

STATE OF SOUTH CAROLINA)
)
CHARLESTON COUNTY)
)
JOSEPH ABRUZZO,)
)
)
Plaintiff,)
)
Vs.)
)
BRAVO MEDIA PRODUCTIONS, LLC,)
HAYMAKER MEDIA, INC., NBC)
UNIVERSAL MEDIA, LLC, COMCAST)
CORPORATION, CRAIG CONOVER,)
CHELSEA MEISSNER, AND MADISON)
LECROY,)
)
Defendants)
)

COURT OF COMMON PLEAS
NINTH JUDICIALCIRCUIT
CASE NO. 2020-CP-10-

**SUMMONS
(JURY TRIAL DEMANDED)**

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

s/ Aaron E. Edwards

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ATTORNEYS FOR PLAINTIFF

Mt. Pleasant, South Carolina
Dated: January 24, 2020

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 CHARLESTON COUNTY)
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 JOSEPH ABRUZZO,)
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 BRAVO MEDIA PRODUCTIONS, LLC,)
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COMPLAINT
 (JURY TRIAL DEMANDED)

Plaintiff Joseph Abruzzo (“Plaintiff” or “Abruzzo”), complaining of the Defendants, Haymaker Media, Inc., Bravo Media Productions, LLC, NBC Universal Media, LLC, Comcast Corporation (collectively referred to herein as “Corporate Defendants”), Craig Conover (“Conover”), Chelsea Meissner (“Meissner”), and Madison LeCroy (“LeCroy”) (collectively referred to herein as “individual cast members”) states, respectfully alleges and shows unto the Court as follows:

1. Plaintiff Joseph Abruzzo is a resident of the State of Florida.
2. Defendants Haymaker Media, Inc. and Bravo Media Productions, LLC are production companies incorporated in the State of New York responsible for the filming and production of the “reality” television show, Southern Charm, the filming of which is based predominantly in Charleston, South Carolina.
3. Haymaker Media and Bravo Media Productions transact business in the State of South Carolina, contract to supply services in the State of South Carolina, and perform business

in whole or in part in the State of South Carolina through their respective association with Southern Charm. This Court has subject matter jurisdiction, personal jurisdiction over the Defendants pursuant to S.C. Code Ann. § 36-2-803 (2016), and venue is proper in the County of Charleston.

4. Defendant NBC Universal Media, LLC is a limited liability company organized and existing under the laws of Delaware; it owns Defendant Bravo Media Productions and is responsible, in whole or in part, for the filming and production of the “reality” television show, Southern Charm, the filming of which is based predominantly in Charleston, South Carolina.

5. Defendant NBC Universal Media, LLC transacts business in the State of South Carolina, contracts to supply services in the State of South Carolina, and performs business in whole or in part in the State of South Carolina through its respective association with Southern Charm. This Court has subject matter jurisdiction, personal jurisdiction over the Defendants pursuant to S.C. Code Ann. § 36-2-803 (2016), and venue is proper in the County of Charleston.

6. Defendant Comcast Corporation is a corporation organized and existing under the laws of Pennsylvania; it owns Defendant NBC Universal and/or Defendant Bravo Media Productions and is responsible, in whole or in part, for the filming and production of the “reality” television show, Southern Charm, the filming of which is based predominantly in Charleston, South Carolina.

7. Defendant Comcast Corporation transacts business in the State of South Carolina, contract to supply services in the State of South Carolina, and perform business in whole or in part in the State of South Carolina through its respective association with Southern Charm. This Court has subject matter jurisdiction, personal jurisdiction over the Defendants pursuant to S.C. Code Ann. § 36-2-803 (2016), and venue is proper in the County of Charleston.

8. Defendant Craig Conover is a citizen and resident of Charleston County, South Carolina. At all times relevant, Defendant Conover was a cast member of the “reality” television show Southern Charm, was not an employee of the Corporate Defendants, but was acting in coordination with the Corporate Defendants.

9. Defendant Chelsea Meissner is a citizen and resident of Charleston County, South Carolina. At all times relevant, Defendant Meissner was a cast member of the “reality” television show Southern Charm, was not an employee of the Corporate Defendants, but was acting in coordination with the Corporate Defendants.

10. Defendant Madison LeCroy is a citizen and resident of Charleston County, South Carolina. At all times relevant, Defendant LeCroy was a cast member of the “reality” television show Southern Charm, was not an employee of the Corporate Defendants, but was acting in coordination with the Corporate Defendants.

11. The most substantial acts and/or omissions alleged herein occurred in Charleston County, South Carolina. This Court has subject matter jurisdiction, personal jurisdiction over the Defendants and venue is proper in the County of Charleston.

PLAINTIFF’S BACKGROUND

12. Plaintiff is currently employed as a director of government relations for a major law firm in Florida. Major corporations and individuals pay substantial sums of money for Plaintiff to lobby on their behalf on, for the time being, only federal legislative matters of interest.

13. Plaintiff has a long history of public service and accolades and review of his service and accolades is necessary to give context to the harm caused by the willful, intentional, and malicious conduct of the Defendants described herein.

14. Plaintiff formerly served as a Democratic politician from Florida. He has served in the Florida House of Representatives from the 81st district from 2016-2018, representing part of Palm Beach County. Previously, Abruzzo served two terms in the Florida House from 2008-2012, representing District 85, and one term on the Florida Senate from 2012-2016, representing District 25, where he served as the minority whip.

