
PATRICK DUFF, : SUPERIOR COURT OF NEW JERSEY PLAINTIFF : LAW
DIVISION - CAMDEN COUNTY VS. :
JOE ANDL and JOHN DOES 1-10, : DOCKET NO. L-CAM-001716-22
INCLUSIVE : CIVIL ACTION

DEFENDANTS : **COMPLAINT FOR DEFAMATION**

COMPLAINT AT LAW FOR DEFAMATION RESULTING IN DAMAGES

AND NOW, comes the Plaintiff, Patrick Duff, by and through themselves, *pro se*, to file the instant complaint and in support thereof avers as follows:

1. The Plaintiff initiates the instant complaint against the Defendants by way of Defamation in the form of both slander and libel resulting in damages as a direct and proximate result.
2. The subject of the instant action for defamation involves false information pertaining to the Plaintiff that was communicated from one party to another by, John Doe and Joe Andl, resulting in a false and defamatory blog claiming that the Plaintiff committed fraud by faking his very real cancer to solicit money, and also that Plaintiff stole money meant for a memorial dedicated to MLK, Defendants did so in order to tarnish the name and reputation of the Plaintiff.
3. As a direct and proximate result of the actions of the Defendants in the instant matter, the Plaintiff has suffered and continues to suffer damages as a direct and proximate result of the false and defamatory misrepresentations identified and complained of herein.
4. The Plaintiff is seeking compensatory, punitive damages and per se damages for each of the causes of action complained of herein as well as any and all other relief deemed necessary and applicable including but not limited to injunctive relief requiring the Defendants to desist from

their defamatory conduct complained of herein, as well as remove the defamatory content from the internet as it is currently published.

JURISDICTION AND VENUE

5. At all times relevant to this complaint, the acts complained of engaged in by the Defendant took place on the World Wide Web and also in the state of New Jersey. Accordingly, jurisdiction is proper under R. 4:4-4. 5. The actions complained of have taken place within the state of New Jersey and the Plaintiff resides in Camden County. Therefore, under R. 4:3-2(a)(3), the venue is proper for this civil action at law in Camden County Superior Court, Law Division.

PARTIES

6. The Plaintiff, Patrick Duff, at all times material hereto has resided at _____
_____. The Defendant, Joe Andl, executive director of the Burlington County Bridge Commission and also Chairperson for the Burlington County Democratic Party, at all times material hereto has resided and / or conducted business at 1300 Rt 73 North, PO Box 6 Palmyra NJ 08065.

8. DEFENDANT - Plaintiff is ignorant of the true names and capacities of defendants sued herein as DOES 1 through 10, inclusive, and therefore sues those defendants by those fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities when ascertained throughout the process of discovery.

STATEMENT OF FACTS

9. The Plaintiff initiates the instant complaint against the Defendants by way of Defamation in the form of both slander and libel resulting in damages as a direct and proximate result.

10. John Doe is the author of a blog which claims that the Plaintiff faked having cancer to sell CBD products and that the Plaintiff stole money from a memorial meant for Martin Luther King.

11. Plaintiff is an investigative journalist and activist who has been exposing political corruption in the Southern NJ and Philadelphia areas for several years. He is the sole writer and investigator for NJRabbleRouser.com, a site that garners thousands of visits per month in just the south jersey area.

12. Defendant Joe Andl is the executive director of the Burlington County Bridge Commission, and also the Chairperson for the Burlington County Democratic Committee. Defendant Joe Andl is either the author of the blog himself, or the person who supplied portions of the false and malicious information about the Plaintiff for the blogger to write.

13. Defendant Andl is the former town manager of Maple Shade. The Plaintiff and Defendant were working together on having a memorial placed in Maple Shade to Martin Luther King. Andl told the Plaintiff that the cost of the plaque was \$2,800, but the township could only afford to spend \$1,000; so the Plaintiff raised the rest of the money.

14. More than a year went by with the Plaintiff requesting several times how he could give the money he raised to the town for the plaque, with Andl telling Plaintiff that the town legally could not accept the money and instead told the Plaintiff he could give it to the plaque maker when the memorial plaque was ready.

