

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

BRADLEY W. SMITH

*

&

*

RESCUE ONE FINANCIAL, LLC

*

Case: 24C15004789

Plaintiffs,

*

v.

*

BRYAN LEVIN

*

Defendants.

*

* * * * *

CONSENT JUDGMENT (Md. Rule 2-612)

Defendant, Bryan Levin, consents to the entry of the following judgment and it is on this 10th day of October, 2015 hereby

ORDERED, ADJUGED, AND DECREED:

1. Plaintiffs are hereby awarded a permanent injunction against Defendant enjoining Defendant from publishing false and defamatory statements concerning Plaintiffs;
2. Defendant and/or Defendant's agents, affiliates, and/or other person/entity assisting or enabling Defendant's publication of the below-referenced Content (collectively "Defendant's Agents"), shall immediately remove from all websites, search engines, forums, blogs, lists, social media sites, and/or other forums of mass communication (collectively "Forums"), all negative statements, material, and/or information pertaining to Plaintiffs and/or any agent/affiliate thereof (the "Content"), including but not limited to, the Content located at the following uniform resource locators ("URLs") (which has been attached to Exhibit A hereto) and/or any variations thereof, as well as any search terms and/or any variations thereof, as well as any search

terms, and/or URLs that are related, directly or indirectly, or would be reasonably calculated to lead, to the Content or any of the following URLs:

<https://getoutofdebt.org/51374/is-rescue-one-financial-hiring-people-to-lie-to-google>

<https://getoutofdebt.org/tag/rescue-one-financial>

<https://getoutofdebt.org/62316/rescue-one-financial-still-sending-mailers-loans>

<https://getoutofdebt.org/85462/rescue-one-financial-consumer-complaint-february-6-2015>

3. Defendant admits that the statements made on the URL are false and defamatory. Specifically, the following statements are false and defamatory: “They always steal my money and send me letters. they hacked my bank account.” “They are thieves and crooks and scoundrels,” and “Always calling and taking my money and sending me letters nonstop” and the implication that Plaintiffs are criminals or unfit to work in the financial industry.

4. Defendant and/or Defendant’s Agents shall immediately remove from all Forums any and all Content, references to the Content, partial references to the Content, and/or references to partial Content, including, but not limited to, indexing URLs, index pages, subpages, inner pages, headers, headings, title tags, H1 tags, meta tags, deep links, navigation menus, footers, filenames, ALT text parameters, structured data, semantic data, images, PDFs, slideshows, multimedia files, and search suggestions;

5. As it is foreseeable that the above-referenced URLs and/or Content will be referenced on additional webpages in the future (as a result of indexing, re-indexing, directory development, search result pages, etc.), Defendant and/or Defendant’s Agents shall immediately take all actions, including requesting removal from all Internet search engines, including, but not limited to, Google, Yahoo!, and

Bing, to remove all such webpages from the Internet;

6. To the extent Defendant and/or Defendant's Agents are unable to remove any Content from any Forum, Defendant and/or Defendant's Agents shall immediately take all reasonable actions requested by Plaintiffs to assist Plaintiffs in removing such Content and/or having the Content rendered unsearchable;

7. Defendant and/or Defendant's Agents shall not post any Content, defamatory or negative material or information about Plaintiffs and/or any agent/affiliate thereof on any Forum;

8. Defendant and/or Defendant's Agents shall not publish (orally in writing) any Content, defamatory or negative material or information about Plaintiffs and/or any agent/affiliate thereof to any third party; and

9. All other counts of Plaintiffs' Complaint are dismissed without prejudice.

9. The Court shall retain jurisdiction to the extent it is necessary to amend this order.

Judge's Signature Appears
On Original Document

⁴⁸ Judge
Baltimore City Circuit Court

MELISSA PHINN
JUDGE

I consent to the foregoing entry of judgment and approve the form and content.