15. Plaintiff moved to Florida in 1999, attended Lynn University where he was elected the university's first junior elected student body president. Upon graduation in 2003 with a B. A. in International Communications and Minor in International Business Representative Abruzzo was awarded the Count and Countess De Hoernle Humanitarian Award. Plaintiff Abruzzo also as a Port Security Specialist in the United States Coast Guard Reserve, serving for a total of eight years, receiving numerous awards and recognitions in honor of his service including the Governor Rick Scott's Veteran Services Medal.

16. Plaintiff was elected to the Florida House of Representatives at the age of 28 in 2008. In the Florida House, Plaintiff Abruzzo served on the Economic Development & Tourism Subcommittee, the Finance and Tax Council, the Economic Affairs Committee, the Federal Affairs Subcommittee, the Business and Consumer Affairs Subcommittee, and the Congressional Redistricting Subcommittee. Plaintiff Abruzzo is a past member of the Insurance, Business and Financial Affairs policy Committee, the Joint Legislative Auditing Committee, the Military and Local Affairs Committee, and the State University and Private Colleges Policy Committee, The Economic Development & Community Affairs Policy Council, the Finance and Tax Council, the Economic Development Policy Committee, the Government Operations Appropriations Committee and was the only freshman legislator that served on the Select Committee on Seminole Indian Compact Review.

17. In Plaintiff Abruzzo's first term in office he passed a freshan record eleven bills through the House of Representatives. Plaintiff Abruzzo also worked as the Public Information Officer and Assistant Administrator for the Office of Criminal Conflict and Civil Regional Counsels fourth district.

18. Plaintiff Abruzzo is also a former member of the city of Boca Raton Education Board where he worked on establishing programs for continuing education for seniors. He is also a former member of the Palm Beach County Consumer Affairs hearing board, where he presided over cases of individuals and businesses that engaged in unfair and deceptive business practices.

19. Additionally, Plaintiff Abruzzo served as a member of numerous charitable causes and civic organizations, including being a founding member of the Martin Luther King, Jr. national memorial, a member of other organizations such as the Florida Alliance for Retired Americans, the National Center for Missing & Exploited Children, the Heroes' Circle U.S. Holocaust Memorial Museum, the National Center for Missing and Exploited Children, the Selfless Love Foundation, Autism Speaks, the Buoniconti Fund and was a founding member of the Washington, D.C. Martin Luther King, Jr. National Memorial.

20. Plaintiff Abruzzo is the recipient of many medals and awards including the 2012 National Association of Social Workers, Legislator of the Year, the 2012 Alzheimer's Community Care Award of Appreciation, the 2012 Progressive Caucus of Florida Middle Class Champion, the 2012 Fix Florida Top Dog Award, the 2011 Voices of Hope Legislator of the Year, the 2011 AIF Florida Maritime Council Legislator of the Year, the 2011 Delray Citizens for Delray Beach Police Award of Appreciation, the 2010 Palm Beach County Medical Society President's Award, the 2010 Florida Alliance for Retired Americans Legislator of the Year, the 2010 Restaurant and Lodging Association Legislative Award, the 2009 Florida Restaurant and

Lodging Association Legislative Award, the 2008 U.S. Coast Guard Good Conduct Medal, the 2007 U.S. Coast Guard Presidential Unit Citation, the 2006 Global War on Terrorism Service Medal, the 2005 National Defense Service Medal, the 2005 U.S.C.G. Combat Veterans Association Physical Fitness Award, and the 2005 U.S.C.G. Port Security "A" School Honor Team, among other awards.¹

21. Additionally, Plaintiff Abruzzo served as the Board Commissioner of the Health Care District Board of Palm Beach County from 2010-2013, the Chairman of the Palm Beach County Legislative Delegation from 2011-2012, and a Board Member of the Public Service Commission Nominating Council from 2010-2011, the Palm Beach County Consumer Affairs Hearing Board in 2008, as well as the City of Boca Raton, Education Advisory Board from 2002-2003.

22. From 2012 – 2016, Plaintiff Abruzzo was elected and served in the Florida Senate, serving on numerous committees including as vice chair of the Finance and Tax Committee, Community Affairs Committee, and alternating chair of the Joint Legislative Auditing Committee.² In 2018, after ten (10) years of service as a state legislator, Plaintiff Abruzzo announced that he would not to run for re-election, despite the fact that he was unopposed and there were no candidates running for his western Palm Beach seat at the time of his announcement. See, e.g. <https://www.sun-sentinel.com/news/florida/fl-reg-joseph-abruzzo-retiring-20180228-story.html?outputType=amp>

¹ From 2012-2018 Plaintiff Aburzzo accumulated dozens of other awards and honors, including two community streets named after him. In the interest of brevity, Plaintiff Abruzzo has omitted these and other awards and accolades that he has received. A full list can be provided if needed.

² In 2016, redistricting eliminated Plaintiff Abruzzo's Senate district. Plaintiff then was elected to the House of Representatives for a third term.

23. During his tenure as state legislator, he passed at least 50 bills into law. Plaintiff Abruzzo brought hundreds of millions of state funds to his district and county over his time in office, securing millions in state funds for the impoverished, primarily African-American communities around the southeast side of Lake Okeechobee, including Belle Glade, South Bay and Pahokee. In Florida's 2017 budget, Abruzzo sponsored more than \$4 million of water and street improvement projects for those towns, the largest of which was a \$1.2 million marina improvement project in Pahokee. In a year in which the State of Florida cut almost \$410 million in local projects, Abruzzo's survived.

