

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION

VK

CASE NO:

PITTS SALES, INC., a Florida corporation,

04 - 60664

Plaintiff,

vs.

COMPLAINT

KING WORLD PRODUCTIONS, INC., a
Delaware corporation, LARRY POSNER,
individually, and MATTHEW T. YULE,
individually.

CIV-COHN

RECEIVED
FEB 11 1984

Defendants.

Plaintiff, PITTS SALES, INC., sues Defendants, KING WORLD PRODUCTIONS, INC., LARRY POSNER and MATTHEW T. YULE, and alleges as follows:

NATURE OF ACTION

1. This action is brought pursuant to 18 U.S.C. § 2520 for violation of the federal wiretapping provisions contained in 18 U.S.C. § 2511 and pursuant to 18 U.S.C. § 1964 for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 *et seq.* Also alleged are state common law claims for damages.

JURISDICTION AND VENUE

2. This action properly lies in a United States District Court pursuant to (a) 28 U.S.C. §1331 because United States District Courts have exclusive original jurisdiction over federal claims, and (2) 28 U.S.C. §1367, which provides this Court authority to exercise its supplemental jurisdiction to adjudicate the state common law claims alleged.

1/82

3. This action properly lies in the United States District Court for the Southern District of Florida pursuant to 28 U.S.C. §1391 because: (a) a substantial part of Defendants' illegal conduct and the events giving rise to PITTS SALES' claims occurred in the Southern District of Florida; and (b) Defendants transact substantial business and may otherwise be found in the Southern District of Florida.

THE PARTIES

4. Plaintiff, PITTS SALES, INC. ("PITTS SALES"), is a corporation duly organized under the laws of the State of Florida and has its principal office and place of business in Broward County, Florida.

5. Defendant, KING WORLD PRODUCTIONS, INC. ("KING WORLD"), is a foreign corporation organized under the laws of the State of Delaware and is registered to do business and is doing business in Florida. KING WORLD is engaged, among other things, in the business of broadcasting, producing and distributing television programs in interstate commerce. KING WORLD produces and broadcasts Inside Edition, a television show which is broadcast throughout the United States, including the State of Florida.

6. Upon information and belief, Defendant, LARRY POSNER ("POSNER"), is sui juris, a resident of the State of New York and has conducted business in Broward County, Florida. POSNER is an employee of KING WORLD and participated in illegal acts on behalf of KING WORLD and with the approval and consent of KING WORLD throughout the United States, including within the State of Florida.

7. Upon information and belief, Defendant, MATTHEW T. YULE ("YULE"), is sui juris, a resident of the State of New York and has conducted business in Broward County, Florida. YULE is an employee of KING WORLD and participated in illegal acts on behalf of KING WORLD and with the approval and consent of KING WORLD throughout

the United States, including within the State of Florida.

FACTUAL ALLEGATIONS

8. KING WORLD produces and distributes Inside Edition worldwide. Inside Edition is a television "news" show that is presented to a large audience worldwide. Inside Edition produces stories of a sensational nature that are "inside," "undercover," "investigative" and designed to garner large audiences with significant financial rewards and status within the television industry. Inside Edition engages in "tabloid-style" cut throat journalism to shock its viewers. Inside Edition often uses questionable tactics such as hidden cameras in order to obtain footage necessary to frame its "news" stories. Inside Edition's tactics have resulted in it being the longest running and highest-rated news magazine show in syndication.

9. Sometime in 2003, Inside Edition decided to film, produce and air a story about magazine sales companies. POSNER is a producer for Inside Edition who had primary responsibility for Inside Edition's story about magazine sales companies.

10. PITTS SALES is a magazine sales company. Agents working with PITTS SALES travel the country and canvass individuals, generally on a door to door basis, for the purpose of selling magazine subscriptions.

11. In each location where the company travels, the agents stay at various hotels. PITTS SALES rents hotel rooms and conference rooms in the hotels to transact its daily business. PITTS SALES also transacts business in its company vehicles. Due to the transitional nature of the business, the hotel rooms, conference rooms and company vehicles are PITTS SALES' offices and are entitled to the same level of privacy as private residences and offices.

WORLD, conspired to have YULE undertake a clandestine mission to be hired to work with PITTS SALES so that he could use a hidden camera to film the agents and employees of PITTS SALES and use said film footage in Inside Edition's story about magazine sales companies. Each of YULE's actions as alleged herein were taken under the direction of POSNER and with the knowledge and consent of KING WORLD and were within the scope of YULE's employment with KING WORLD.