15. Even though Plaintiff had been in contact numerous times with defendant, and had raised the \$1,800 to pay for the plaque by August of 2016, the minutes from the January 24th, 2018 Maple Shade Council meeting do not reflect such, and instead say "Council discussed the

MLK plaque, we have \$1,000 towards Mr. Duff's project, WAITING TO HEAR FROM HIM.", which is just absurd considering the Plaintiff had already raised the money for the plaque and was in contact with the Defendant more than a dozen times trying to expedite the process.

16. In February the Plaintiff sent another email to Andl, stating "It has been over a year since I raised the money for the plaque and it seems like you have completely forgotten about it, why? Your council approved it, the DOT approved it and I raised the money, so what's the hold up?".

17. Andl responded by stating "As I mentioned before the Congressional Office (Donald Noorcross) took the project out of my hands for a period of time. As per Mary Cruz's email dated October 11, 2017 the township will be getting quotes and moving forward with the original wording for the historical marker. Then we will place the order. As soon as I have an invoice I will forward it to you for payment. Maple Shade has agreed to pay \$1000 towards the cost. My hope is to have all the quotes and the marker ordered by early March."

18. Minutes from the March 22nd Maple Shade council meeting state "Council approved moving forward with the MLK Plaque", yet Defendant never let Plaintiff know, setting up the narrative where it could be claimed that the Plaintiff stole the money raised for the plaque.

19. Defendant did not contact Plaintiff as was promised so Plaintiff could pay his portion, instead the Township of Maple Shade paid for the entire cost of the plaque on July 1st, 2018.

20. Plaintiff is not sure when the plaque was erected, but he finally learned of the plaque being installed on August 21st, 2018, when a Republican Candidate for office, Vincent

Squire, got into a heated exchange with the Plaintiff where Squire let Plaintiff know that he had just got back from visiting the Defendant, Joe Andl, who told Squire about the plaque being erected and how the Plaintiff did not provide any money for the plaque.

21. That same day the Plaintiff emailed Andl and asked “I see the plaque was installed. Why was I not given any notice? I was supposed to pay for a portion and I still have the money. You were supposed to give me the name of the plaque maker and I was to pay them, what changed and why not tell me? Also, Vince Squire said you claimed I wanted to change the wording to include 753 Walnut st, which is not true. You and I both know that was the request of the Norcross office, so did you tell him that?”

22. Andl responded in email the next day, stating “The Township paid for the entire cost of the marker to expedite the process. You can use the money you raised for another project. The marker was installed last week while I was on vacation which is why you were not notified. Your email dated May 4, 2017, second paragraph says “I already sent the new wording to include the Walnut Street Address.” I have no information about your discussions with Norcross’s office.”

23. Minutes from the August 23rd, 2018 Maple Shade Council meeting state “The MLK sign has been erected and we are receiving some complaints about the facts of the event”.

24. For months the Defendant failed to keep the Plaintiff abreast as to what was taking place in what can only be seen as a set up, a set up to make it seem as if the Plaintiff stole the money that was raised for the plaque, which is the very allegation set forth in the hit blog.

25. Defendant Joe Andl is also the executive director of the Burlington County Bridge Commission, where the Plaintiff sent in an OPRA request seeking information regarding a

suicide that took place on the Tacony Bridge on January 7th of this year. A screenshot of that OPRA request, which would have only been available to a person working at the bridge commission and the Plaintiff, was posted on the hit blog.

26. The post from the hit blog was then posted as a comment on the Plaintiff's website on January 18, 2022, which is when the Plaintiff finally learned of the blog that had been created on January 5, 2022. The comment stated "You seem awful caught up in videos involving minors... might want to look into why you want these videos so badly.".

27. As soon as the Plaintiff saw the screenshot of the OPRA request on the blog, the Plaintiff knew that someone from inside of the Bridge Commission had to be the culprit. The Plaintiff had no idea that Defendant Joe Andl was working there, but as soon as the Plaintiff learned that he was, Plaintiff knew that he was most likely the culprit.

28. Immediately afterwards the Plaintiff sent a follow up to his original OPRA request that was made on January 10th, 2022, to ask the clerk who the request had been shared with? The response of the clerk showed that she only shared it with one other person other than the commission's attorney, and that was Joe Andl on January 11th, 2022.