24. One of his most significant pieces of legislation includes creating the Silver Alert system for missing adults, a grandparent's bill of rights and the termination of parental rights for rapists. He also pushed for several safety measures, including a successful helmet law for horse riders age 16 and younger — his district includes areas around Wellington's horse country. He was also a primary sponsor of legislation cracking down on pill mills in 2010, when the shady pain management clinics had become a state and national crisis. As a senator in 2016, Abruzzo sponsored the Competitive Workforce Act, which would ban workplace discrimination against LGBT workers.

25. When Plaintiff Abruzzo announced he would not run for re-election, his announcement was met with praise and fondness. (see <https://thefloridachannel.org/videos/3-1-18-farewell-rep-joseph-abruzzo-d-district-81-boca-raton/>).

26. Among the people Abruzzo came into contact and developed business relationships, as well as established an outstanding reputation with, was among others the chairman and owner of Chesapeake Petroleum and Supply in Gaithersburg, Maryland, the country's largest privately held petroleum company.

27. Plaintiff met the chairman and owner in Wellington, Florida, about two years before he was elected, who educated Plaintiff on the equine issues of the State of Florida. When Plaintiff was elected, one of the first bills he worked on was the Horse Protection Act. It was one of the first laws in the nation making it a felony to abuse, neglect, or abandon an equine. It also said that if a Florida restaurant put horse meat on the menu, it would automatically be shut down. The Act passed unanimously, and it is now the law in the State of Florida.

28. Since that time, Plaintiff Abruzzo worked as the Chesapeake chairman and owner's Washington lobbyist, which paid Abruzzo a monthly fee of \$15,000 per month for lobbying and consulting work on federal legislation and other matters of interest. This agreement was from 2007 until 2019, and would have continued for the foreseeable future, until the agreement was terminated shortly after the airing of the Southern Charm episodes discussing and featuring Plaintiff Abruzzo in which the Defendants' knowingly, falsely and maliciously depicted Plaintiff Abruzzo as a "disgraced" politician, and accused Plaintiff Abruzzo of being abusive, negatively comparing Plaintiff Abruzzo to a former cast member, Thomas Ravenel, who had recently been criminally charged with assault, and implying there were nude photos of Plaintiff Abruzzo in the public domain.

29. Plaintiff Abruzzo's ban on state lobbying ends in November 2020 and he is currently employed as a director of government relations for a major law firm in Florida. Major corporations and individuals pay substantial sums of money for Plaintiff to lobby on their behalf on federal legislative matters of interest. Plaintiff Abruzzo's ability lobby on state issues, which by law requires a two year waiting period after serving in office, expires in November 2020. However, as a direct and proximate result of the Defendants' intentional wrongdoing, a simple "Google" search for "Joseph Abruzzo" brings up almost nothing related to his years of public

service and the various accolades described above, but instead results in links to the Corporate Defendants' websites for false and misleading depictions of Plaintiff Abruzzo, his relationship with Dennis as depicted on Southern Charm, and/or his appearance on Southern Charm.

SOUTHERN CHARM

30. The Corporate Defendants direct, film, air, and/or otherwise produce the television show "Southern Charm."

31. Southern Charm is a "reality" television show based in Charleston, South Carolina and has been airing on national and international television, as well as streaming online, since 2014.

32. While Southern Charm is promoted as a "reality" show, it in fact consists of false conflict and scenarios that are fabricated and/or contrived by the Corporate Defendants for the express purpose of creating dramatic and licentious material for television.

33. The dialogue between cast members of Southern Charm is not scripted, but events, interactions between cast members, topics of discussion, confrontations, and activities undertaken by the cast members, including those referenced herein, are directly provoked, encouraged, instigated, and/or orchestrated by the Corporate Defendants, with the individual cast members agreement, coordination, and cooperation, to elicit drama and conflict commensurate with Southern Charm's storyline as a show that "reveals a world of exclusivity, money and scandal dating back through generations of families in Charleston, S.C." (see e.g. www.afterbuzztv.com/southern-charm/). Alcohol and/or drugs are regularly consumed by the cast members to heighten the likelihood of drama and conflict with the encouragement, toleration, dispensing, and/or condonation of the Corporate Defendants

34. The original main character at the inception of Southern Charm was Thomas Ravenel. During the filming of Southern Charm, Ravenel met Kathryn Dennis, another Southern Charm cast member and began a romantic relationship that resulted in the birth of two children.

35. A major storyline and ongoing theme in the Southern Charm series from 2014-2018 related to Ravenel and Dennis' relationship and conflict within their relationship, including Dennis losing custody of her children to Ravenel and Dennis undergoing rehabilitation for drug and/or alcohol abuse during the 2016-2018 timeframe. Dennis was often portrayed as the victim of Ravenel's manipulation and/or abuse.

36. In the Summer of 2018, it was announced that Ravenel would not be returning to the cast of Southern Charm for its 6th season, scheduled to begin filming in the Fall of 2018.³ Without Ravenel as a cast member, the need for a new "storyline" for Dennis became apparent.

37. After communicating with one another, Dennis and the Corporate Defendants framed her new role in Southern Charm as a rehabilitated single mother who regains custody of her children, and moves on and out from under Ravenel's abuse and/or manipulation. Upon information and belief, part of Dennis's new storyline was to include a new love interest.