Bryan Levin 9/22
Bryan Levin, Defendant (*pro se*) Date
1421 S. Charles Street
Baltimore, Maryland 21230

Bennett J. Wills 9/28/15
Bennett J. Wills, Counsel for Plaintiffs
Wills Law, LLC
401 E. Pratt St., Ste. 2415
Baltimore, MD 21202
410-696-3311
bennett@willslawllc.com



WILLS | LAW_{LLC}

September 28, 2015

BENNETT J. WILLS

ATTORNEY

bennett@willslawllc.com

Baltimore City Circuit Court
Civil Clerk
111 N. Calvert St., 4th Fl.
Baltimore, MD 21202

WORLD TRADE CENTER

401 East Pratt Street

Suite 2415

Baltimore MD 21202

410 696 3311

www.willslawllc.com

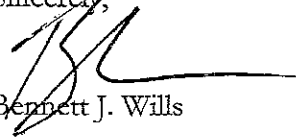
RE: Bradley Smith, et al. v. Bryan Levin
Case 24C15004789

Dear Clerk:

Please find enclosed for filing and the court's signature, a Consent Judgment pursuant to Maryland Rule 2-612. The parties have reached an agreement in the matter and the Defendant has consented to judgment.

If there are any costs associated with this filing please contact me. Thank you for your time and assistance with this matter.

Sincerely,


Bennett J. Wills

RECEIVED
CIRCUIT COURT
BALTIMORE CI
2015 SEP 29 PM 1:08
CIVIL DIVISION

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

BRADLEY W. SMITH
2101 Business Center Drive, Suite #120
Irvine, CA 92612

&

RESCUE ONE FINANCIAL, LLC
2101 Business Center Drive, Suite #120
Irvine, CA 92612

Case: 24-C-15-004789

RECEIVED
 CIRCUIT COURT 117
 BALTIMORE CITY
 2024 SEP 18 PM 2:51
 CIVIL DIVISION

Plaintiffs,

v.

BRYAN LEVIN
1421 S. Charles Street
Baltimore, Maryland 21230

Defendants.

* * * * *

Case: 24-C-15-004789	
CV File New	\$80.00
RIF-New Case	\$30.00
Appear Fee	\$20.00
MLSC	\$55.00
TOTAL	\$185.00

COMPLAINT

COME NOW, Plaintiffs, by and through undersigned counsel, and

Receipt #2015001022662
 file this: REJ 0060X82
 09/21/15 9:06am

Complaint against Defendant and in support states as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff, Brad Smith, is an individual adult resident of the State of Florida.
2. Plaintiff, Brad Smith, is the owner of Rescue One Financial, LLC, and a limited liability company formed in the State of Florida.
3. Defendant Bryan Levin is an adult resident of the State of Maryland, Baltimore City.
4. The allegations contained in this Complaint arose out of the tortious conduct of Defendant, which occurred in Baltimore City.
5. This court has subject matter jurisdiction over Defendant.

6. Venue is proper in Baltimore City.

FACTS COMMON TO ALL COUNTS

7. Plaintiffs incorporate by reference paragraphs 1 through 6 as if fully stated herein.
8. Plaintiffs adopt and incorporate all allegations and Counts of this Complaint as if fully stated herein.
9. On or about September 2014, Defendant posted false, damaging, misleading, and defamatory statements about Plaintiff on the Internet.
10. These statements were posted at <https://getoutofdebt.org/51374/is-rescue-one-financial-hiring-people-to-lie-to-google>; <https://getoutofdebt.org/tag/rescue-one-financial>; and <https://getoutofdebt.org/85462/rescue-one-financial-consumer-complaint-february-6-2015>.
11. Defendant posted that, "[Plaintiff] SMITH and his company are "thieves and crooks;" "they are known thieves and crooks;" "Scam for sure;" "always steal my money and send me letters;" "they hacked my bank account and take money from me." (Sic). *See Exhibit 1*.
12. Defendant made a variety of other untrue and damaging statements and implications aimed at Plaintiffs (collectively the "Statements").
13. Defendant did so under the alias "John Smith."
14. Defendant also, posted additional false, defamatory, damaging, and misleading statements about Plaintiffs in Comment #1 at <https://getoutofdebt.org/62316/rescue-one-financial-still-sending-mailers-loans> stating that Plaintiff SMITH and his employees, "they only want to steal money

and then use it for their own” which are aimed at discrediting Plaintiffs and destroying their reputation and are False Statements.

