developer, at least in part, of that information. It should be noted that Defendants along with the actual altering of the Criticisms section, having (or developing) such a format (or design) actually encourages other third party Defendants to add such material. To be clear, WIKIPEDIA became "co-authors" and/or "facilitators" of these defamatory, annoying, harassing, threatening, and/or anonymous website postings on NULL's article page. Therefore, the bottom line is that Defendants cannot claim that they are "mere providers of an Internet Service" that is immunized by Section 230 of the Communications Decency Act (CDA); in addition, nor can claims by Plaintiff for equitable relief be barred by the CDA. Therefore, as previously stated, WIKIPEDIA similar to Rommates.com should be held responsible (and not given immunity) due to its over-extending involvement within NULL's site content. Finally, any contrary opinion produced by Respondents will be unreasonable and violate both the letter and the spirit of the applicable law.

15. In addition, in publishing these false and defamatory public writings, Defendants acted with actual malice in that they knew that the information published was false and untrue, and/or published the information with reckless disregard of whether they were false and untrue. Alternatively, WIKIPEDIA continues to permit the aforementioned material to continue its presence on the Internet. Further, it is axiomatic that with ordinary and reasonable care any Defendant would have realized or could have discovered that the writings and statements were obviously false and grossly libelous as they applied to Plaintiff. In the aforementioned

as previously stated, these writings by Stephen Barrett of Quackwatch, grossly invalidate the validity of NULL's Ph.D. thesis, along with his academic credentials, education (and training) and professional reputation; thereby, placing him (and his professional reputation) and the business in a false light.

16. Further, Stephen Barrett's Quackwatch is not credibly sourced as defined by WIKIPEDIA, which means the information and Internet Link on NULL's page should have been removed by WIKIPEDIA, and as previously stated, it presently remains on the Internet. Stephen Barrett's materials are poorly sourced because they do not meet the requirements of being credibly sourced by WIKIPEDIA's definition, thereof. Under WIKIPEDIA's rules and standards, in order to be credibly sourced information WIKIPEDIA specifically states, "Wikipedia articles can affect real people's lives. This gives us an ethical and legal responsibility. Biographical material must be written with the greatest care and attention to verifiability, neutrality and avoiding original research. Editors must take particular care adding biographical material about a living person to *any* WIKIPEDIA page. Such material requires a high degree of sensitivity, and must adhere *strictly* to all applicable laws in the United States to all content policies, especially: it must have a Neutral Point of View, be Verifiable and No Original Research." Here, Gary Null is a living person and the editors within WIKIPEDIA did not take particular care adding this material about NULL, thereof. In addition, it is our belief that whoever added these materials did not do so with a high

degree of sensitivity, which violates the aforementioned standard from WIKIPEDIA. Here, Stephen Barrett's Quackwatch violates WIKIPEDIA's rules and standards regarding the "biographies of living people." First, Barrett's writings and website are not sources of "Verifiable Information." Second, Barrett does not have a "Neutral Point of View" as his views grossly invalidate Plaintiff. Third, this material is "Original Research" as it has not been written at a prior point in time by anyone else other than Stephen Barrett. Therefore, Barrett's material is not well sourced information, accordingly. But, WIKIPEDIA ignores these issues as the information and Internet Links to Quackwatch are presently on NULL's WIKIPEDIA Internet Article Page on the WIKIPEDIA website.

17. In addition, it is our belief that not only is Stephen Barrett's material not credibly sourced material; in addition, he is not a reliable credible expert or witness, as well. That is, Mr. Barrett cannot meet the Daubert standard as a credible expert or witness. In *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, the U.S. Supreme Court changed the standard for admissibility of expert testimony. Under the Daubert standard, a trial judge has a duty to scrutinize evidence more rigorously to determine whether it meets the requirements of Federal Rule of Evidence 702. That is, this rule explicitly states, "If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise, if (1) the testimony is based upon sufficient facts or data, (2) the testimony is the product of reliable principles and methods, and (3) the witness has applied the principles and methods reliably to the facts of the case." Here, Mr. Barrett's testimony (and/or commentary) fails the Daubert standard in several ways as follows: i) the testimony must be based upon sufficient facts or data, and Mr. Barrett's testimony is not based upon sufficient facts or data because it is