29. During the same period of time that the blog was being created, Plaintiff was involved in exposing corruption in the Town of Delran, where he was seeking a video from the Carli Lloyd Retirement Party.

30. The Township took the position that the video could not be supplied without redacting the faces of the minors that were present, and requested the Plaintiff pay for the said redactions, to which the Plaintiff declined, and requested a fee waiver that was denied by the council on January 18th, 2022, the same day that the anonymous blogger made the comment

on the Plaintiff's blog regarding the Plaintiff seeking "videos of minors". Plaintiff later filed suit against Delran Township for OPRA violations, and won both the release of the said videos, as well as attorneys fees.

31. Plaintiff began exposing corruption in the town of Delran on October 15th, 2021, when the first of more than a dozen articles were written exposing several scandals in the town, with most stories directly implicating Delran's Mayor, Gary Catrambone.

32. Delran's Mayor, Gary Catrambone, has been the President of the Delran Democratic Committee for more than two decades. Defendant Andl, was elected in 2010 as the President of Maple Shade's Democratic Committee. Both committees are under the same umbrella of the Burlington County Democratic Committee, which Defendant Andl has been the President of since 2019.

33. The Plaintiff is an activist that is in the public eye frequently. Sometimes the Plaintiff attracts significant media coverage. One of these stories was printed as recently as four weeks ago in Newsweek Magazine, which described the Plaintiff's story about battling cancer and his activism. The story was shared all over the world and yet, now that the story has become so popular, the link for the blog stating that the Plaintiff faked cancer has become much more findable in a search engine.

34. The Plaintiff recently had a book deal in place regarding the story in Newsweek retracted with no other explanation available to him other than the defamatory blog post which exacerbates the special damages suffered by the Plaintiff as a direct and proximate result of the misconduct described herein.

35. The Plaintiff also had their son and his friends ask about the hit blog after it was seen online.

The hit blog has been extremely embarrassing and distressing for the Plaintiff, despite its untruthfulness.

36. The Plaintiff was diagnosed with colon cancer on July 28th of last year and underwent a ten and a half hour surgery to have a nearly 10 inch tumor removed on August 5th. He was diagnosed with extremely high risk stage two cancer after the surgery and spent months healing and battling the disease.

37. As a direct and proximate result of the actions of the Defendant(s) in the instant matter, the Plaintiff has suffered and continues to suffer damages as a direct and proximate result of the false, defamatory and malicious misrepresentations identified and complained of herein.

38. The allegations set forth in the hit blog about the plaintiff include fraud, theft by deception, and also a claim that Plaintiff faked having cancer, which are so malicious and damaging on their face that they call for damages per se.

39. The Plaintiff is seeking compensatory and punitive damages for each of the causes of action complained of herein, as well as any and all other relief deemed necessary, and applicable, including but not limited to injunctive relief requiring the Defendants to desist from their defamatory conduct complained of herein, as well as remove the defamatory content from the internet as it is currently published.

40. The Plaintiff hereby demands a trial by jury with regards to all genuine disputes of material facts pertaining to the instant matter.

COUNT I

DEFAMATION OF CHARACTER

41. The Petitioner references and incorporates Paragraphs 1 through 40 as set forth herein at

length.

42. To establish defamation under New Jersey law, Plaintiff must show that Defendant (1) made a false and defamatory statement concerning Plaintiff, (2) communicated the statement to a third party, and (3) had a sufficient degree of fault. *Reed v. Scheffler*, 218 F. Supp. 3d 275, 281–82 (D.N.J. 2016) (citing *Mangan v. Corporate Synergies Group, Inc.*, 834 F.Supp.2d 199, 204 (D.N.J. 2011)) (citing *Singer v. Beach Trading Co.*, 379 N.J.Super. 63, 79, 876 A.2d 885 (App. Div. 2005)).

43. New Jersey Supreme Court describes defamation as “false defamatory words, written and published, injurious to the reputation of another or exposing him to hatred, contempt or ridicule or subjecting him to a loss of the good will and confidence entertained towards him by others” *Leers v. Green*, 24 N.J. 239, 251, 131 A.2d 781, 787 (1957).