15. Upon information and belief, Defendant, using the name “John Smith”, posted additional false, defamatory, damaging, and misleading and false statements about Plaintiffs in the comments section.

16. Plaintiffs are in the financial industry and have a good reputation.

17. Plaintiffs are not public figures.

18. Plaintiffs do not steal money or hack bank accounts nor do they mismanage money in any way.

19. Defendant posted the Statements with the intent to injure Plaintiffs reputation with a willful and conscious disregard for the Plaintiffs.

20. Defendant posted the Statements with malice, forethought, and with the intent and purpose to injure Plaintiffs.

21. Plaintiff has suffered damages and will continue to suffer damages.

COUNT I: DEFAMATION AND DEFAMATION PER SE

22. Plaintiffs incorporate by reference paragraphs 1 through 21 as if fully stated herein.

23. Plaintiffs adopt and incorporate all allegations and Counts of this Complaint as if fully stated herein.

24. The Statements made by Defendant are about and concerning Plaintiffs.

25. Without privilege, Defendant communicated the Statements to third parties via the Internet and intentionally made those Statements, which are accessible to the general, public without the need for a password.

26. Defendant's False Statements are and would be highly offensive to a reasonable person and have been published to third parties with the apparent intent of causing harm to business, reputation, and the economic interests of Plaintiffs.
27. In making and publishing such False Statements, Defendant had knowledge of or acted in reckless disregard as to the falsity of the Statements.
28. As a direct and proximate result of Defendant's behavior, Plaintiffs have and will continue to suffer damages, including but not limited to immediate and irreparable harm to reputation, losses in revenue, loss of profits, loss of goodwill, loss of business relations with existing and future business prospects, competitive advantage, and future opportunities.
29. The written False Statements made by Defendant impeaches the honesty, integrity or reputation of Plaintiffs.
30. The False Statements made by Defendant constitutes defamation per se and general damages are presumed as a matter of law.
31. Plaintiffs have suffered general and special damages in an amount to be proven at trial.
32. In making and publishing the False Statements, Defendant acted maliciously, willfully, wantonly, and unlawfully.
33. For such willful and malicious acts, Plaintiffs hereby seek punitive damages in addition to their actual damages.
34. Defendant's acts, omissions, conduct and transactions alleged herein were aggravated, outrageous, and guided by evil motives wherein Defendant intended

to harm Plaintiffs and/or consciously pursued a course of conduct knowing that it created a substantial risk of significant harm to Plaintiffs.

35. To dissuade Defendant from pursuing a similar course of conduct in the future and to discourage other persons from similar conduct in the future, others should award an award of punitive damages against Defendant in the sum of sufficient magnitude to punish Defendant and to deter similar conduct.

COUNT II:

**APPLICATION FOR PRELIMINARY AND
PERMANENT INJUNCTION**

36. Plaintiffs incorporate by reference paragraphs 1 through 35 as if fully stated herein.
37. Plaintiffs adopt and incorporate all allegations and Counts of this Complaint as if fully stated herein.
38. As a direct and proximate result of the Defendant posting the False Statements, Plaintiffs have sustained, and will continue to sustain, immediate and irreparable harm and injury including, but not limited to, damage to reputation, losses in revenues, loss of profits, loss of goodwill, loss of business relations with existing and future business prospects, and loss of competitive business advantage, opportunity, and/or expectancy.
39. The False Statements made by Defendant impeach the honesty, integrity or reputation of Plaintiffs, Plaintiffs' businesses, and Plaintiffs' services.
40. The False Statements made by Defendant are defamatory on their face.

41. There is a substantial risk that unless Defendant' wrongful acts described herein are temporarily, preliminarily, and/or permanently enjoined, Defendant will continue to irreparably injure Plaintiff.
42. Plaintiffs have no adequate remedy at law; therefore, Plaintiffs are entitled to injunctive relief.

