

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

David Pitts)	
9803 Gable Ride Terrace,)	Case No.: 2016 CA 002054 B
Rockville, Maryland 20850)	
Plaintiff,)	<u>Jury Trial</u>
)	Causes of Action for
vs.)	(i) Defamation
WJLA, 1100 Wilson Blvd. Arlington VA)	(ii) False Light & Invasion of Privacy
22209; Patch Media 134 W. 29 th Street. New)	(iii) Emotional Distress
York, NY 10001; NBC Washington. 4001)	
Nebraska Avenue. NW. 20016; National)	
NBC Universal Media LLC. 30 Rockefeller)	
Plaza. New York, NY 10112; & American)	
Broadcasting Company. 77 West 66th)	
Street. New York, NY 10023)	
Defendants.		

Introduction

Plaintiff David Pitts (David) by and through his undersigned counsel Dhali PLLC file this action for defamation against the Defendants (i) WLJA; (ii) Patch Media; (iii) NBC Washington (iv) NBC Universal Medial LLC, and (v) American Broadcasting Company for defaming the character of David when over multiple times they posted on the world wide web or internet that David was sentenced to jail for “setting fires” or pleaded guilty to “setting several small fires.”¹

The defamatory statements made by the Defendants in 2015 arose from David’s conviction for burglary and identity theft in this Court case number 2014 CF3 15684. Contrary to Defendants’ assertions however, David was neither sentenced to jail for setting fires nor did he

¹ <http://www.nbcwashington.com/news/local/Former-American-University-Professor-David-Piits-Pleads-Guilty-for-Setting-Several-Small-Fires-Near-Campus-289621081.html> (last visted March 18, 2016)

1 plead guilty for setting small fires. Consequently an action for defamation now follows against
2 the Defendants.
3

4
5 **Part I. Parties.**
6

- 7 1. David Pitts is a private individual. He was employed at American University.
- 8 2. WJLA is the local or greater Washington D.C. affiliate for American Broadcasting
9 Corporation (ABC). Upon information and belief it is owned and operated by the
10 Sinclair Broadcast Group Inc.
- 11 3. Patch Media is an independent and local US news platform operating internet blogs
12 and postings
- 13 4. NBC Washington is the local or greater Washington D.C news affiliate for the
14 National Broadcasting Corporation (NBC)
- 15 5. NBC is news media company that owns radios and television stations in the United
16 States
- 17 6. ABC is also a news media company that owns radios and television stations in the
18 United States.
19
20
21
22

23 **Part II. Statement of Facts**
24

- 25 7. On March 20, 2015, David was sentenced by the Superior Court for the District of
26 Columbia case number 2014 CF 315684 for (i) the charge of burglary and (ii) for
27 identity theft in the first degree.
- 28 8. David's sentence arose from his acts occurring on or about September 2014, when he
29 broke into a commercial building to retrieve prescription drugs from his doctor's
30 office. No individuals were harmed by his actions.
31
32

- 1 9. On March 20, 2015, David was sentenced for 366 days for Burglary and 182 days for
2 identity theft.
3
- 4 10. David never pleaded guilty to any other charge.
- 5 11. Based on good behavior David was ultimately released on July 2015 or after being
6 confined for four months.
7
- 8 12. On or about March 20, 2015, the Defendants however characterized David's arrest for
9 the "setting of fires," "admitting that he [David] set fires near campus to distract
10 authorities" and that he was sentenced to "two years in jail for setting fires" or arson.
11
- 12 13. None of these allegations are true and infact no where in David's court records or
13 filings was David ever charged with arson, nor did David admit to committing arson.
14
- 15 14. David first learned of these allegations after his release or in July 2015.
- 16 15. Upon information and belief, the first of these allegations were reported on or about
17 March 20, 2015 by the Defendants and continue to be visible on the internet as of the
18 date of this filing to the present and continuing.
19
- 20 16. These false and untruthful allegations by the Defendants misrepresent the facts of
21 David's case and to that end, their intentional and knowing misrepresentation
22 continues to hurt David in his professional, business and personal reputation.
23
- 24 17. On November 21, 2015, David through the law office of "Jezic & Moyse LLC" sent a
25 letter to the Defendants, informing them of their false statements against David, to
26 retract their allegations and to take down these false reporting's from the internet.
27
- 28 18. Despite express knowledge of the falsity of the facts, and/or acting in reckless
29 disregard of its truth, Defendants continue to publish and maintain these false and
30
31
32

1 that would be offensive to a reasonable person." *Bean v. Gutierrez*, 980 A.2d 1090,
2 1094 (D.C. 2009)

3
4 26. In the present instance, the Defendants have shown the Plaintiff in a false light and
5 invaded his privacy when by publishing the statement on the internet on March 20,
6 2015, it accused him of being an arsonist, a reasonable person can conclude that it
7 involved the Plaintiff David Pitts and that it was offensive.
8

9
10 27. Finally despite the Plaintiff providing express knowledge of the falsity of the
11 statements to Defendants on November 21, 2015, the Defendants knowingly and
12 intentionally continue to defame him causing further harm to his reputation.
13

14 **Count III. Infliction of Emotional Distress**

15 28. Plaintiff reincorporates by reference all the allegations above.

16
17 29. Plaintiff is informed and believes that Defendants knowingly, recklessly and
18 intentionally published the false and defamatory statements and accusations of the
19 Plaintiff being an arsonist with full knowledge of the potential that this may cause a
20 harm to his reputation in the community.
21

22 30. Finally despite the Plaintiff providing express knowledge of the falsity of the
23 statements to Defendants on November 21, 2015, the Defendants continue to make
24 these false statements further causing him emotional harm.
25

26 **Prayer for Relief**

27
28 WHEREFORE, the Plaintiff prays that this Honorable Court:

29
30 Declare that the Defendants committed one or more of the following acts:

31 (i) knowingly and recklessly defamed the plaintiff's reputation by disseminating false and
32 misleading information to third parties and/or holding him in false light

1 (ii) knowingly and recklessly caused the plaintiff emotional distress such that
2 Judgment be entered against the Defendants and all other legal, equitable, monetary and
3 further relief as this Court deems fit.
4

5
6 **Part IV. Jury Demand**
7

8
9 Plaintiff requests a jury trial on all his counts.

10 Respectfully Submitted,
11

12 /s/ A.J Dhali
13 D.C. Bar No. 495909
14 Dhali PLLC
15 1828 L. Street. NW. Suite 600
16 Washington D.C. 20036
17 T: (202) 556-1285
18 F: (202) 351-0518
19 Email: ajdhali@dhaliilaw.com
20 ***Attorney for the Plaintiff David Pitts***
21 **Saturday March 19, 2016**
22
23
24
25
26
27
28
29
30
31
32