

FILED

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PROthonARY  
ALLEGHENY COUNTY

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

TODD J. HOLLIS

Plaintiff,

vs.

TASHA C. JOSEPH, individually, and as  
owner and operator of  
DONTDATEHIMGIRL.COM,  
EMPRESS MOTION PICTURES, doing  
business as THE CAVELLE  
COMPANY, INC., CAROLYN  
MERITT LATTIMORE, ALESIA  
ROSKOV, ANNA DOE, BARBARA  
DOE, CATHERINE DOE, DEBORAH  
DOE and EMILY DOE,

Defendants.

No. GD 06-12677

Code: 008

**ANSWER, NEW MATTER AND  
COUNTERCLAIM**

Filed on Behalf of Defendant:  
ALESIA ROSKOV

Counsel of Record for This Party:

**DANIEL P. BEISLER, Esquire**  
Pa. I.D. No. 37532

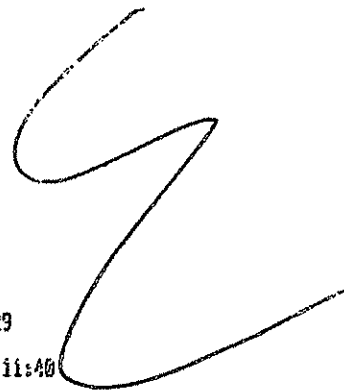
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CAROLYN MERITT LATTIMORE,  
ALESIA ROSKOV, ANNA DOE,  
BARBARA DOE, CATHERINE DOE,  
DEBORAH DOE and EMILY DOE,

Defendants.

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action within twenty (20) days after this complaint and notice are served by entering a written appearance personally or by attorney and filing in the writing with the court your defenses or objections to the claims set forth against you. You are warned and if you fail to do so the case may proceed without you and judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE  
THE ALLEGHENY COUNTY BAR ASSOCIATION  
920 CITY-COUNTY BUILDING  
414 GRANT STREET  
PITTSBURGH, PENNSYLVANIA 15219  
TELEPHONE: (412) 261-0518

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Plaintiff,

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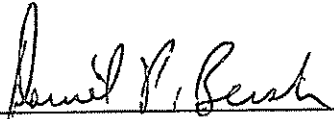
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DOE and EMILY DOE,

Defendants.

NOTICE TO PLEAD

TO: Plaintiff, TODD J. HOLLIS

Your are notified to Plead to the enclosed New Matter and Counterclaim within twenty (20)  
days from the date of service or a judgment may be entered against you.

  
\_\_\_\_\_  
DANIEL P. BEISLER, ESQUIRE  
Attorney for Defendant, Alesia Roskov

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Defendants.

**ANSWER, NEW MATTER AND COUNTERCLAIM**

And now comes the Defendant, Alesia Roskov, by and through her attorney, Daniel P. Beisler, Esquire, and files the following Answer, New Matter and Counterclaim to Complaint in Civil Action, averring as follows:

**ANSWER**

1. Paragraph 1 of Plaintiff's Complaint is admitted.
2. After reasonable investigation, this party is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraphs 2 through 5.
3. In response to Paragraph 6, Defendant's first name is correctly spelled "Alesia," not "Alescica." The rest of Paragraph 6 is admitted.

4. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraphs 7 through 15.
5. Paragraphs 16 through 18 contain conclusions of law for which no reply is necessary. By way of further answer, Defendant is without knowledge or information sufficient to form a belief as to the truth of these averments and strict proof is demanded at the time of trial.
6. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraphs 19 through 27.
7. The allegations contained in Paragraph 28 of Plaintiff's Complaint are specifically denied. At no time did this Defendant publish any information or "profile" or in any way was an "anonymous poster" as alleged by the Plaintiff and strict proof of this averment is demanded at the time of trial.
8. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraphs 29 through 36.
9. Paragraph 37 requires no answer.
10. Paragraphs 38 through 50 contain allegations which do not relate to the answering Defendant and therefore do not require a response.
11. Paragraphs 51 through 64 contain allegations which do not relate to the answering Defendant and therefore do not require a response.
12. Paragraphs 65 through 77 contain allegations which do not relate to the answering Defendant and therefore do not require a response.
13. Paragraph 78 requires no answer.
14. The allegations contained in Paragraph 79 are specifically denied in that at no time did this Defendant make anonymous postings on the dontdatehimgirl.com website concerning the Plaintiff and strict proof of this allegation is demanded at the time of trial.

15. Paragraph 80 is specifically denied. At no time did this Defendant publish false and defamatory statements regarding the Plaintiff. Strict proof of this allegation is demanded at the time of trial.

16. Paragraph 81 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant falsely state that Plaintiff was gay and/or bisexual. Strict proof of this averment is demanded at the time of trial.

17. Paragraph 82 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant make the statements as alleged to constitute "defamation per se."

18. Paragraph 83 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant publish any defamatory statements with knowledge of the falsity of the statements and/or with reckless disregard as to the truth of the statements. To the contrary, Defendant had no involvement in the publishing of any of the statements alleged by the Plaintiff.

19. Paragraph 84 is specifically denied in that at no time did this Defendant make any defamatory statements prior to publishing them. At no time would the Defendant need to properly investigate the subject matter and strict proof of this averment is demanded at the time of trial.

20. Paragraph 85 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant publish any defamatory statements with knowledge of the falsity of the statements and/or with reckless disregard as to the truth of the statements. At no time did this Defendant act with actual malice.

