

DAVID W. GRONER

FILED FOR RECORD

16<sup>TH</sup> JUDICIAL DISTRICT COURT

VERSUS

2015 AUG 25 PM 2:30

DOCKET NUMBER: 120813-D

WICK COMMUNICATIONS COMPANY  
and JOHN DOE

DEBILITY CASE NO. 15-00017  
PARISH OF IBERIA, LA

IBERIA PARISH, LOUISIANA

**PETITION FOR DAMAGES AND INJUNCTIVE RELIEF**

This, the petition of, **DAVID W. GRONER**, of legal age and domiciled in Iberia Parish, Louisiana, in proper person, with respect represents:

1.

Made defendants herein are:

- a) **WICK COMMUNICATIONS COMPANY**, a foreign corporation authorized to do and doing business in the State of Louisiana; and
- b) **JOHN DOE**, whose identity is unknown at this time.

2.

Defendants, **WICK COMMUNICATIONS COMPANY and JOHN DOE**, are justly and truly indebted unto the petitioner, **DAVID W. GRONER**, for damages to be proven at the trial of this matter, for the following:

3.

Defendant, **WICK COMMUNICATIONS COMPANY**, owns and operates a newspaper in New Iberia, Louisiana called "The Daily Iberian" and also owns and operates a website known as [www.iberianet.com](http://www.iberianet.com).

4.

Plaintiff, **DAVID W. GRONER**, is an attorney engaged in the private practice of law in New Iberia, Louisiana.

5.

Defendant's website has a "forum" page in which any anonymous person can post any material true or false that they desire. The administrators of said website are employees of defendant, **WICK COMMUNICATIONS COMPANY**, through their newspaper, The Daily Iberian.

6.

On August 24<sup>th</sup>, 2015, plaintiff, **DAVID W. GRONER**, was notified by a friend that a posting on the forum had named plaintiff and contained the following defamatory statement:

"I read the paper where David Groner is representing Deputy Sanders Butler in the sexual harassment. The only thing you need to know is that Butler helped Groner in his failed bid for State Senator against Fred Mills and Simone Champagne. That's when the truth came out about Groner having a reputation for engaging in conduct involving dishonestly, fraud, deceit and misrepresentation."

7.

On August 25<sup>th</sup>, 2015, plaintiff, **DAVID W. GRONER**, spoke to the publisher of The Daily Iberian Newspaper, Will Chapman, and requested that the offensive and defamatory posting be deleted. This request was followed up with an email to Will Chapman attaching documentation that the plaintiff, **DAVID W. GRONER**, was not found guilty of conduct that involved dishonesty, fraud or deceit. The issue that was addressed by the Louisiana Supreme Court by stipulation was for misrepresentation involving a client.

8.

In spite of plaintiff, **DAVID W. GRONER's**, request, Will Chapman responded that he felt it was a "fair comment."

9.

The fact that plaintiff, **DAVID W. GRONER**, is a well-known attorney in New Iberia makes the accusation of fraud, dishonesty and deceit particularly damaging to his reputation and is defamatory per se.

10.

The posting on the forum was filed by Defendant John Doe anonymously and upon information and belief is being done by a person that is well aware of the truth yet desires to defame plaintiff, **DAVID W. GRONER**, with false and misleading postings.

11.

As a result of the defamation suffered by plaintiff, **DAVID W. GRONER**, the following damages have been sustained:

- a. Embarrassment and humiliation;
- b. Mental anguish;
- c. Loss of reputation; and
- d. Other damages to be shown at the trial of this matter.

12.

Unless restrained from doing so plaintiff, **DAVID W. GRONER**, fears that he will suffer irreparable harm if defendants, **WICK COMMUNICATIONS COMPANY and JOHN DOE**, are allowed to continue to publish untrue, defamatory articles about

plaintiff, **DAVID W. GRONER**, solely to profit in the sales of newspapers and to attract traffic to its website.