opinionated and negatively biased; ii) the testimony must be the product of reliable principles and methods, and Mr. Barrett's writings are not the product of reliable principles and methods as what he has written is not a principle nor is it a method; and iii) the witness must apply the principles and methods to the facts of the case and Mr. Barrett has not applied reliable principles and methods reliably to the facts of this case as he is clearly focused on vindictively attacking NULL. Therefore, it is our belief that Mr. Barrett's material fails the Daubert standard because his material would not assist anyone to understand NULL.

18. In addition, The Court of Appeals in the State of California, Second Appellate District, in *National Council Against Healthcare Fraud, Inc. vs. King Bio Pharmaceuticals, Inc.*, held that Stephen Barrett is "biased, and unworthy of credibility." Mr. Barrett, in fact, claims to be a retired psychiatrist when he has never been board certified by the American Board of Psychiatry and Neurology, Inc. Therefore, it is our belief that not only is Stephen Barrett negatively biased; he is also unworthy of any sort of professional credibility. Therefore, it is our belief that Mr. Barrett is not qualified to render any credible scientific commentary (e.g. whether the surface tension of urine has any medically recognized diagnostic value) regarding NULL's Ph.D. thesis. Further, it is our belief that Barrett and his followers, having found Wikipedia, currently have the quintessential soapbox for their arbitrary and capricious views of healthcare. It should also be noted that Barrett has been a great concern of the Arbitration Committee of Wikipedia Encyclopedia as they have stated, "Stephen Barrett's issues are regarding the notion of disputes about him and his involvements."

19. In addition, on or about August 20, 2009, WIKIPEDIA was officially notified by NULL through his counsel about the information regarding the Internet Links and statements about NULL on his Internet Article Page within WIKIPEDIA. Plaintiff requested that WIKIPEDIA remove them by way of his attorney, respectfully. In response, Mr. John Reaves of WIKIPEDIA, who claims to be a mere volunteer administrator and email responder, examined the *Criticisms*

section within NULL's WIKIPEDIA article page, and removed some of the information that was in his *Criticisms* section, which was composed of written statements by Stephen Barrett along with Internet Links to Barrett's Quackwatch.org. But, in doing so Mr. Reaves of WIKIPEDIA exemplified the extent of WIKIPEDIA's control over the content of a particular section within WIKIPEDIA, namely the *Criticisms* section, thereof. Here, the issue is whether Mr. Reaves acted as an employee or as an Agent for WIKIPEDIA in this position of volunteer administrator and e-mail responder answering emails with such authority? An Agent is defined as a person who consents to a fiduciary relationship resulting from another's consent to allow the person to act on the other's behalf and subject to the other's control. *Maurillo v. Park Slope U-Haul*, 194 A.D. 2d 142, 606 N.Y.S.2d 243, 194 (2d Dep't 1993). Here, WIKIPEDIA must have had Mr. Reaves consent (and he must have consented) to the relationship that he has with WIKIPEDIA or he would not have written the particular emails. That is, WIKIPEDIA purposely uses supposed volunteers and email responders to attempt to shield themselves from such libelous wrongdoing. Further, he must have had the necessary consent from WIKIPEDIA to direct (and permit) him to write the email on their behalf; in addition, Mr. Reave's must have been subject to WIKIPEDIA's control. The relationship of an agent is defined as a person who acts for or in the place of the principal by authority from the principle. The agent is one who, by the authority of the principle, undertakes to transact some business or manage some affairs on the principle's account. The agent is a substitute or deputy appointed by the principle, with the power to do things which the principle may or can do, and primarily to bring about business relations between the principle and third persons." *Corcoran v. Scolaro*, 46 N.Y.S.2d 278 (Sup. Ct. 1943), order rev'd on other grounds, 267 A.D. 871, 46 N.Y.S.2d 377 (2d Dep't 1944). Here, Mr. Reaves by the authority of the principle (e.g. WIKIPEDIA), undertook the management of responding and writing of

WIKIPEDIA's emails primarily to manage such relations as between WIKIPEDIA and NULL.