38. In furtherance of this storyline, around the time filming for season 6 of Southern Charm began in the Fall of 2018, Dennis filed a modification of custody action against Ravenel in the Charleston County Family Court, basing her requested relief in large part upon the staged scenarios filmed for Southern Charm in an attempt to classify the conduct depicted therein as "real-life" events justifying the Family Court's intervention.⁴

³ Around the same time, Ravenel was criminally charged with sexual assault of his former nanny.

⁴ Plaintiff Abruzzo is informed and believes Dennis lost her custody case and now has less time with her children than she did before filing for a modification of custody.

39. Plaintiff Abruzzo did not know at the time that Dennis initiated the custody suit with the express or implied encouragement, condonation, and/or permission of the Corporate Defendant producers of Southern Charm, for the purpose of providing dramatic material for the next season of Southern Charm.

**PLAINTIFF'S RELATIONSHIP WITH KATHRYN DENNIS
AND APPEARANCE ON SOUTHERN CHARM**

40. Plaintiff Abruzzo met Kathryn Dennis in the fall of 2018 at a Miami Dolphins football game, shortly before filming for Southern Charm season 6 began. Thereafter, Plaintiff Abruzzo and Dennis began a romantic relationship.

41. Unbeknownst to Abruzzo at the time, but in furtherance of Dennis's storyline for season 6 and future seasons of Southern Charm, and with the express or implied encouragement, condonation, and/or permission of the Corporate Defendant producers of Southern Charm, Dennis almost immediately began imploring Plaintiff Abruzzo to be on the show, telling Abruzzo that if she were to get married, she believed the Corporate Defendants would pay big money for rights to televise her wedding, honeymoon, an exclusive, and other things of that nature.

42. The Corporate Defendants wanted Abruzzo to go on a guy's trip, go to a public and crowded restaurant on a dinner date with Dennis, and otherwise suggested group or public outings for Plaintiff Abruzzo's appearance. Plaintiff Abruzzo declined any such outing or event, and ultimately agreed to a private dinner at Dennis's residence in downtown Charleston, which was filmed by the Corporate Defendants.

43. Nothing eventful or dramatic occurred during the dinner, and there was no conflict between Plaintiff Abruzzo and Dennis.

44. After going on only a handful of dates, Plaintiff Abruzzo ended his relationship with Dennis in early 2019.⁵

45. Southern Charm season 6 first aired during the summer of 2019. In the promotional material released leading up to the season 6 premier, Dennis's storyline regarding Ravenel and her custody suit was confirmed. Shortly thereafter, Dennis's storyline involving Plaintiff Abruzzo would be revealed.

46. In episode three (Exhibit A – filed separately), Defendant Conover, acting on behalf of and in coordination with the Corporate Defendants, when asked by Defendant Meissner about Plaintiff Abruzzo, says “Well, he’s a disgraced politician in Florida” and “He’s not running for re-election because of his divorce. His wife is accusing him of being physically abusive.” These statements are false, and Defendant Conover and the Corporate Defendants knew they were false. (See, e.g. <https://www.sun-sentinel.com/news/florida/fl-reg-joseph-abruzzo-retiring-20180228-story.html?outputType=amp>). These statements were made knowingly and with the intent of disparaging Plaintiff Abruzzo and/or to otherwise negatively portray him in a false light in order to further the storylines involved in Southern Charm.

47. Plaintiff Abruzzo is informed and believes, and on the basis of that information and belief, alleges that Defendant Meissner was prompted and/or encouraged by producers, employees, and/or agents of the Corporate Defendants, and Defendant Meissner agreed, to

⁵ The Corporate Defendants would later falsely claim that Dennis ended the relationship with Plaintiff Abruzzo as a result of the concern expressed by other cast members about Plaintiff Abruzzo as depicted on the Southern Charm show. This claim is false. This false claim was designed and intended to defame, disparage, and/or portray Plaintiff Abruzzo as an unsafe, corrupt, abusive and/or otherwise unsavory individual in order to preserve and further Dennis's storyline on the show. (See <https://www.bravotv.com/the-daily-dish/why-kathryn-dennis-joseph-abruzzo-politician-boyfriend-broke-up>); <https://realityblurb.com/2019/06/12/southern-charm-kathryn-dennis-reveals-why-she-broke-up-senator-joseph-abruzzo-plus-how-she-ended-their-relationship/>)

inquire about Plaintiff Abruzzo with Defendant Conover for the purpose of enabling Defendant Conover to disparage, defame, and otherwise negatively portray him in a false light in order to create and further the storylines involved in Southern Charm.

48. In episode six (Exhibit B - filed separately), entitled “A Salt and Battery”, Plaintiff Abruzzo’s dinner date with Kathryn Dennis aired.⁶

49. As previously alleged, nothing eventful or dramatic occurred during the dinner, and there was no conflict between Plaintiff Abruzzo and Dennis, nor did any of the Defendants state, suggest, or imply that Plaintiff Abruzzo would be portrayed in a negative and/or false light.

50. To the contrary, immediately prior to the filming of the dinner, while at Dennis’s home, the Corporate Defendants, by and through one or more of their agents, falsely represented to Plaintiff Abruzzo that they were there to simply film and observe, and that Plaintiff Abruzzo would be portrayed accurately and fairly.

51. Immediately prior to the filming of the dinner, while at Dennis’s home, the Corporate Defendants, by and through one or more of their agents, represented to Plaintiff Abruzzo that his appearance on Southern Charm would be a great thing for Kathryn Dennis, his girlfriend at the time, and her role on Southern Charm.