44. In the instant matter, it is clear that the Defendants have engaged in false and defamatory statements being made concerning the Plaintiff.

45. These statements have been communicated to numerous third parties having been posted on the internet and shared among many different individuals and publicly with the intent of being seen by third individuals.

46. The Defendants in the instant matter are directly responsible and at fault for the defamatory claims made in the instant matter as they are directly and intentionally responsible for the representations contained in the blog post posted on the internet and shared among many different individuals and publicly with the intent of being seen by third party individuals.

47. As a direct and proximate result of the actions of the Defendant in the instant matter, the Plaintiff has suffered and continues to suffer damages as a direct and proximate result, including

damages per se, of the false and defamatory misrepresentations identified and complained of herein.

48. The Plaintiff also suffered when his son and their friends asked about the blog after it was seen online, which has been extremely embarrassing and distressing for the Plaintiff despite its untruthfulness.

49. The Plaintiff recently had a book deal in place regarding the story in Newsweek retracted, with no other explanation available other than what the Plaintiff believes to be the defamatory blog post, which even more so exacerbates the special damages suffered by the Plaintiff as a direct and proximate result of the misconduct described herein.

50. The Plaintiff is seeking compensatory and punitive damages for each of the causes of action complained of herein as well as any and all other relief deemed necessary and applicable including but not limited to injunctive relief requiring the Defendants to desist from their defamatory conduct complained of herein as well as remove the defamatory content from the internet as it is currently published.

51. The Plaintiff hereby demands a trial by jury with regards to all genuine disputes of material facts pertaining to the instant matter.

COUNT II

FRAUDULENT REPRESENTATION

52. The Petitioner references and incorporates Paragraphs 1 through 40 as set forth herein at length.

53. The elements of fraud under New Jersey's common law are "(1) a material misrepresentation of a presently existing or past fact; (2) knowledge or belief by the defendant of its falsity; (3) an

intention that the other person rely on it; (4) reasonable reliance thereon by the other person; and (5) resulting damages.” *Gennari v. Weichert Co. Realtors*, 691 A.2d 350, 367 (N.J. 1997).

54. In the instant matter, the Defendants have engaged in a material representation of the Plaintiff of presently existing or past fact with knowledge and belief of the falsity of the claim in a specific effort to induce the reliance of others.

55. Specifically, the Defendant Joe Andl knew that they admitted that the reason the Plaintiff was not informed about the placement of the Martin Luther King plaque was that they were on vacation and “forgot” to inform the Plaintiff to pay their portion, but then intentionally and knowingly represented that the Plaintiff stole the funds that were raised for that effort specifically.

56. As a direct and proximate result of the actions of the Defendant in the instant matter, the Plaintiff has suffered and continues to suffer damages, and damages per se, as a direct and proximate result of the false and defamatory misrepresentations identified and complained of herein.

57. The Plaintiff also had their son and their friends ask about the blog after it was seen online and it has been extremely embarrassing and distressing for the Plaintiff despite its untruthfulness.

58. The Plaintiff recently had a book deal in place regarding the story in Newsweek retracted with no other explanation available other than the defamatory blog post which exacerbates the special damages suffered by the Plaintiff as a direct and proximate result of the misconduct described herein.

59. The Plaintiff is seeking compensatory and punitive damages for each of the causes of action complained of herein as well as any and all other relief deemed necessary and applicable

including but not limited to injunctive relief requiring the Defendants to desist from their defamatory conduct complained of herein as well as remove the defamatory content from the internet as it is currently published.

60. The Plaintiff hereby demands a trial by jury with regards to all genuine disputes of material facts pertaining to the instant matter.

COUNT III

NEGLIGENT MISREPRESENTATION

61. The Petitioner references and incorporates Paragraphs 1 through 40 as set forth herein at length.

62. The separate tort of negligent misrepresentation “requires proof that an ‘incorrect statement was negligently made and justifiably relied upon’ and that the injury was sustained as a consequence of that reliance.” Carroll v. Cellco Partnership, 713 A.2d 509, 516-517 (N.J. Sup. Ct. 1998) (citations omitted).