21. Paragraph 86 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant abuse any and all conditional privileges which she might have been entitled to assert. At no time did this Defendant publish any false communications or act with actual malice toward the Plaintiff in regard to the website which is the subject of this Plaintiff's lawsuit.

22. Paragraph 87 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did any of the Defendants' conduct contribute to any type of embarrassment, humiliation or emotional distress which may be permanent in nature suffered by the Plaintiff and strict proof of this allegation is demanded at the time of trial.

23. Paragraph 88 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant's conduct cause the Plaintiff to suffer damage to his reputation which may be permanent in nature. Strict proof of this averment is demanded at the time of trial.

24. Paragraph 89 contains conclusions of law for which no reply is necessary. By way of further answer, at no time did this Defendant's conduct affect the Plaintiff's earning capacity and at no time did her conduct impair and/or may impair in the future his earning capacity and strict proof of this allegation is demanded at the time of trial.

25. Paragraph 90 contains conclusions of law for which no reply is necessary. By way of further answer, at no time has this Defendant intentionally and maliciously defamed the Plaintiff. Strict proof of these allegations where Plaintiff is claiming that he is entitled to punitive damages is demanded at the time of trial.

WHEREFORE, Defendant, Alesia Roskov prays this Honorable Court dismiss the lawsuit filed by the Plaintiff against her.

26. Paragraphs 91 through 117 contain allegations which do not relate to this answering Defendant and therefore do not require a response.

WHEREFORE, Defendant, Alesia Roskov prays this Honorable Court dismiss the lawsuit filed by the Plaintiff against her.

**NEW MATTER**

27. Paragraphs 1 through 26 are hereby incorporated by reference.

28. Defendant, Alesia Roskov, dated the Plaintiff approximately 1 year ago for a period of 1 to 2 months. Plaintiff's father, George Hollis, worked in the Coroner's Office of Allegheny County with the Defendant.

29. While in the course of her employment at work at the Coroner's Office, Defendant was served with a copy of the Complaint in Civil Action filed by the Plaintiff herein in front of a TV camera, a Channel 11 News crew, the event of the service of the Complaint on the Defendant all being coordinated by the Plaintiff for purposes of embarrassing and humiliating the Defendant.

30. Plaintiff is fully aware that at no time did Defendant conduct herself in any manner to embarrass the Plaintiff by posting any information on the website as alleged by the Plaintiff. The purpose of Plaintiff naming Defendant as a party to this lawsuit and serving her at work was to embarrass both her and the Coroner's Office.

31. Plaintiff's course of conduct in filing suit against the Defendant and embarrassing her at work in front of the news media has caused the Defendant to suffer humiliation and continuing embarrassment.

WHEREFORE, Defendant, Alesia Roskov, seeks dismissal of the lawsuit filed against her by the Plaintiff herein.

#### COUNTERCLAIM

32. Paragraphs 1 through 31 are hereby incorporated by reference.

33. Plaintiff has filed a lawsuit against the Defendant and has served her with papers regarding the case while at work in front of the news media for the sole purpose of embarrassing and humiliating the Defendant and her employer. Plaintiff's allegations against the Defendant are totally without basis and Plaintiff by filing this Action and serving the Defendant in front of the news media has acted improperly and has perverted the use of the legal process.

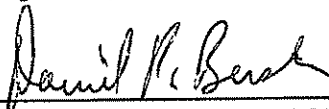


34. The sole purpose or motive of the Plaintiff in filing this lawsuit against the Defendant was to embarrass and humiliate the Defendant and her employer. Plaintiff's father is no longer employed with the Coroner's Office through no action of the Defendant and the Defendant no longer dates or has anything to do with the Plaintiff.

35. The action of the Plaintiff in naming the Defendant a party to this lawsuit and in serving her with the lawsuit at work has caused the Defendant's reputation to suffer and has caused her to suffer humiliation and embarrassment. Further, Defendant has incurred and continues to incur attorney fees in her defense of the totally meritless lawsuit filed by the Plaintiff.

WHEREFORE, Defendant, Alesia Roskov, in her capacity as a Counterclaim Plaintiff, seeks this Court award her damages against the Plaintiff for this abuse of process, compensatory damages for humiliation and embarrassment, punitive damages and an award of attorney fees in an amount in excess of \$50,000.00.

Respectfully submitted,



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DANIEL P. BEISLER, ESQUIRE  
Attorney for Defendant, Alesia Roskov

**VERIFICATION**

I, Alesia M. Roskov, do hereby verify that the statements made in the foregoing document are true and correct to the best of my knowledge. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

  
ALEZIA M. ROSKOV

7.14.06  
DATE

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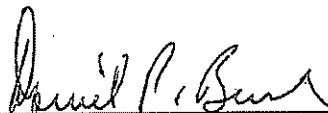
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Defendants.

CERTIFICATE OF SERVICE

I, Daniel P. Beisler, Esquire, do hereby certify that a true and correct copy of the Answer, New Matter and Counterclaim was served on Plaintiff's Counsel of Record this 27<sup>th</sup> day of July, 2006 by First Class Mail, U.S. Postage Prepaid at the following address:

John R. Orie, Jr., Esquire  
ORIE & ZIVIC  
25<sup>th</sup> Floor Lawyer's Building  
Pittsburgh, PA 15219

  
DANIEL P. BEISLER, ESQUIRE  
Attorney for Defendant, Alesia Roskov