52. Specifically, the Corporate Defendants, by and through one or more of their agents, represented to Plaintiff how it would be good for Defendant Conover because his storyline was in jeopardy, and falsely represented that Plaintiff Abruzzo was to have “no worries in the world”. Kathryn Dennis told Plaintiff Abruzzo that the Corporate Defendants were going

⁶ Plaintiff Abruzzo is informed and believes the title of this episode which depicts Plaintiff’s dinner date with Dennis is a reference to former cast member Thomas Ravenel’s criminal assault charges.

to make him look incredible, and would portray him as Dennis's comforting knight in shining armor.

53. Immediately prior to filming the dinner, a representative of the Corporate Defendants said to Plaintiff Abruzzo that they were ready to begin and that he had to sign something before they started. Plaintiff Abruzzo was given a three page single spaced document, turned to the third page.

54. Plaintiff Abruzzo was given no time to read the document, no time to consult with an attorney regarding the substance of the document, no time verify the accuracy of its contents, no time verify the parties to the document and given no explanation of the document or its contents by any of the producers, employees, and/or agents of the Corporate Defendants. Only the signature page was presented by the Corporate Defendants to Plaintiff Abruzzo, which he was forced to sign as he was sitting down to dinner with Dennis for filming.

55. Plaintiff Abruzzo was further under pressure from the Corporate Defendant producers to begin filming, as well as from Dennis and the Corporate Defendant Producers to participate in the filming of the dinner which would be "a great thing" for his then girlfriend Dennis.

56. Plaintiff Abruzzo's dinner date with Kathryn Dennis is depicted as follows:

(Kathryn Dennis sets out Grandmother's silver & china prepping for Plaintiff Abruzzo coming over for dinner. She orders delivery.)

(Plaintiff Abruzzo arrives with flowers.)

Dennis: "Aren't you sweet."

Abruzzo: "You look – you look great."

Dennis: "You look great."

Abruzzo: "No, you look great."

Dennis: "I'm glad you're here."

(hugs & kisses)

Dennis: "Good to see you."

Abruzzo: "Good to see you, too."

(Dennis tries to cut flowers. Plaintiff Abruzzo steps in and assists.)

Dennis: "Thank you for helping – I'm not used to that in life."

Dennis: "When I first saw Joe, I was not attracted to him. Um...no. And it wasn't until he started to talk to me that day that I felt a sense of, like, us, being on somewhat of the same wave length."

(Plaintiff Abruzzo helps her carry food outside and pulls out her chair. She seems very surprised. He compliments her on the meal and they continue small talk.)

Dennis: "I'm not like most chicks from Charleston. I don't know how many you've dated around these parts."

Abruzzo: "You would be my first."

Dennis: "Well, lucky you."

Abruzzo: "I think so, obviously."

(Continue more small talk....Plaintiff Abruzzo compliments the outdoor setting.)

Abruzzo: "I haven't spent much time in the deep south."

Dennis: "God, I love it though. It's the best thing about you."

(Kissing.)

57. As previously alleged, nothing eventful or dramatic occurred during the dinner, and there was no conflict between Plaintiff Abruzzo and Dennis, nor did any of the Defendants state, suggest, or imply that he would be portrayed in a negative and/or false light.

58. Nevertheless, in the following episode seven (Exhibit C – filed separately), entitled "Dick Moves and Dick Pics", The Corporate Defendants, Defendant LeCroy, Defendant

Meissner, and others knowingly and falsely state and/or imply there were nude photos of Plaintiff Abruzzo in the public domain as follows:

(cast member Patricia Altschul is having a house party)

Altschul: "I had heard she (Kathryn) had a boyfriend."

Olindo: "Politician. Senator from Florida."

Altschul: "No, not a politician. Oh no. Oh dear."

Olindo: "I mean, I'm just going to go ahead and say it. I googled him and some, like, wild things came up like almost naked photos of him on the internet."

Altschul: "Let me get my big iPad in here."

Eubanks: "Does she know all this stuff?"

Olindo: "She must. Ya'll Google it, it's crazy."

Defendant LeCroy (looking at her phone): "Oh. His penis looks like a Ken Doll. Like, it's just a bulge."

(a photo of Plaintiff Abruzzo is shown on screen with the image blurred at the bottom of his torso)

Defendant LeCroy: "Look at that, it's like a 'mangina.'"

(The girls take turns looking at the photos.)

Defendant Meissner: "She's (Kathryn Dennis) gonna walk in and Pat's (Altschul) gonna be looking at a picture of her boyfriend's pecker."

Eubanks: "She would not be happy."

(Kathryn Dennis arrives.)

59. The images depicted of Plaintiff Abruzzo require no blurring. His penis cannot be seen, nor could it be described. Kathryn Dennis could not have possibly walked in with anybody "looking at a picture of her boyfriend's pecker." These statements are false, and Defendants LeCroy, Meissner, and the Corporate Defendants knew they were false. These statements were

made knowingly and with the intent of disparaging Plaintiff Abruzzo and/or to otherwise portray him in a false light in furtherance of the storylines involved in Southern Charm.

60. Plaintiff Abruzzo is informed and believes, and on the basis of that information and belief, alleges that the entire conversation amongst Altschul, Olindo, Baird, Defendant LeCroy and Defendant Meissner was prompted and/or encouraged by producers, employees, and/or agents of the Corporate Defendants, and Defendants Meissner and LeCroy agreed to discuss Plaintiff Abruzzo and falsely depict the photo in order to falsely state or imply nude photos or photos in which Plaintiff Abruzzo's penis or "pecker" exist and are in the public domain to be viewed simply by a Google search.

