FILED: WESTCHESTER COUNTY CLERK 03/09/2012

NYSCEF DOC. NO. 1

INDEX NO. 53650/2012

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SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF WESTCHESTER

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SUSAN KONIG, individually, and the CROTON REPUBLICAN COMMITTEE, by and through its Chairperson, Susan Konig,

Plaintiffs.

- against -

JOHN DOE\* and/or JANE DOE\* Nos. 1-6,

Defendants.

\* said names being fictitious and unknown to the Plaintiff, the persons or parties intended being the persons, parties, corporations, or entities who posted subject weblog posts anonymously and whose identity or identities are being sought via Subpoena Duces Tecum.

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Plaintiff designates Westchester County as the place of trial.

Basis of venue: Plaintiff's Residence

Summons with Notice

Index No.

Date of Filing:

Plaintiff's Residence: 37 Elmore Avenue Croton on Hudson, NY 10520

#### TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

**TAKE NOTICE THAT** the nature of this action is for an injunction and to recover damages and related relief for defamation in the form of libel arising out of the publication of

defamatory weblogs originally posted on or about March 11, 2011, September 18, 2011 and November 7, 2011 about the Plaintiff Susan Konig, in her personal capacity, and about the Croton Republican Committee, an unincorporated organization of which Plaintiff Susan Konig is chairperson, which was located on a website at the uniform resource locator ("URL") <a href="https://www.watchcroton.com">www.watchcroton.com</a>, which is under the control and operated by WordPress.com and entitled, "Watch Croton".

The causes of action described herein are believed to have arisen in Westchester County.

The relief sought is injunctive relief, money damages in an amount in excess of \$25,000.00 and the costs of this action.

Dated: Croton on Hudson, New York March 9, 2012

### KITSON & SCHUYLER LLP

By: /s/ Peter J. Schuyler

321 South Riverside Avenue Croton on Hudson, New York 10520 (914) 862-0999 Attorneys for Plaintiffs Index No.:

# SUPREME COURT OF THE STATE OF NEW YORK WESTCHESTER COUNTY

SUSAN KONIG, individually, and the CROTON REPUBLICAN COMMITTEE, by and through its Chairperson, Susan Konig,

Plaintiffs,

- against -

JOHN DOE\* and/or JANE DOE\* Nos. 1-6, Defendants.

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## **SUMMONS WITH NOTICE**

## KITSON & SCHUYLER LLP

Attorneys for Plaintiffs
Susan Konig and the Croton Republican Committee
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