13. In July 2003, PITTS SALES was conducting interviews for sales agents at a hotel in Minnesota. YULE flew from New York to Minnesota for the sole purpose of deceiving PITTS SALES into hiring him so that he could obtain hidden camera footage of PITTS SALES' agents and employees in the course of their business. Said footage was to be used in Inside Edition's story about magazine sales companies.

14. On July 16, 2003, YULE showed up at a PITTS SALES interview in Minnesota and applied for a sales position with PITTS SALES. At the interview, YULE deliberately, purposefully and with the consent of POSNER and KING WORLD misrepresented his personal information, his qualifications for the sales position and his reason for seeking the position. Moreover, YULE never mentioned that he was currently employed by KING WORLD or that he was planning to obtain hidden camera footage while associated with PITTS SALES in order to use the footage in an uncomplimentary television story about PITTS SALES. Said actions were taken by YULE solely to infiltrate and deceive PITTS SALES.

15. Based upon the false information and lies conveyed by YULE to PITTS SALES in his application and interview, YULE was offered and accepted a position as a sales agent with PITTS SALES. Had PITTS SALES known of YULE's true identity, the

he was employed by KING WORLD, or that he was planning to obtain hidden camera footage while associated with PITTS SALES in order to use the footage in an uncomplimentary television story about PITTS SALES, PITTS SALES would never have offered YULE a position with the company.

16. While associated with PITTS SALES, YULE concealed and used some or all of the following to record the activities of PITTS SALES and its agents and employees while engaged in their day to day activities: (a) a video recorder, (b) a camera, (c) a tape recording device and/or (d) other video or audio recording devices, including a wireless transmission (radio) device. YULE used such devices without the knowledge or consent of PITTS SALES and without the knowledge or consent of PITTS SALES' agents or employees who were recorded by such devices.

17. After obtaining video and audio recordings and materials from PITTS SALES by criminal and fraudulent means as described in the foregoing, the producers of the planned Inside Edition segment, including POSNER, reviewed all of the hidden camera footage that YULE obtained on PITTS SALES' premises and edited the footage in order to sensationalize the story for their worldwide broadcast. The availability of the hidden camera footage which was illegally obtained by fraudulent means was the key factor in Inside Edition's decision to broadcast the segment.

18. KING WORLD also filmed a substantial portion of its story about PITTS SALES in Broward County, Florida.

19. KING WORLD produced, distributed and broadcast the segment as an expose on PITTS SALES during the Inside Edition program aired on February 3, 2003 to a worldwide audience. The televised story included hidden camera footage obtained by YULE from PITTS SALES' hotel rooms, conference rooms and company vehicles and

included communications by and conversations with PITTS SALES' agents and employees.

20. Following the broadcast of the story about PITTS SALES, KING WORLD published via the internet a report admitting that Inside Edition sent a producer "undercover" to obtain "hidden camera" footage for the televised story.

21. PITTS SALES has employed the law firm Libow & Muskat, LLP to bring this action and has agreed to pay it a reasonable attorneys' fee. Pursuant to 18 U.S.C. § 2520, 18 U.S.C. § 1964(c) and/or Florida Statutes § 57.105, PITTS SALES is entitled to recover its reasonable attorneys' fees and costs from KING WORLD, POSNER and YULE.

22. All conditions precedent to this action have occurred, have been performed, or have been waived.

COUNT I
(Illegal Interception of Oral Communications)

23. PITTS SALES realleges and reavers the allegations contained in paragraphs 1 through 22 as if fully set forth herein.

24. During the time period when YULE was posing as an agent for PITTS SALES, he intentionally used or endeavored to use electronic, mechanical, or other devices to intercept and acquire the contents of oral and visual communications by PITTS SALES' agents and employees. YULE's efforts occurred on the premises of PITTS SALES, obtained or were for the purposes of obtaining information relating to the operations of PITTS SALES, and resulted in the creation of video and/or audio recordings.

25. PITTS SALES' agent and employees who uttered oral communications that were intercepted by YULE did not know or expect that their oral communications would be intercepted and did not consent to said interception. The oral communications occurred

in PITTS SALES' offices which consisted of private hotel and conference rooms and inside company vehicles where an expectation of privacy existed.

26. Defendants developed a plan to intercept and intentionally intercepted oral communications for the direct purpose of commercial advantage or private gain, for publication on Inside Edition, a for-profit television program produced, distributed and broadcast by KING WORLD.