61. The intentional and malicious blurring of the bottom of the photos by the Corporate Defendants was intended to suggest that Plaintiff Abruzzo's genitals were viewable in the original photos and therefore had to be blurred to be suitable for television. Moreover, the promotional materials, previews leading up to the episode, and even the title "Dick Moves and Dick Pics" episode was created by the Corporate Defendants and/or designed to explicitly state or strongly imply that photos of Plaintiff Abruzzo's genitals exist and are in the public domain to be viewed by a simple Google search.

62. Such photos do not exist and, therefore, cannot be viewed at all, much less by a Google search for Plaintiff Abruzzo. The statements otherwise are false, known to be false, and were published by the Defendants knowingly, willfully, and with actual malice and intent to defame, disparage, or otherwise harm the Plaintiff.

63. Furthermore, despite the fact that Plaintiff Abruzzo ended his relationship with Dennis in early 2019, the Corporate Defendants falsely state or imply that Dennis ended the relationship with Plaintiff Abruzzo as a result of the concerns expressed by her fellow cast

members, as depicted on the Southern Charm show, in order to preserve and further the storylines involved in the “reality” show. (Id).⁷ These statements are false, known to be false, and were published by the Defendants knowingly, willfully, and with actual malice and intent to defame, disparage, or otherwise harm the Plaintiff.

64. The statements and conduct by the Defendants otherwise are false, and Defendants LeCroy, Meissner, and the Corporate Defendants knew they were false. These false statements were made knowingly, with actual malice, and with the intent of disparaging Plaintiff Abruzzo and/or to otherwise portray him in a false light in furtherance of the storylines involved in Southern Charm.

65. Only a small portion of Southern Charm season 6 show actually featured Plaintiff Abruzzo’s dinner with Dennis. Instead, almost the entirety of reference to Abruzzo in the show was negative, false, designed to impugn Abruzzo’s character, and/or portrayed Abruzzo in a false light.

66. Plaintiff Abruzzo did not and would not consent or otherwise knowingly, willfully, or voluntarily agree to the Defendants’ false, misleading, deceptive, and fraudulent portrayal of him in what was a concerted and coordinated effort by the Defendants to create dramatic material for consumption by the viewers of the “reality” show Southern Charm in the United States and worldwide. Furthermore, Plaintiff Abruzzo was not involved with any other filming and was unaware of any of the statements referenced herein nor was he involved in any way with the editing or creation of the footage described herein.

⁷ See <https://www.bravotv.com/the-daily-dish/why-kathryn-dennis-joseph-abruzzo-politician-boyfriend-broke-up>); <https://realityblurb.com/2019/06/12/southern-charm-kathryn-dennis-reveals-why-she-broke-up-senator-joseph-abruzzo-plus-how-she-ended-their-relationship/>

67. Plaintiff Abruzzo is informed and believes that the Corporate Defendants have unaired footage which reveals the encouragement and/or prompting by the Corporate Defendants to the cast members named herein, along with the agreement and coordination among all Defendants, to discuss, defame and otherwise disparage Plaintiff Abruzzo for the purpose of providing false, scandalous, and/or licentious material for consumption by the public.

68. As a direct and proximate result of the Defendants' conduct described herein, Plaintiff Abruzzo's reputation has been destroyed, his actual and potential earnings severely diminished, and has otherwise suffered legally compensable damages.

FOR A FIRST CAUSE OF ACTION
OUTRAGE/INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

69. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

70. The Defendants, through their words, acts, and/or willful omissions intentionally inflicted severe emotional distress on Plaintiff or were certain or substantially certain that such distress would result from their conduct. Defendants' conduct as alleged above was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community. The actions of the Defendants caused Plaintiff emotional distress and the emotional distress suffered was severe such that no reasonable person could be expected to endure it and it had physical manifestations of pain, loss of sleep, nervousness, stress, anxiety, damage to reputation, and other manifestations.

71. As a direct and proximate result of the outrageous conduct of the Defendants, Plaintiff has been injured and suffered damages. Plaintiff is entitled to a judgment against the Defendants for actual damages to be determined by the trier of fact, and punitive damages in a sufficient amount to deter such similar conduct by these Defendants or others.

FOR A SECOND CAUSE OF ACTION
FRAUD

72. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

73. The representations made by the Corporate Defendants immediately prior to the filming of Plaintiff Abruzzo were false and material.

74. The Corporate Defendants knew of the falsity of the statements or acted with reckless disregard of their truth or falsity.

75. The Corporate Defendants intended for Plaintiff Abruzzo to act upon these representations.

76. Plaintiff Abruzzo was ignorant of the falsity of the representations, relied on the truth of the representations, and had the right to so rely.

77. As a direct and proximate result of the fraudulent conduct of the Corporate Defendants, Plaintiff has been injured and suffered damages. Plaintiff is entitled to a judgment against the Defendants for actual damages to be determined by the trier of fact, and punitive damages in a sufficient amount to deter such similar conduct by these Defendants or others.

FOR A THIRD CAUSE OF ACTION
CONSTRUCTIVE FRAUD

78. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

79. The representations made by the Corporate Defendants immediately prior to the filming of Plaintiff Abruzzo were false and material.

80. The Corporate Defendants knew of the falsity of the statements or acted with reckless disregard of its truth or falsity.