Therefore, he is at least an Agent (or perhaps even an employee) of WIKIPEDIA as he managed NULL's issues for WIKIPEDIA through his authority and decided to permit the Internet Link to "Quackwatch" to remain on NULL's Wikipedia Encyclopedia article page fully knowing that the material(s) was false and defamatory (e.g. libelous) because he was both repeatedly and reasonably advised by NULL, thereof.

20. In addition, Mr. Reaves claimed that these particular writings along with these Internet links of both Barrett and Randi are credible and well sourced. Specifically, John Reaves stated, "I removed one bit of the section where the source was dubious. WIKIPEDIA articles maintain a neutral point of view and facts are presented in a straightforward manner (hence the title section). There are many articles with similar sections. We don't remove text simply because it portrays the subject in an unfavorable light." Under WIKIPEDIA's rules and guidelines, "only credibly sourced information is permitted on the WIKIPEDIA website and to be the aforementioned it must be i) Verifiable, ii) have a "Neutral Point of View, and iii) not Original Material." Here, by his actions Mr. Reaves is implying that Barrett's writing(s) i) are verifiable, ii) have neutral points of view, and iii) do not have any original research. But, it is our belief that Stephen Barrett's writings (and/or commentary) are not credibly sourced material(s) as i) they are not verifiable as Barrett is a not a respected medical professional nor can his materials (e.g. writings) be verified by any other credible source, ii) they do not have a "Neutral Point of View" because Barrett grossly invalidates NULL with his extremely negative view of Gary Null's academic credentials, training, and findings regarding alternative healthcare, and iii) they are Original Materials as Barrett personally wrote these writings regarding NULL. Therefore, it is our belief that Barrett's information and writings are not credibly sourced material(s) as defined by WIKIPEDIA; therefore, Barrett's material

(or Internet Links) should not be within NULL's Internet Web Page, nor should they be in any other place within WIKIPEDIA, thereof.

21. In addition, Mr. Reaves of WIKIPEDIA, as previously stated, permitted Stephen Barrett's material and Internet Link to Quackwatch.org, (e.g. <http://www.Quackwatch.org>), to remain on the Internet in the *Criticisms* section of NULL's Internet Web Page, thereby exemplifying complete control as would a facilitator and/or co-author by examining, deleting and deciding which particular written statement(s) along with Internet Links would remain on Null's article page. Here, as previously stated, by co-authoring and/or facilitating the aforementioned, it is our belief that WIKIPEDIA along with WIKIMEDIA became "co-authors" and/ or "facilitators" of these anonymous, annoying, defamatory, harassing, and threatening, website postings, and cannot claim that they are merely providers of an Internet service that is immunized by Section 230 of the Communications Decency Act (CDA); therefore, nor can claims by Plaintiff for equitable relief be barred by the CDA. Here, it is our belief that the extent of control that WIKIMEDIA exercised over this text is not only extensive; but, it was (and continues to be) complete control without any sort of boundaries whatsoever as this particular text is presently on the Internet and would be placed back on the website if NULL attempted to remove it himself. Here, WIKIPEDIA decided which specific text that would remain in the *Criticisms* section of NULL's Internet Article Page. In *Fair Housing Council v. Roommate.com*, the court held that "[b]y categorizing, channeling and limiting the distribution of users' profiles, Roommate provides an additional layer of information that it is 'responsible' at least 'in part' for creating or developing," Op. at 5722 (citations omitted)." Here, WIKIPEDIA is responsible, "in whole or at least in part," [b]y categorizing, channeling and limiting, which information on NULL's WIKIPEIDA Article Page on the Internet would be excluded and/or remain, thereof. Here, NULL's Article Page went

through an editorial process and the editors, namely WIKIPEDIA, knowingly chose a particular word format to publish on the Internet. WIKIPEDIA, on the other hand, claims that they will not and cannot remove all of the aforementioned Internet Links from NULL's page (e.g. Quackwatch.org) because if they removed such information and Internet Links on one Article Page in the *Criticisms* section, then they would have to remove them from the aforementioned section of every Article Page within the entire website, namely from the entire WIKIPEDIA website. The issue remains as to why Stephen Barrett's WIKIPEDIA article page does not have a *Criticisms* section?