63. In the instant matter, the false and defamatory statements made by the Defendants are clearly made with reckless disregard of the truth and yet continue to be represented through the present moment.

64. As a direct and proximate result of the actions of the Defendant in the instant matter, the Plaintiff has suffered and continues to suffer damages, and damages per se, as a direct and proximate result of the false and defamatory misrepresentations identified and complained of herein.

65. The Plaintiff also had their son and their friends ask about the blog after it was seen online and it has been extremely embarrassing and distressing for the Plaintiff despite its untruthfulness.

66. The Plaintiff recently had a book deal in place regarding the story in Newsweek retracted with no other explanation available other than the defamatory blog post which exacerbates the special damages suffered by the Plaintiff as a direct and proximate result of the misconduct described herein.

67. The Plaintiff is seeking compensatory and punitive damages for each of the causes of action complained of herein as well as any and all other relief deemed necessary and applicable including but not limited to injunctive relief requiring the Defendants to desist from their defamatory conduct complained of herein as well as remove the defamatory content from the internet as it is currently published.

68. The Plaintiff hereby demands a trial by jury with regards to all genuine disputes of material facts pertaining to the instant matter.

COUNT IV

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

69. The Petitioner references and incorporates Paragraphs 1 through 40 as set forth herein at length.

70. Under New Jersey law, to establish a prima facie claim for intentional infliction of emotional distress, a plaintiff must show: “(1) that the defendant intended to cause emotional distress; (2) that the conduct was extreme and outrageous; (3) that the actions proximately caused emotional distress; and (4) that plaintiff’s emotional distress was severe.” *Witherspoon v. Rent– A–Center, Inc.*, 173 F. Supp. 2d 239, 242 (D.N.J. 2001) (citing *Buckley v. Trenton Savs. Fund Soc’y*, 544 A.2d 857 (N.J. 1988))

71. In the instant matter, the Defendants engaged in the defamatory conduct specifically with the

intent to cause emotional distress to the Plaintiff in retaliation for their political activism and exposure of corruption within the Democratic Party in New Jersey which a part of the cause of the false and defamatory blog post in the instant matter.

72. The false and defamatory posting claiming that the Plaintiff faked having cancer and stole money from a fundraiser for a Martin Luther King plaque is sufficiently extreme and outrageous to warrant the instant claim for intentional infliction of emotional distress which a reasonable jury should be able to find in a trial via a preponderance of the evidence.

73. The actions of the Defendants proximately caused the Plaintiff a substantial amount of emotional distress. The Plaintiff had their son and their friends ask about the blog after it was seen online and it has been extremely embarrassing and distressing for the Plaintiff despite its untruthfulness.

74. The Plaintiff recently had a book deal in place regarding the story in Newsweek retracted with no other explanation available other than the defamatory blog post which exacerbates the special damages suffered by the Plaintiff as a direct and proximate result of the misconduct described herein.

75. The Plaintiff is seeking compensatory and punitive damages for each of the causes of action complained of herein as well as any and all other relief deemed necessary and applicable including but not limited to injunctive relief requiring the Defendants to desist from their defamatory conduct complained of herein as well as remove the defamatory content from the internet as it is currently published.

76. The Plaintiff hereby demands a trial by jury with regards to all genuine disputes of material facts pertaining to the instant matter.

PRAYER FOR RELIEF

WHEREFORE, it is hereby respectfully requested that this Honorable Court grant judgment in favor of the Plaintiff as follows:

1. COMPENSATORY DAMAGES - for the damages complained of herein in an amount to be determined in a trial by jury.
2. PUNITIVE DAMAGES - for the torts complained of herein and in an amount to be determined in a trial by jury.
3. PER SE DAMAGES - for the torts complained of herein and in an amount to be determined in a trial by jury.
4. INJUNCTIVE RELIEF requiring the Defendants to desist from their defamatory conduct complained of herein as well as remove the defamatory content from the internet.
5. COSTS AND FEES associated with the instant action
6. ANY AND ALL OTHER APPLICABLE RELIEF

Respectfully Submitted, _____

Dated: July 20th, 2022

Patrick Duff