81. The Corporate Defendants intended for Plaintiff Abruzzo to act upon these representations.

82. Plaintiff Abruzzo was ignorant of the falsity of the representations, relied on the truth of the representations, and had the right to so rely.

83. As a direct and proximate result of the fraudulent conduct of the Corporate Defendants, Plaintiff has been injured and suffered damages. Plaintiff is entitled to a judgment against the Defendants for actual damages to be determined by the trier of fact, and punitive damages in a sufficient amount to deter such similar conduct by these Defendants or others.

FOR A FOURTH CAUSE OF ACTION
NEGLIGENT MISREPRESENTATION

84. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

85. The representations made by the Corporate Defendants immediately prior to the filming of Plaintiff Abruzzo were false.

86. The Corporate Defendants had a pecuniary interest in making the false statements.

87. The Corporate Defendants owed a duty of care to see that they communicated truthful information to the Plaintiff.

88. The Corporate Defendants breached their duties of care by failing to exercise due care.

89. Plaintiff Abruzzo justifiably relied on the Defendants representations.

90. As a direct and proximate result of his reliance on the Corporate Defendants' misrepresentations, Plaintiff has been injured and suffered pecuniary damages. Plaintiff is entitled to a judgment against the Defendants for actual compensatory damages to be determined by the trier of fact.

FOR A FIFTH CAUSE OF ACTION
FRAUDULENT INDUCEMENT

91. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

92. The representations made by the Corporate Defendants immediately prior to the filming, and presentation of the three page release for Plaintiff Abruzzo's signature were false and material.

93. The Corporate Defendants knew of the falsity of the statements or acted with reckless disregard of its truth or falsity.

94. The Corporate Defendants intended for Plaintiff Abruzzo to act upon these representations.

95. Plaintiff Abruzzo was ignorant of the falsity of the representations, relied on the truth of the representations, and had the right to so rely.

96. As a direct and proximate result of the fraudulent conduct of the Corporate Defendants, Plaintiff has been injured and suffered damages. Plaintiff is entitled to a judgment against the Defendants for actual damages to be determined by the trier of fact, and punitive damages in a sufficient amount to deter such similar conduct by these Defendants or others.

FOR A SIXTH CAUSE OF ACTION
CIVIL CONSPIRACY

97. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

98. The Corporate Defendants and individual cast members named herein constitute a combination of two or more people.

99. The very nature of the acts done, the relationship of the parties, the interests of these Defendants, and other circumstances can reasonably be inferred to be the joint assent of the minds of the Defendants for the primary purpose of injuring Plaintiff Abruzzo.

100. The statements described herein, along with the public dissemination and broadcast of the Southern Charm episodes which discuss, describe, ad/or depict Plaintiff Abruzzo constitute overt acts done pursuant to, and in furtherance of, the conspiracy.

101. As a direct and proximate result of the Defendants' conspiracy and conduct in forming and perpetrating the conspiracy, Plaintiff Abruzzo has been injured and suffered damages, including special damages in the form of attorney's fees, litigation costs, and other special damages.

FOR A SEVENTH CAUSE OF ACTION
DEFAMATION

102. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

103. The statements made by the Corporate Defendants and individual cast members herein were published, non-privileged, false and defamatory per se as the statements allege criminal activity, moral turpitude, and/or unfitness for one's profession of the Plaintiff.

104. The Defendants are at fault for the statements described herein. These false statements tended to impeach the honesty, integrity, virtue or reputation of the Plaintiff and were publications of natural or alleged defects of the Plaintiff which thereby exposed him to public hatred, contempt, ridicule, caused her to be shunned or avoided, and/or otherwise injured him in her office, business, or occupation.

105. The statements described herein were known to be false and were nevertheless published with actual malice.

106. Defendants' representations and statements falsely impute to Plaintiff Abruzzo a matter, practice or course of conduct incompatible with his business, trade or profession as a legitimate and successful lobbyist and former politician. He is not a participant in deviant activities, such as assault or has he participated, offered or agreed to be portrayed in a bad light or employed or contracted by the Defendants to appear or otherwise serve as a paid participant in the activities portrayed in Southern Charm for which his image, likeness and/or identity was used.

107. These false statements by implication constitute defamation *per se*.

108. Such false and *per se* defamatory representations and statements by implication were published to innumerable people or viewers.

109. Defendants knew their conduct described herein was wrongful.

110. Defendants intended to deprive Plaintiff Abruzzo of a property interest or, at a minimum, evinced a conscious disregard for the fact that Plaintiff Abruzzo did not consent to Defendants' use, alteration or publication of his to promote, advertise, market or endorse Defendants' show or companies.

111. Defendants acted with actual or constructive knowledge of the high probability that injury or damage would result to Plaintiff Abruzzo or, at a minimum, were so reckless or wanton in care that their conduct constituted a conscious disregard of, or indifference to, Plaintiff Abruzzo's rights.

112. As a direct and proximate result of the Defendants defamatory statements, Plaintiff has damaged. Plaintiff has suffered damage to his reputation, lost income and/or earnings, been embarrassed, humiliated, and endured mental suffering as a result of the Defendants' conduct. Moreover, Plaintiff has suffered physical bodily injuries in the form of

nausea, headaches, other physical injuries, and substantial economic damage as a direct and proximate result of the defamatory statements. Plaintiff is entitled to judgment against the Defendants for all general and special damages as well as punitive damages in an amount sufficient to deter similar conduct.

