

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Dennis G. Lomax

Case No. 3:19-CV-30025-

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

WikiMedia Foundation, Inc.
John Doe 1-9

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No

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2019 FEB 25 PM 4:44
U.S. DISTRICT COURT
DISTRICT OF MASS.

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Dennis G. Lomax
Street Address	40 Fort Street Apt. 1
City and County	Northampton, Hampshire
State and Zip Code	Massachusetts, 01060
Telephone Number	(413) 247-4020
E-mail Address	abdulomax@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	WikiMedia Foundation, Inc.
Job or Title <i>(if known)</i>	c/o CT Corporation System
Street Address	818 West Seventh Street
City and County	Los Angeles
State and Zip Code	California 90017
Telephone Number	
E-mail Address <i>(if known)</i>	legal@wikimedia.org

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐

Federal question

☐

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Dennis G. Lomax, a.k.a. Abd ul-Rahman, is a citizen of the State of *(name)* Massachusetts.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) WikiMedia Foundation, Inc., is incorporated under the laws of the State of (name) Florida, and has its principal place of business in the State of (name) California.
 Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

Ongoing libel, unremediated injury to plaintiff's reputation, harassment of family, \$200,000

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1. Having threatened plaintiff with harm, one or more Does created an article defaming plaintiff on RationalWiki, with malice, and acting to preventing correction.
2. Does 1-9 filed false complaints, possibly coordinated, with the Wikimedia Foundation ("WMF").
3. February 24, 2018, without warning or notice and with no violation of the Terms of Service ("TOS"), WMF published a global ban of plaintiff, and publication continues. WMF has refused response to plaintiff.
4. Defamation and harassment of plaintiff by one or more Does continues.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Harm continues through Google searches for plaintiff's working name (Abd ul-Rahman Lomax, user "Abd" on WMF wikis.) With no legitimate necessity, the ban can be seen by anyone, and is being cited as proof of reprehensible behavior. Defamatory "warnings" have been sent to plaintiff's family. Plaintiff prays for:

1. \$200,000 to date for harm to reputation and public support of plaintiff's legitimate activities as a writer,
2. Order that alleged Terms of Service (TOS) violations be disclosed to users so that they may correct them.
3. Order for due process with bans, and, failing that, that they be lifted or, as a minimum, hidden for privacy.

4. For Order that Does 1-9, on discovery of identity, cease defamation and, where possible, issue corrections.
5. For punitive or exemplary damages for negligence and malicious defamation.
6. For such other relief as the court may deem proper, including plaintiff's costs.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

2/25/2019

Signature of Plaintiff

Printed Name of Plaintiff


Dennis G. Lomax, pro se**B. For Attorneys**

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address