

IN THE CHANCERY COURT OF LAUDERDALE COUNTY, MISSISSIPPI

LPK ARCHITECTS, P.A.
and ROBERT E. LUKE

PLAINTIFFS

VS

CAUSE NO. 19-653-S

WESTON LINDEMANN
and JOHN DOES 1-50

DEFENDANT

COMPLAINT FOR PERMANENT INJUNCTION

COMES NOW, LPK ARCHITECTS, P.A. and Robert E. Luke, Plaintiffs, and files this their Complaint for permanent injunction pursuant to M.R.C.P. 65 against Weston Lindemann, Defendant, and John Does 1-50, and in support thereof would respectfully show unto the Court the following facts, to-wit:

1.

Plaintiff LPK Architects, P.A. is a Mississippi professional association, in good standing, which is authorized to do business and is doing business in Mississippi, with its principal place of business at 821 22nd Avenue, Meridian, Mississippi 39301.

2.

Plaintiff Robert E. Luke is an adult resident citizen of Lauderdale County, Mississippi.

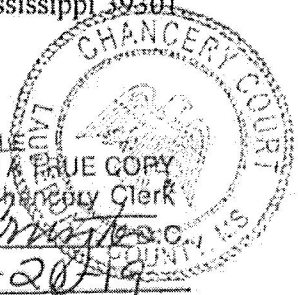
3.

Weston Lindemann is an adult resident citizen of Lauderdale County, Mississippi, and may be served with the process of this Court at 115 4th Avenue, Meridian, Mississippi 39301.

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STATE OF MISSISSIPPI
COUNTY OF LAUDERDALE
I CERTIFY THAT THIS IS A TRUE COPY
CAROLYN MOONEY, Chancery Clerk

BY Sandra Winters
TODAY'S DATE: 9-20-19



4.

John Does 1-50 are potential, additional, defendants the identity of whom are not clearly known to Plaintiffs as of this filing but who published their own defamatory and libelous statements and/or republished, endorsed, or confirmed their belief in the defamatory and libelous statements published by Defendant and as discovery proceeds in this action will be added to this action as proper defendants.

5.

The Court has jurisdiction of this matter and venue is proper before this Court in that the Defendant is a resident citizen of Lauderdale County, Mississippi.

6.

Over the course of several months, Defendant and John Does 1-50 have willfully, intentionally, and with actual malice caused to be published to the public via the internet, and specifically Facebook, false and malicious accusations attacking the reputation, character, and person of the Plaintiffs, constituting the tort of libel; among the false accusations published by the Defendant are that the Plaintiffs have engaged in fraudulent activity in the preparation and presentation of City of Meridian, Mississippi, Master Plan 2019-2029 (the "Master Plan") stating that Plaintiffs engaged in unlawful activity in procuring the contract for the preparation of the Master Plan, failed in the performance of the scope of work for preparation of the Master Plan, accused Plaintiffs of performing work on the Master Plan which was not for the City of Meridian, Mississippi, implied that Plaintiff Robert E. Luke had lied under oath in certain testimony before a court, implied that Plaintiffs were receiving or paying kickbacks, and that Plaintiffs had overcharged the City of Meridian, Mississippi, for work performed on the Master

Plan all of which statements were and are both libelous and slanderous, and constitute actionable words standing alone. Copies of some of the libelous statements from Defendant's Facebook postings along with the republished, endorsed, or confirmed belief in such posts by third party John Does 1-50 are attached hereto and made a part hereof as Exhibits "A", "B", "C" and "D."

7.

The actions and publications of the Defendant and John Does 1-50 were in violation of *Miss. Code Ann.* §95-1-1 and warrant a determination of damages by this Court; the statements as made by Defendant and John Does 1-50 were wholly without foundation in fact or truth, were either knowingly false when made or were made with complete reckless disregard of their falsity, and were unquestionably made with the intent of disparaging the Plaintiffs and are therefore actionable *per se*.

8.

The false and libelous publications of the Defendant and John Does 1-50 were made with the intent to portray the Plaintiffs in a negative manner, disparaging of their reputation within the community and the world, and constitute actionable words as contemplated by the laws of the State of Mississippi, entitling the Plaintiffs to an award of actual damages of not less than \$500,000 and additional punitive damages and costs as may be determined by this Court at the trial of this cause.

9.

The Plaintiff Robert E. Luke has spent a lifetime cultivating a successful architectural practice both in Lauderdale County, Mississippi, other locations throughout Mississippi, and in other states. The reputation of the Plaintiffs for fairness, honesty, and upstanding character has

been established over several decades and constitutes a major aspect of Plaintiffs' successful professional history as well as an integral personal asset. The false, malicious, and unfounded accusations published to the world by the Defendant and John Does 1-50 have caused the Plaintiffs significant harm to its business and personal emotional distress manifesting in physical symptoms, which constitute the tort of outrage and intentional infliction of emotional distress for which the Plaintiffs are entitled to recover from the Defendant and John Does 1-50.

10.

The Plaintiffs are not public figures nor candidates for office, nonetheless the Defendant and John Does 1-50 have disparaged the Plaintiffs for no apparent reason, and with no basis or foundation in fact. The actions of the Defendant and John Does 1-50 were both intentional and without regard to the rights of the Plaintiffs, and warrant the imposition of a mandatory injunction requiring publication of an apology and prohibiting future disparagement of the Plaintiffs or members of Plaintiff Robert E. Luke's family or employees or members of Plaintiff LPK Architects, P.A. by publication or spoken word in addition to monetary damages, as the risk of future damages caused by similar actions of the Defendant and John Does 1-50 is both imminent and serious given the apparent animosity of the Defendant toward the Plaintiffs. Plaintiffs would further show that the harm being done to their business name and reputation by Defendant is irreparable and continuous, and Plaintiffs are without an adequate remedy at law to protect their legitimate business interests.

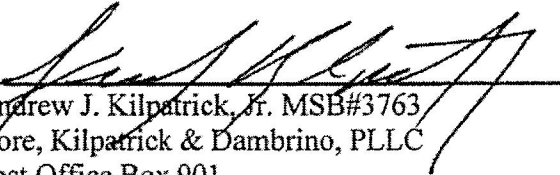
WHEREFORE, PREMISES CONSIDERED, Plaintiffs bring this Complaint against the Defendant and John Does 1-50, requesting process issue according to law, and, upon a hearing of the merits of this cause, demands judgment against Weston Lindemann and, potentially, John

Does 1-50 (i) for a mandatory prohibitory injunction; (ii) a judgment in an amount of not less than \$500,000 in actual damages; (iii) for punitive damages as may be assessed the Court; (iv) entry of an Order enjoining Defendant, John Does 1-50, and any of their agents, family members, representatives or associates from harassing or interfering with the Plaintiffs and the operation of their business and/or opportunities. (v) reasonable attorney's fees; (vi) all costs of this action; and Plaintiffs pray for such further and related relief, general or special, as may appear proper to this Court

Respectfully submitted,
LPK Architects, P.A. and Robert E. Luke

Date: September 19, 2019

By:


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