

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF BRONX

Index No.

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ANDREW ROBERT RECTOR Plaintiff

VERIFIED COMPLAINT

-against-

MAJOR LEAGUE BASEBALL ADVANCED MEDIA
ESPN NEW YORK
NEW YORK YANKEES
DAN SHULMAN
JOHN KRUK

Defendants

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Plaintiff by his attorney, VALENTINE A. OKWARA ESQ. complaining of the defendants
herein upon information and belief, respectfully shows to this Court, and alleges as follows:

FACTS COMMON TO ALL CAUSES OF ACTION

1. That at all times hereinafter mentioned, the plaintiff was, and is a resident of the State of New York.
2. At all times hereinafter mentioned, the defendant Major League Baseball Advanced media is a company registered and authorized to do business in New York and it engages as an agency in broadcasts, and commentary of Major league Baseball.
3. At all time material to this suit the defendant ESPN New York (Hereafter ESPN) is a company registered and authorized to do business in New York and one of the institutions that

use the services of the defendant and also broadcast, including commentaries and analysis of Baseball in New York.

4. At all times material to this suit the New York Yankee is a company registered and authorized to do business in New York, engaged in Baseball sports.

5. At all time New York Yankee is the owner of property called "the Yankee Stadium".

6. At all time material to this suit Dan Shulman is employee of ESPN engaged in commentaries and announcement of baseball

7. At all time material to this suit John Kruk is employee of ESPN , engaged in commentaries, analysis and announcement of Baseball for the said defendant.

8. On or about April 13, 2014, the plaintiff was at the rivalry game between the Boston Red Sox and New York Yankee. It is well known that rivalry between the New York Yankees and Boston Red Sox is always the biggest in all of sport. For decades millions of people all over the world turn out or tune in to watch these games. Plaintiff accordingly was at this game.

9. In the course of watching the game plaintiff napped and this opened unending verbal crusade against the napping plaintiff.

10. ESPN Cameras focused on the plaintiff, Announcers like Dan Shulman and John Kruck unleashed avalanche of disparaging words against the person of and concerning the plaintiff. These words, include but not limited to " stupor, fatty , unintelligent , stupid" knowing and intending the same to be heard and listened to by millions of people all over the world, including people that know the plaintiff in person or interacted with the plaintiff.

11.The defendant Major league Baseball continually repeated these vituperative utterances against the plaintiff on the major league baseball web site the next day. These words and its insinuations presented the plaintiff as symbol of anything but failure

12.The defendant MLB.Com continued the onslaught to a point of comparing the plaintiff to someone of a confused state of mind, disgusted disgruntled and unintelligent and probably intellectually bankrupt individual

13.Nothing triggered all these assertions only that the plaintiff briefly slept off while watching the great game something or circumstance any one can easily found them self.

14.John Kruck in his verbal attack insinuated that the plaintiff is individual that know neither history nor understood the beauty or rivalry between Boston Red Sox and New York Yankee.

15.These unmitigated verbal onslaughts crossed the line between reporting on sport and abuse against the plaintiff without reasonable cause or restraint, not just from the literal meaning of all the words or statements but from the unexpressed implication of the statements as well as the pictures and captions like "Sleeping Yankee fan cares not for your Rivalry Talk".

16.Plaintiff assert that defendants are guilty of juxtaposition of a series of fact that imply defamatory connection between them, and in so doing they create a defamatory implication even though the particular fact are connected.

17.Plaintiff alleges that M L B. Com, juxtapositions of photos and text of two men kissing each other and caption "sleeping Yankee's Fan cares not for your rivalry talk" falsely implied that plaintiff engaged in that type of conduct described or portrayed by the picture. In light of all the surrounding circumstances.