**COUNT III – TORTIOUS INTERFERENCE WITH CURRENT AND
PROSPECTIVE BUSINESS RELATIONSHIPS**

43. Plaintiffs incorporate by reference paragraphs 1 through 42 as if fully stated herein.
44. Plaintiffs adopt and incorporate all allegations and Counts of this Complaint as if fully stated herein.
45. Plaintiffs have existing business relationships with clients and other persons relating to their business. Plaintiffs have a reasonable expectation of future business relationships with existing colleagues, prospective clients and employees, and others with whom Plaintiffs do business or with whom Plaintiffs may reasonably expect to do business.
46. This expectancy is based, in part, on the considerable time, energy, and resources it takes to develop the goodwill and reputation associated with Plaintiff's respective names.
47. At all material times hereto, Defendant was aware of Plaintiffs' existing and/or prospective business relationships.

48. As described herein, Defendant intentionally and/or purposefully interfered with Plaintiff's existing and prospective relationships by unlawfully making the False Statements.

49. Defendant communicated the False Statements to third parties via the Internet and/or intentionally made such statements on the Internet accessible to third parties without password protection.

50. As a direct and proximate result of the Defendant posting the False Statements, Plaintiffs have sustained, and will continue to sustain, immediate and irreparable harm and injury including, but not limited to, damage to reputation, losses in revenues, loss of profits, loss of goodwill, loss of business relations with existing and future business prospects, and loss of competitive business advantage, opportunity, and/or expectancy. In making and publishing the False Statements, Defendant acted maliciously, willfully, wantonly, and unlawfully.

51. For such willful and malicious acts, Plaintiffs hereby seek punitive damages in addition to actual damages.

52. Defendant's acts, omissions, conduct and transactions alleged herein were aggravated, outrageous, and guided by evil motives wherein Defendant intended to harm Plaintiffs and/or consciously pursued a course of conduct knowing that it created a substantial risk of significant harm to Plaintiff.

53. To dissuade Defendant from pursuing a similar course of conduct in the future and to discourage other persons from similar conduct in the future, an award of punitive damages should be awarded against Defendant in the sum

of sufficient magnitude to punish Defendant and to deter similar conduct by others.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand judgment against Defendant as follows:

- A. For a preliminary and permanent injunction against Defendant compelling Defendant to remove from the internet all material pertaining to Plaintiffs;
- B. For a preliminary and permanent injunction against Defendant enjoining Defendant from posting or publishing any false or defamatory material to any third party regarding Plaintiffs;
- C. Enter an award, reduced to a judgment, in an amount to be proven at trial for compensatory and economic damages, but in excess of \$75,000.00;
- D. Enter an award, reduced to a judgment, of punitive damages;
- E. Award the costs and expenses of this action including reasonable attorney's fees;
- F. For post judgment interest at the legal rate;
- G. For such other and further relief as this Court deems just and proper.

Respectfully submitted,



Bennett J. Wills
Wills Law, LLC
401 E. Pratt St., Ste. 2415
Baltimore, MD 21202
410-696-3311
Bennett@willslawllc.com

EXHIBIT 1



John Smith · a year ago

They always steal my money and send me letters. they hacked my bank account and take money from me. They are thieves and crooks and scoundrels and i dont trust them. Always calling and taking my money and sending me letters nonstlop

RECEIVED
CIRCUIT COURT FOR
BALTIMORE CITY

2015 SEP 18 PM 2:51

CIVIL DIVISION

Circuit Court for Baltimore City

City or County

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS:
Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a). A copy must be included for each defendant to be served.
Defendant: You must file an Information Report as required by Rule 2-323(h).
THIS INFORMATION REPORT CANNOT BE ACCEPTED AS AN ANSWER OR RESPONSE.

FORM FILED BY: PLAINTIFF DEFENDANT CASE NUMBER _____ (Clerk to insert)
CASE NAME: Bradley Smith, et al vs. Bryan Levin
Plaintiff Defendant
JURY DEMAND: Yes No Anticipated length of trial: 1 hours or _____ days
RELATED CASE PENDING? Yes No If yes, Case #(s), if known: _____
Special Requirements? Interpreter (Please attach Form CC-DC 41)
 ADA accommodation (Please attach Form CC-DC 49)

