



IN THE CIRCUIT COURT OF LAUDERDALE COUNTY

EDWARD RAY DILLARD, )  
 )  
 Plaintiff )  
 )  
 v. )  
 )  
 RAYCOM MEDIA, INC.; JEFF )  
 ROLAND AKA LARRY BAKER; )  
 SHOALS INSIDER; ROMEO )  
 GILLYARD; A, B, C, and/or D, )  
 the person, firm or other legal entity )  
 that provided defamatory information )  
 about plaintiff to WAFF 48 and/or )  
 Shoals Insider or who otherwise caused )  
 the publication of such defamatory )  
 information, including employees, )  
 agents, and/or servants of WAFF 48 )  
 and/or Shoals Insider, all of whom are )  
 presently unknown to Plaintiff but whose )  
 identities will be substituted when )  
 ascertained, )  
 )  
 )  
 Defendants. )

CASE NO.

**COMPLAINT**

Plaintiff Edward Ray Dillard complains of defendants, stating as follows:

**Jurisdiction / Venue / Parties**

1. The individual parties are over the age of 19 years.
2. Plaintiff Edward Ray Dillard is an individual residing in Lauderdale County, Alabama.
3. Defendant Raycom Media, Inc. is a foreign corporation. Its corporate

offices are in Montgomery, Alabama. It is a media company that owns and operates TV stations, including WAFF 48, the NBC affiliate for Huntsville, Alabama with a local bureau in Florence, Alabama.

4. Defendant Jeff Roland, who also reportedly uses the name Larry Baker, is an individual residing in Colbert County, Alabama. He owns and operates a business/website called “Shoals Insider” ([www.shoalsinsider.com](http://www.shoalsinsider.com)).

5. Defendant Shoals Insider is a business entity that owns and operates the website Shoals Insider.

6. Defendant Romeo Gillyard is an individual residing in Lauderdale County, Alabama. At all material times, Gillyard was employed by the University of North Alabama as a security officer.

7. Fictitious defendants A through D are persons, firms, or other legal entities who provided defamatory information about plaintiff to WAFF 48 and/or Shoals Insider or who otherwise caused the publication of such defamatory information, including employees, agents, and/or servants of WAFF 48 and/or Shoals Insider.

8. The Court has jurisdiction, as the amount of damages sought is in excess of \$10,000.00.

## **Facts**

9. On or about August 24, 2010, plaintiff, a local Florence attorney, was arrested and charged with certain misdemeanors.

10. On or about August 25, 2010, WAFF 48 News published a story on their evening broadcast and their website regarding the arrest.

11. The news stories were false and defamatory.

12. The story identified plaintiff by name and as a Florence attorney and falsely stated that plaintiff was arrested for urinating in front of school children.

13. Subsequently, on August 26, 2010, defendant Roland published on his website, Shoals Insider, the same defamatory material.

14. A reasonable investigation of the arrest would have disclosed to a reasonable reporter that school children were not present and that plaintiff did not urinate in front of any person.

15. A reasonable investigation would have disclosed to a reasonable reporter that plaintiff merely urinated in some bushes and that no person, let alone vulnerable school children, could have or did see plaintiff's genitals. At most, one or more persons were aware that plaintiff went into the bushes and deduced what plaintiff did.

16. Defendants purport to have relied upon police officials.

17. Police officials, however, have denied being the source of the

defamatory information.

18. In fact, the official report of plaintiff's arrest, which had been filed, given a case number, and was available for public viewing at least 24 hours before the 48 News broadcast, is wholly devoid of any reference to children being in the area, let alone any children having been forced to view plaintiff's genitals. The report states only that "several witnesses stated that they saw Dillard using the bathroom in the bushes."

19. On information and belief, however, defendant Gillyard was a source in whole or in part for the defamatory information in the news stories.

20. The media defendants published the defamatory material negligently and/or recklessly.

21. Plaintiff is not a public figure or official.

22. Defendants' publication of such statements was defamation per se in that such conduct as presented and published by defendants imputed to plaintiff an indictable offense involving infamy or moral turpitude, specifically the offense of "indecent exposure," Ala. Code § 13A-6-68, a sex offense.

23. Defendants' statements are also defamatory per se in that the conduct as presented and published would adversely affect plaintiff's fitness for his profession as an attorney.

24. Further, the statements subjected plaintiff to disgrace, ridicule, odium,

and contempt and have caused plaintiff to suffer substantial monetary harm.

25. Plaintiff's reputation in the professional community, as well as the community as a whole, has been severely impacted.

26. Prior to filing this action, plaintiff requested that the media defendants remove the defamatory material from their websites.

27. WAFF 48 promptly complied with this request.

28. Roland and Shoals Insider, however, have failed to comply. Forensic examination of the Shoals Insider site has confirmed that the article remains live. The material was briefly removed, but, on June 20, 2012, it was republished with a current date. Roland and Shoals Insider were made aware of the situation, but, as of the filing of this complaint, have not removed the defamatory article.

29. Plaintiff seeks compensatory damages only against the media defendants.

30. Plaintiff seeks compensatory and punitive damages against defendant Gillyard, as he acted with malice.

### **Count I - Defamation**

31. Defendants knew or should have known their statements concerning plaintiff were false, made without reasonable grounds for belief in their truth, and without reasonably adequate investigation. The media defendants published the statements negligently or with reckless disregard for the truth. Defendant Gillyard

published the statements negligently, with reckless disregard for the truth, or with malice.

32. Defendants' false statements injured plaintiff's reputation among others, caused him severe emotional distress, humiliation, and embarrassment, and caused special damages in the form of lost income.

### **Other Matters**

33. All conditions precedent to the bringing of this suit have occurred.

### **Relief Sought**

34. As relief, plaintiff seeks the following:

- a. That he be awarded such compensatory damages as a jury shall determine from the evidence he is entitled to recover, including damages for injury to reputation, emotional distress, humiliation, embarrassment, and (past and future) lost income;
- b. That he be awarded such punitive damages as a jury shall determine is just from defendant Gillyard only;
- c. That he be awarded prejudgment and postjudgment interest at the highest rates allowed by law;
- d. That he be awarded the costs of this action; and
- e. That he be awarded such other and further relief to which he is justly entitled.

**Dated: August 24, 2012.**

Respectfully submitted,



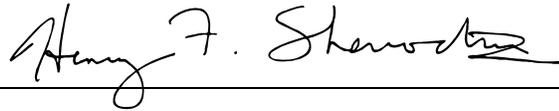
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Attorney for Plaintiff

**Jury Demand**

Plaintiff requests a trial by jury.



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Henry F. Sherrod III

**Defendants' addresses:**

Jeff Roland and Shoals Insider  
Regina K's Restaurant and Catering  
1325 Avalon Ave.  
Muscle Shoals, AL 35661

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