27. Defendants intercepted oral communications for the purpose of committing criminal and/or tortious acts in violation of 18 U.S.C. § 2511.

28. YULE, under the direction of POSNER, intentionally disclosed said communications to KING WORLD in violation of 18 U.S.C. § 2511. KING WORLD in turn intentionally disclosed said communications to the general public in violation of 18 U.S.C. § 2511.

29. PITTS SALES has suffered actual damages as a result of Defendants' violation of 18 U.S.C. § 2511. Alternatively, PITTS SALES is entitled to statutory damages.

WHEREFORE, PITTS SALES demands judgment against KING WORLD, POSNER and YULE for compensatory damages (the right to seek leave to amend to add a claim for punitive damages is reserved), prejudgment interest, attorneys' fees and costs, together with such other and further relief as this Court deems just and proper.

COUNT II
(Use of Illegally Intercepted Communications)

30. PITTS SALES realleges and reavers the allegations contained in paragraphs 1 through 22 as if fully set forth herein.

31. During the time period when YULE was associated with PITTS SALES, he intentionally used or endeavored to use electronic, mechanical, or other devices to

intercept and acquire the contents of oral and visual communications by PITTS SALES' agents and employees who did not consent to said interception.

32. YULE's activities resulted in the creation of video and/or audio recordings in violation of 18 U.S.C. § 2511. YULE, under the direction of POSNER, provided these recordings to KING WORLD. Thereafter, KING WORLD used these recordings in a segment on Inside Edition. At the time of said broadcast, KING WORLD knew that the information on said recordings was obtained through the interception of oral communications in violation of 18 U.S.C. § 2511.

33. KING WORLD used the illegally intercepted oral communications for the direct purpose of commercial advantage or private gain, for publication on Inside Edition, a for-profit television program produced, distributed and broadcast by KING WORLD.

34. PITTS SALES has suffered actual damages as a result of KING WORLD's violation of 18 U.S.C. § 2511. Alternatively, PITTS SALES is entitled to statutory damages.

WHEREFORE, PITTS SALES demands judgment against KING WORLD, POSNER and YULE for compensatory damages (the right to seek leave to amend to add a claim for punitive damages is reserved), prejudgment interest, attorneys' fees and costs, together with such other and further relief as this Court deems just and proper.

COUNT III
(Civil RICO)

35. PITTS SALES realleges and reavers the allegations contained in paragraphs 1 through 22 as if fully set forth herein.

36. KING WORLD, POSNER and YULE's actions in fraudulently obtaining hidden camera footage of PITTS SALES' agents, employees and operations, then transmitting said hidden camera footage via television in interstate commerce, violate 18 U.S.C. §

1343, which prohibits fraud by wire, radio or television.

37. KING WORLD, POSNER and YULE's violation of 18 U.S.C. § 1343 amounts to racketeering activity as defined in 18 U.S.C. § 1961(1)(B).

38. KING WORLD, POSNER and YULE have received income derived from this pattern of racketeering activity. Said income was used in the operation of KING WORLD.

39. KING WORLD is engaged in and its actions affect interstate commerce.

40. PITTS SALES has suffered damages as a result of KING WORLD, POSNER and YULE's racketeering activity.

WHEREFORE, PITTS SALES demands judgment against KING WORLD, POSNER and YULE for threefold its actual damages, prejudgment interest, attorneys' fees and costs, together with such other and further relief as this Court deems just and proper.

COUNT IV
(Fraud)

41. PITTS SALES realleges and reavers the allegations contained in paragraphs 1 through 22 as if fully set forth herein.

42. At his interview with PITTS SALES, YULE, under the direction of POSNER and KING WORLD, made the following material misrepresentations and omissions to PITTS SALES: (1) his date of birth (claiming that he was 25 when in fact he was 30), (2) his address (claiming that he lived in Minnesota when in fact he lived in New York), (3) his employment status (claiming that he was currently unemployed), and (4) the reasons he wanted to work with PITTS SALES (failing to disclose that he was in fact seeking to obtain hidden camera footage to use in a television story about PITTS SALES) (collectively the "Misrepresentations and Omissions").

43. YULE's Misrepresentations and Omissions were material to PITTS SALES

decision to hire YULE.

44. YULE knew that the Misrepresentations and Omissions were false.

45. YULE intended for PITTS SALES to rely on his Misrepresentations and

Omissions so that he could procure employment as an agent with PITTS SALES in order

to get inside the company and use illegal surveillance techniques to obtain a story.