FOR AN EIGHTH CAUSE OF ACTION
VIOLATION OF THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT

113. The allegations of the foregoing paragraphs are incorporated into this cause of action as if fully stated herein.

114. The South Carolina Unfair Trade Practices Act declares unfair or deceptive acts or practices in the conduct of trade or commerce to be unlawful.

115. The Corporate Defendants are engaged in trade or commerce within the meaning of the Act.

116. The conduct described herein by the Corporate Defendants is offensive to public policy and/or is immoral, unethical, or oppressive. The Corporate Defendants' representations to those appearing on Southern Charm who are not regular cast members, and the portrayal by the Corporate Defendants of all persons, scenarios, conflicts, and storylines of persons appearing on Southern Charm as "reality" are intended to deceive and in fact have the tendency to deceive.

117. The deceptive, false, and fraudulent acts and/or practices of the Corporate Defendants have occurred in the past with other individuals who have appeared on Southern Charm, thus making it likely the Corporate Defendants' actions will continue absent some deterrence. As a result, the false and misleading representations to those appearing on Southern Charm who are not regular cast members, the false and misleading representations about those appearing on Southern Charm to others, and the portrayal by the Corporate Defendants of all

persons, scenarios, conflicts, and storylines of persons appearing on Southern Charm as “reality” affect the public interest.

118. Further, the Corporate Defendants’ policies and procedures to lie to, and about anybody who appears on Southern Charm in its efforts to televise a “reality” show, create a potential for repetition of the unfair and deceptive acts.

119. As a direct and proximate result of the Corporate Defendants unfair trade practices, Plaintiff has suffered actual loss, injury, and/or damages. Plaintiff is entitled to judgment against the Corporate Defendants for actual compensatory damages, and three times the actual damages sustained and such other relief as the court deems necessary and proper pursuant to SC Code 39-5-140.

FOR A NINTH CAUSE OF ACTION
NEGLIGENCE

120. Plaintiff Abruzzo hereby incorporates by reference each and every allegation set forth in paragraphs above as if fully alleged herein.

121. Under the circumstances stated herein, the Corporate Defendants owed a duty of care towards Plaintiff Abruzzo.

122. Among other things, that duty included the obligation to deal with Plaintiff Abruzzo and his image in a commercially reasonable and prudent manner, to not use or alter Plaintiff Abruzzo’s image, appearance, portrait in derogation of his rights, and to not cause harm to Plaintiff Abruzzo

123. The Corporate Defendants breached that duty by using and altering Plaintiff Abruzzo’s image, image, appearance, portrait without Plaintiff Abruzzo’s authorization, permission or consent.

124. The Corporate Defendants' conduct and breach as described above directly and proximately caused injury to Plaintiff Abruzzo's reputation, brand, goodwill and livelihood for which he has suffered damages.

125. As a direct and proximate result of the Corporate Defendants conduct, Plaintiff Abruzzo has been damaged. Plaintiff respectfully requests that the Court issue a judgment granting actual, or compensatory, damages in an amount to be determined at trial, lost profits, disgorgement of profits earned directly or indirectly by Defendants' unlawful use, attorneys' fees and costs, prejudgment and post-judgment interest, and preliminary and permanent injunctive relief enjoining Defendants from engaging in further unauthorized use of the Images, and/or such further relief that is just and proper.

FOR A TENTH CAUSE OF ACTION
UNJUST ENRICHMENT

126. Plaintiff Abruzzo hereby incorporates by reference each and every allegation set forth in above as if fully alleged herein.

127. Plaintiff Abruzzo has conferred a benefit upon Corporate Defendants and individual cast members by virtue of the Defendants usage and self-serving alteration of his image, portrait and appearance.

128. Corporate Defendants and individual cast members were aware that Plaintiff Abruzzo's image, portrait and appearance was valuable.

129. Corporate Defendants and individual cast members were aware of the resulting benefit from usage of Plaintiff Abruzzo's image, portrait and appearance.

130. Corporate Defendants and individual cast members have retained profits and other benefits conferred upon them by using Plaintiff Abruzzo's image, portrait and appearance to

promote and advertise Corporate Defendants' and individual cast members' show and companies.

131. It would be inequitable for any of the Defendants to retain the benefits conferred upon them by using Plaintiff Abruzzo's image, portrait and appearance without paying fair value for Plaintiff Abruzzo's image, portrait and appearance

132. Plaintiff Abruzzo respectfully requests that the Court issue a judgment granting actual, or compensatory, damages in an amount to be determined at trial, lost profits, disgorgement of profits earned directly or indirectly by Defendants' unlawful use, attorneys' fees and costs, prejudgment and post-judgment interest, and preliminary and permanent injunctive relief enjoining Defendants from engaging in further unauthorized use of images of the Plaintiff, and/or such further relief that is just and proper.

WHEREFORE, the Plaintiff Abruzzo hereby requests the following relief:

- A. A jury trial;
- B. Actual, compensatory, consequential, special, and general damages against the Defendants, jointly and severally, in an amount not less than Ten Million Dollars (\$10,000,000.00);
- C. Treble damages for willful violations of the SC Unfair Trade Practice Act
- D. Punitive damages in an amount sufficient to deter the same or similar conduct as determined by a jury;
- E. Costs and fees taxed against the Defendants as permitted by law;
- F. Such other and further relief as the Court deems just, prudent, and proper.

Respectfully submitted,

s/ Aaron E. Edwards_____

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ATTORNEYS FOR PLAINTIFF

Mt. Pleasant, South Carolina
Dated: January 24, 2020