22. In addition, it is our belief that WIKIPEDIA refuses to remove these writings and Internet Links because WIKIPEDIA has unfortunately been invaded, and infected by a powerful group of professionals who use WIKIPEDIA as the keystone to control the information on the website regarding significant Health Care matters that could possibly effect the economic income and interests of the Pharmaceutical Industry and/or Medical communities, as well. Further, it is our belief that this power group controls the WIKIPEDIA volunteer community by using secret identities, by holding out false and misleading information, and preventing any argument or commentary that challenges the truthfulness and credibility of traditional Health Care, thereof. In addition, it is our belief that WIKIMEDIA knows this to be true, and thereby knowingly violate the rules set down for WIKIPEDIA of only permitting credibly sourced material(s); in addition, they intentionally allow (or permit) this to occur, repeatedly. Therefore, it is our belief that it is reasonable to conclude that any information regarding Health Care within WIKIPEDIA is completely controlled by a power group. Indeed, this group could be responsible for the adversarial postings within WIKIPEDIA regarding AIDS-denialism pertaining to NULL. Here, these adverse Internet writings within WIKIPEDIA invalidate NULL due to his approach in treating AIDS with credible alternative

methodologies because he does not support the traditional medical approach of treating AIDS.

23. In addition, the James Randi Educational Foundation is not well sourced information and should have been removed, as well.
24. Plaintiffs have thereby suffered injury to their business and professional reputations within their community and within the alternative healthcare community.
25. The Defendant's placement of these articles on the Internet was with fault amounting to, in the least, negligence.
26. The Defendant's placement of these articles on the Internet caused special harm and amount to defamation per se.
27. As a result of the foregoing, Plaintiff is entitled to monetary damages, including, but not limited to, those for harm to Plaintiffs' reputation(s). The Plaintiff has suffered, and will continue to suffer, damages as a direct result of Defendant's actions in the sum of \$100,000,000.00.

AS AND FOR A SECOND CAUSE OF ACTION
INJUNCTIVE RELIEF

28. Plaintiff fully repeats paragraphs 1 through 27 as if fully set forth herein.
29. In addition to the above Causes of Action, the Plaintiff asks for Injunctive Relief directing Defendant WIKIMEDIA through WIKIPEDIA, to immediately and permanently take off the aforementioned information (and Internet Links) within the *Criticisms* section of NULL's Internet Page within WIKIPEDIA written for (and/or by) Stephen Barrett of Quackwatch and James Randi of the James Randi Educational Foundation. Further, direct Defendant(s) to remove any other article that invalidates NULL's academic credentials, education and/or professional reputation. Finally, direct Defendant to permanently remove all of the Internet Links and writings thereof (pertaining to or leading to) of Stephen Barrett and Quackwatch

from WIKIPEDIA. It is our belief that WIKIPEDIA has over four hundred Internet Links throughout WIKIPEDIA that lead to Stephen Barrett and Quackwatch (Quackwatch.org), which is located at (e.g. <http://www.quackwatch.org>), thereof.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff(s) respectfully request judgment from this Honorable Court:

- A. Awarding Plaintiffs' monetary damages, plus interest, under Plaintiffs' cause of action for defamation in the amount of \$100,000,000.00; and
- B. Awarding Injunctive Relief such as ordering Defendant WIKIMEDIA through WIKIPEDIA to immediately and permanently remove the aforementioned Internet Links and writings from WIKIPEDIA on the Internet; and
- C. On each of the above Causes of Action, award the named Plaintiff with costs and disbursements and attorney's fees; and
- D. Awarding such other and further relief as this Court deems just and proper.



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