46. PITTS SALES reasonably relied on YULE's Misrepresentations and

Omissions in offering YULE a position with PITTS SALES.

47. As a result of Defendants' fraudulent activities, PITTS SALES has been

damaged.

WHEREFORE, PITTS SALES demands judgment against KING WORLD, POSNER

and YULE for compensatory damages (the right to seek leave to amend to add a claim for

punitive damages is reserved), prejudgment interest, attorneys' fees and costs, together

with such other and further relief as this Court deems just and proper.

COUNT V
(Trespass)

48. PITTS SALES realleges and reavers the allegations contained in paragraphs

1 through 22 as if fully set forth herein.

49. The hotel rooms, conference rooms and company vehicles where YULE

worked and made the hidden camera recordings which were subsequently televised on

Inside Edition were owned or leased by PITTS SALES for the period of time in which it

occupied such spaces. At all times when YULE was in said spaces, PITTS SALES had

the right of possession of said spaces.

50. If PITTS SALES had known YULE's true identity, YULE would not have been

offered a position with PITTS SALES, permitted to participate in meetings in the hotel or

conference rooms, or been enabled to enter the company's temporary offices for any period of time.

51. YULE, having no right or authority, entered upon said premises without the consent and against the will of PITTS SALES.

52. PITTS SALES did not truly consent to YULE's presence in their offices because of the deceptive and fraudulent nature of YULE's conduct.

53. As a result of Defendants' activities, PITTS SALES has been damaged.

WHEREFORE, PITTS SALES demands judgment against KING WORLD, POSNER and YULE for compensatory damages (the right to seek leave to amend to add a claim for punitive damages is reserved), prejudgment interest, attorneys' fees and costs, together with such other and further relief as this Court deems just and proper.

COUNT VI
(Tortious Interference with a Contractual Relationship)

54. PITTS SALES realleges and reavers the allegations contained in paragraphs 1 through 22 as if fully set forth herein.

55. At all times material herein, PITTS SALES has been and is still engaged in the business of magazine sales, doing business throughout the country. PITTS SALES has a contractual relationship with a magazine clearinghouse wherein the magazine clearinghouse fulfills PITTS SALES' magazine subscription orders.

56. Defendants' had knowledge that PITTS SALES was in the business of selling magazine subscriptions throughout the country and had a contract with a magazine clearinghouse for the fulfillment of its magazine subscription orders.

57. As a direct result of the Inside Edition story, the magazine clearinghouse that fulfills PITTS SALES' magazine subscription orders can no longer fulfill orders for numerous popular magazines and has refused to allow PITTS SALES to sell subscriptions

to these magazines.

58. Defendants intentionally interfered with PITTS SALES' contractual relationship with the magazine clearinghouse and various magazine publishers.


59. Defendants' interference with PITTS SALES' contractual relationship was unjustified.

60. PITTS SALES has been damaged as a direct result of Defendants' intentional interference with its contractual relationships.

WHEREFORE, PITTS SALES demands judgment against KING WORLD, POSNER and YULE for compensatory damages (the right to seek leave to amend to add a claim for punitive damages is reserved), prejudgment interest, attorneys' fees and costs, together with such other and further relief as this Court deems just and proper.

LIBOW & MUSKAT, LLP
Attorneys for Pitts Sales
3351 NW Boca Raton Blvd.
Boca Raton, FL 33431
Telephone No. (561) 367-7300
Facsimile No. (561) 391-2566

By: _____


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CHAD R. LAING
Fla. Bar No. 0381100
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CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Pitts Sales **04-60664**
CIV-COHN

DEFENDANTS

Kingworld Productions, Inc.,
Larry Posner, and
Matthew T. Yule

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Broward, FL
(EXCEPT IN U.S. PLAINTIFF CASES)
MAGISTRATE JUDGE
SNOW

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS AND TELEPHONE NUMBER)
Libow & Musket, LLP
3351 NW Boca Raton Blvd.
Boca Raton, FL 33431 561-367-7300

ATTORNEYS (IF KNOWN)
Cynthia J. Becker
Chad R. Long

(d) CIRCLE COUNTY WHERE ACTION AROSE: OADE, MONROE, BROWARD, PALM BEACH, MARTIN, ST. LUCIE, INDIAN RIVER, OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
 2 U.S. Government Defendant
 3 Federal Question (U.S. Government Not a Party)
 4 Diversity (Indicate Citizenship of Parties in Item III)