NATURE OF ACTION (CHECK ONE BOX)		DAMAGES/RELIEF	
TORTS <input type="checkbox"/> Motor Tort <input type="checkbox"/> Premises Liability <input type="checkbox"/> Assault & Battery <input type="checkbox"/> Product Liability <input type="checkbox"/> Professional Malpractice <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Business & Commercial <input checked="" type="checkbox"/> Libel & Slander <input type="checkbox"/> False Arrest/Imprisonment <input type="checkbox"/> Nuisance <input type="checkbox"/> Toxic Torts <input type="checkbox"/> Fraud <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Lead Paint <input type="checkbox"/> Asbestos <input type="checkbox"/> Other _____	LABOR <input type="checkbox"/> Workers' Comp. <input type="checkbox"/> Wrongful Discharge <input type="checkbox"/> EEO <input type="checkbox"/> Other _____ CONTRACTS <input type="checkbox"/> Insurance <input type="checkbox"/> Confessed Judgment <input type="checkbox"/> Other _____ REAL PROPERTY <input type="checkbox"/> Judicial Sale <input type="checkbox"/> Condemnation <input type="checkbox"/> Landlord Tenant <input type="checkbox"/> Other _____ OTHER <input type="checkbox"/> Civil Rights <input type="checkbox"/> Environmental <input type="checkbox"/> ADA <input type="checkbox"/> Other _____	A. TORTS Actual Damages <input type="checkbox"/> Under \$7,500 <input type="checkbox"/> \$7,500 - \$50,000 <input checked="" type="checkbox"/> \$50,000 - \$100,000 <input type="checkbox"/> Over \$100,000 <input type="checkbox"/> Medical Bills \$ _____ <input type="checkbox"/> Property Damages \$ _____ <input type="checkbox"/> Wage Loss \$ _____	B. CONTRACTS <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000 - \$20,000 <input type="checkbox"/> Over \$20,000 C. NONMONETARY <input type="checkbox"/> Declaratory Judgment <input checked="" type="checkbox"/> Injunction <input type="checkbox"/> Other _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION
Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)
A. Mediation Yes No
B. Arbitration Yes No
C. Settlement Conference Yes No
D. Neutral Evaluation Yes No

TRACK REQUEST
With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.
THIS CASE WILL THEN BE TRACKED ACCORDINGLY.
 1/2 day of trial or less
 1 day of trial time
 2 days of trial time
 3 days of trial time
 More than 3 days of trial time

PLEASE SEE PAGE TWO OF THIS FORM FOR INSTRUCTIONS PERTAINING TO THE BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM AND COMPLEX SCIENCE AND/OR MEDICAL CASE MANAGEMENT PROGRAM (ASTAR), AS WELL AS ADDITIONAL INSTRUCTIONS IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY.
Date 9/17/15 Signature _____

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-205 is requested, attach a duplicate copy of complaint and check one of the tracks below.

Expedited
Trial within 7 months
of Filing

Standard
Trial within 18 months
of Filing

EMERGENCY RELIEF REQUESTED.

Signature

Date

**COMPLEX SCIENCE AND/OR MEDICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO AN ASTAR RESOURCE JUDGE under Md. Rule 16-202.
Please check the applicable box below and attach a duplicate copy of your complaint.*

Expedited - Trial within 7 months of Filing

Standard - Trial within 18 months of Filing

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY PLEASE FILL OUT THE APPROPRIATE BOX BELOW.

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

Expedited Trial 60 to 120 days from notice. Non-jury matters.

Standard-Short Trial 210 days.

Standard Trial 360 days.

Lead Paint Fill in: Birth Date of youngest plaintiff _____.

Asbestos Events and deadlines set by individual judge.

Protracted Cases Complex cases designated by the Administrative Judge.

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY

To assist the Court in determining the appropriate Track for this case, check one of the boxes below. This information is not an admission and may not be used for any purpose other than Track Assignment.

Liability is conceded.

Liability is not conceded, but is not seriously in dispute.

Liability is seriously in dispute.

CIRCUIT COURT FOR BALTIMORE COUNTY

- | | |
|---|---|
| <input type="checkbox"/> Expedited
(Trial Date-90 days) | Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus. |
| <input type="checkbox"/> Standard
(Trial Date-240 days) | Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases. |
| <input type="checkbox"/> Extended Standard
(Trial Date-345 days) | Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency. |
| <input type="checkbox"/> Complex
(Trial Date-450 days) | Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases. |