

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
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CLERK DISTRICT COURT
DEPUTY *[Signature]*

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10 IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE
11 OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

12 TINA JACOBSON,

13 Plaintiff,

14 Case No. CV12-309 ✓

15 vs.

16 COMPLAINT

17 JOHN DOE and/or JANE DOE,

18 Fee Category: A
19 Fee: \$88.00

20 Defendants.

21 Plaintiff alleges as follows:

22 I. PARTIES AND JURISDICTION

23 1.1 Plaintiff Tina Jacobson is a resident of Rathdrum, Idaho and the current Chairman of the
24 Kootenai County Republican Party Central Committee.

25 1.2 Defendant, John Doe's residence is unknown to Plaintiff at the date of this complaint.
26 John Doe has committed a tort of libel by publishing, via the internet, a malicious defamation about Mrs. Jacobson with an intended and actual impact in County of Kootenai, State of Idaho.

**ASSIGNED TO
JUDGE LUSTER**

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1 1.3 Defendant, Jane Doe's residence is unknown to Plaintiff at the date of this complaint.
2 Jane Doe has committed a tort of libel by publishing, via the internet, a malicious defamation about
3 Mrs. Jacobson with an intended and actual impact in County of Kootenai, State of Idaho.

4 1.4 Jurisdiction is proper in the District Court of the First Judicial District, Kootenai County,
5 Idaho, pursuant to Idaho Constitution Article V, §20, Idaho Code §1-701 and §1-705. Venue properly
6 lies in this Court pursuant to Idaho Code §5-104.
7

8 1.5 All conditions precedent to suit have been performed.

9 **II. FACTS AND ALLEGATIONS**

10 2.1 On or about February 14, 2012, the Cowles Publishing Company d/b/a Spokesman-
11 Review had created and operated for the benefit of its readership an internet "blog". The blog was
12 created by its employee and agent Mr. D. Oliveria. The blog is operated under the business name of
13 "Huckleberries Online."
14

15 2.2 The Huckleberries Online blog is easily located on the internet by typing in
16 "Huckleberries Online." There are no restrictions on its readership.

17 2.3 Appearing on the Huckleberries Online blog, beginning at 3:31 p.m. on February 14,
18 2012, was an entry made by an author identified as "almostinnocentbystander". The entry as published
19 via the internet stated there was \$10,000.00 missing from the Republican Central Committee funds and
20 that the missing funds were hidden on the person of Mrs. Jacobson.
21

22 2.4 The blog statement of missing funds was false.

23 2.5 The blog statement that the missing funds were secreted on the person of Mrs. Jacobson
24 was false.

25 2.6 The blog comments are not protected by any right or immunity recognized by the law.
26

1 2.7 The identity of “almostinnocentbystander” is unknown to Mrs. Jacobson at the time of
2 this complaint. The identity is known to the owners and/or agents of the Cowles Publishing Company
3 d/b/a Spokesman-Review.

4 2.8 The false blog entry elicited two immediate inquires by bloggers identifying themselves
5 as “Phaedrus” and “OutofStaterTater” who each inquired as to the substance of the claim of missing
6 funds.
7

8 2.9 At 5:25 p.m. “almostinnocentbystander” responded to the inquiring bloggers with further
9 allegations of missing funds, obstruction of the Republican Party Central Committee treasurer’s report
10 and embezzlement. The entries of “almostinnocentbystander” when read alone or in tandem, without
11 difficulty are understood to identify Mrs. Jacobson as the alleged thief.

12 2.10 The false statements about Mrs. Jacobson impeach the honesty, integrity and reputation
13 of Mrs. Jacobson. The statements are libel per se.

14 2.11 The fact that the statements about Mrs. Jacobson were libelous was acknowledged by
15 Mr. Oliveria on February 14, 2012 when he removed the blogging exchange.
16

17 2.12 Mr. Oliveria removed the false entries stating the blog comment was, “. . . an
18 unsubstantiated accusation made against a local Republican official.”

19 2.13 The withdrawal by Mr. Oliveria was immediately followed by blogging comments.
20 Those comments noted the ability to repeat defamation by the simple use of a pseudonym.
21

22 2.14 The John Doe and/or Jane Doe known as “almostinnocentbystander” knew at the time of
23 posting the statement it was untrue. Mr. Oliveria has further acknowledged the statement was false in a
24 February 17, 2012 blog posting which stated Mr. Oliveria had contacted “almostinnocentbystander” and
25 reported this person or persons acknowledged the statement was baseless, was derogatory and was
26 unsubstantiated.