04 CV 60664 04-60664

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify) _____
 6 Multidistrict Litigation
 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

A CONTRACT	A TORTS	FORFEITURE/PENALTY	A BANKRUPTCY	A OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input checked="" type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 180 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Trust in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 A PROPERTY RIGHTS <input type="checkbox"/> 420 Copyrights <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark B LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 460 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 450 Banks and Banking <input type="checkbox"/> 460 Commerce/ICC Rates/etc <input type="checkbox"/> 480 Deportation <input checked="" type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 610 Selective Service <input type="checkbox"/> 650 Securities/Commodities/Exchange <input type="checkbox"/> 675 Customer Challenge 12 USC 3410 <input type="checkbox"/> 691 Agricultural Acts <input type="checkbox"/> 692 Economic Stabilization Act <input type="checkbox"/> 693 Environmental Matters <input type="checkbox"/> 694 Energy Allocation Act <input type="checkbox"/> 695 Freedom of Information Act <input type="checkbox"/> 690 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 650 Constitutionality of State Statutes <input type="checkbox"/> 690 Other Statutory Actions A OR B
A REAL PROPERTY	A CIVIL RIGHTS	PRISONER PETITIONS	B SOCIAL SECURITY	FEDERAL TAX SUITS
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 265 Tort Product Liability <input type="checkbox"/> 280 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 520 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 661 HIA (1995ff) <input type="checkbox"/> 662 Black Lung (1923) <input type="checkbox"/> 663 DIWC/DIWW (405(g)) <input type="checkbox"/> 664 SSID Title XVI <input type="checkbox"/> 665 RSI (405(g))	<input type="checkbox"/> 670 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 671 IRS - Third Party 26 USC 7609

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

18 USC § 2511, 18 USC § 1343 and 18 USC § 1961, et seq. - Defendants fraudulently and illegally used hidden cameras to obtain footage for a tabloid news program and broadcast said footage.

LENGTH OF TRIAL _____ days estimated (for both sides to try entire case)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ not determined

CHECK YES only if demanded in complaint: JURY DEMAND: YES NO

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE

5/6/04

SIGNATURE OF ATTORNEY OF RECORD

Cynthia J. Becker

FOR OFFICE USE ONLY

RECEIPT #

53/104

AMOUNT

150.00

APPLYING IFP

JUDGE

MAG. JUDGE

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION

CASE NO:

PITTS SALES, INC., a Florida corporation,

Plaintiff,

vs.

KING WORLD PRODUCTIONS, INC., a
Delaware corporation, LARRY POSNER,
individually, and MATTHEW T. YULE,
individually.

Defendants.

04-60664

SUMMONS IN A CIVIL CASE

CIV-COHN

MAGISTRATE JUDGE
SHOW

UK

To: Larry Posner
45 River Road
Marcy, NY 13403

YOU ARE HEREBY SUMMONED and required to serve upon Plaintiff's Attorney:

Cynthia J. Becker, Esq.
LIBOW & MUSKAT, LLP
3351 NW Boca Raton Blvd.
Boca Raton, FL 33431

an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Clarence Maddox

Clerk

By:

Deputy Clerk

MAY 19 2004

Date

2/25

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION

CASE NO: **04-60664**
CIV-COHN

PITTS SALES, INC., a Florida corporation, :

Plaintiff, :

vs. :

KING WORLD PRODUCTIONS, INC., a
Delaware corporation, LARRY POSNER,
individually, and MATTHEW T. YULE,
individually. :

Defendants. :

MAGISTRATE JUDGE
SNOW
SUMMONS IN A CIVIL CASE

JK

To: Matthew T. Yule
53 Ashwood Ave.
Whitesboro, NY 13492-1701

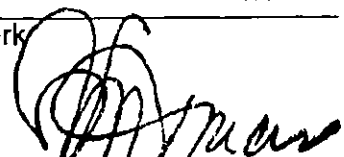
YOU ARE HEREBY SUMMONED and required to serve upon Plaintiff's Attorney:

Cynthia J. Becker, Esq.
LIBOW & MUSKAT, LLP
3351 NW Boca Raton Blvd.
Boca Raton, FL 33431

an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Clarence Maddox

Clerk



By:

Deputy Clerk

MAY 19 2004

Date

M/SP

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION

CASE NO: **04-60664**

PITTS SALES, INC., a Florida corporation,
Plaintiff,

CIV-COMN

vs.

KING WORLD PRODUCTIONS, INC., a
Delaware corporation, LARRY POSNER,
individually, and MATTHEW T. YULE,
individually.

SUMMONS IN A CIVIL CASE

**MAGISTRATE JUDGE
SNOW**

Defendants.

To: King World Productions, Inc.


By Serving:

Corporation Service Company, Registered Agent
1201 Hays Street
Tallahassee, FL 32301

YOU ARE HEREBY SUMMONED and required to serve upon Plaintiff's Attorney:

Cynthia J. Becker, Esq.
LIBOW & MUSKAT, LLP
3351 NW Boca Raton Blvd.
Boca Raton, FL 33431

an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

By: 
Deputy Clerk

MAY 19 2004
Date

VT

BP/4

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:04-60664-CIV-COHN/SNOW

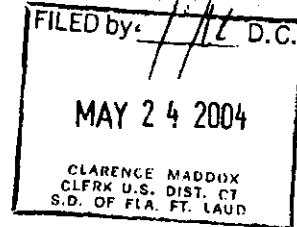
PITTS SALES, INC., a Florida
corporation,

Plaintiff(s),

vs.

KING WORLD PRODUCTIONS,
INC., a Delaware corporation,
LARRY POSNER, individually,
and MATTHEW T. YULE, individually.

Defendant(s).



**ORDER SETTING CALENDAR CALL AND TRIAL DATE, AND
ORDER OF REFERENCE TO UNITED STATES MAGISTRATE
FOR SCHEDULING MATTERS AND PRETRIAL DISCOVERY MATTERS**

PLEASE TAKE NOTICE that the above-entitled cause is hereby set for Trial before the Honorable James I. Cohn, United States District Judge, United States Courthouse, 299 East Broward Boulevard, Courtroom 203E, Fort Lauderdale, Florida, during the **two-week trial period** commencing **March 7, 2005** at 9:00 a.m., or as soon thereafter as the case may be called.

PLEASE TAKE FURTHER NOTICE that Calendar Call will be held on **March 3, 2005** at 1:30 p.m. ALL COUNSEL MUST BE PRESENT. At Calendar Call, counsel shall submit to the Court proposed jury instructions with substantive charges and defenses, verdict forms, and motions in limine, if any. Such instructions and verdict forms shall be in typed form and, to the extent possible, accompanied by a 3-1/2 inch IBM-formatted diskette compatible with WordPerfect. To the extent these instructions are based upon the

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Eleventh Circuit Pattern Jury Instructions, counsel shall indicate the appropriate 1999 Eleventh Circuit Pattern Jury Instruction upon which the instruction is modeled. All other instructions shall include citations to relevant supporting case law.

Prior to trial, counsel shall submit to the Court a typed list of proposed witnesses and/or exhibits. All exhibits shall be pre-labeled in accordance with the proposed exhibit list. Exhibit labels must include the case number, It is further:

ORDERED AND ADJUDGED pursuant to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules of the Southern District of Florida that the above-captioned cause is referred to United States Magistrate Lurana S. Snow for appropriate disposition of all pretrial discovery motions, and all motions that relate directly to these motions, such as motions for extension of time, motions for reconsideration, motions for sanctions, and motions for mental or physical examinations. This Order does not refer any motion which requests a continuance or extension of the trial or pretrial scheduling dates. It is further:

ORDERED AND ADJUDGED pursuant to 28 U.S.C. § 636(b)(1)(A) and the Magistrate Rules of the Local Rules of the Southern District of Florida that the above-captioned cause is referred to United States Magistrate Lurana S. Snow to conduct a Scheduling Conference pursuant to Local Rule 16.1.B for the purpose of setting pre-trial deadline dates, and for determining possible consent to the jurisdiction of the Magistrate Judge for trial. All counsel of record are required to attend the Scheduling Conference which will be noticed by Magistrate Judge Snow.

PLEASE TAKE NOTE that any request to modify the above-set trial date must be made prior to the Scheduling Conference. The foregoing does not preclude consideration of a prompt motion to modify the trial date for good cause shown by

a party joined in the litigation after the Scheduling Conference has occurred.

Plaintiff(s)' counsel shall serve a copy of this Order upon all Defendants.

DONE AND ORDERED in Chambers at Fort Lauderdale, Florida, on this 24th day
of May, 2004.



JAMES I. COHN
UNITED STATES DISTRICT JUDGE

Copy Provided:
Magistrate Judge Lurana S. Snow
Chad Laing, Esq.
Cynthia Jan Becker, Esq.