13.

Therefore, petitioner, **DAVID W. GRONER**, requests that a Temporary Restraining Order be issued and thereafter, a preliminary injunction prohibiting defendant, **WICK COMMUNICATIONS COMPANY**, through its newspaper or website to publish any article or story in which plaintiff, **DAVID W. GRONER**, is accused of dishonesty, fraud or deceit in connection with a Louisiana Supreme Court ruling or similar matter.

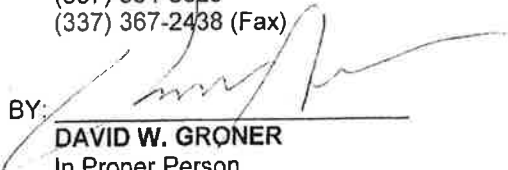
**WHEREFORE**, petitioner, **DAVID W. GRONER**, prays that after due proceedings had that there be judgment rendered in his favor and against defendants, **WICK COMMUNICATIONS COMPANY and JOHN DOE**, jointly, severely and *in solido*, in the full and true sum of damages to be proven at a trial of this matter, plus legal interest from judicial demand, until paid, and for all costs of these proceedings.

Petitioner, **DAVID W. GRONER**, further prays that a Temporary Restraining Order be issued without bond and thereafter, a preliminary injunction prohibiting defendant, **WICK COMMUNICATIONS COMPANY**, from publishing or posting on its website any article or story in which plaintiff, **DAVID W. GRONER**, is accused of dishonesty, fraud or deceit in connection with a Louisiana Supreme Court decision or similar matter.

Petitioner, **DAVID W. GRONER**, further prays for all general and equitable relief available to them under Louisiana law.

Respectfully submitted:

**DAVID W. GRONER**  
230 West Main Street  
New Iberia, Louisiana 70560  
(337) 364-3629  
(337) 367-2438 (Fax)

BY:   
**DAVID W. GRONER**  
In Proper Person

**SERVICE INFORMATION:**

**WICKS COMMUNICATIONS COMPANY**  
Through its Agent for Service of Process:  
C T Corporation System  
5615 Corporate Boulevard, Suite 400B  
Baton Rouge, LA 70808

DAVID W. GRONER

16<sup>TH</sup> JUDICIAL DISTRICT COURT

VERSUS

DOCKET NUMBER: 126863-D

WICK COMMUNICATIONS COMPANY  
and JOHN DOE

IBERIA PARISH, LOUISIANA

AFFIDAVIT OF CORRECTNESS

STATE OF LOUISIANA

PARISH OF IBERIA

BEFORE ME, the undersigned authority, personally came and appeared:

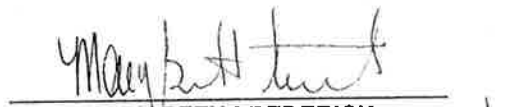
DAVID W. GRONER

who, after being duly sworn, did depose and say:

That he has read the Petition for Damages and Injunctive Relief which is attached and the information contained therein is true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
DAVID W. GRONER

SWORN TO AND SUBSCRIBED BEFORE ME, this 25 day of August, 2015,  
at New Iberia, Iberia Parish, Louisiana.

  
\_\_\_\_\_  
MARY BETH FREDERICK  
Notary Public *Iberia Parish*  
Notary #: 36227  
Commission Expires At Death

DAVID W. GRONER

16<sup>TH</sup> JUDICIAL DISTRICT COURT

VERSUS

DOCKET NUMBER: 120863 D

WICK COMMUNICATIONS COMPANY  
and JOHN DOE

IBERIA PARISH, LOUISIANA

ORDER

CONSIDERING THE FOREGOING MOTION AND ANNEXED AFFIDAVIT:

IT IS ORDERED THAT a Temporary Restraining Order be issued immediately, without bond and without prior notice, and then a preliminary and in due course, a permanent injunction be issued after hearing, restraining **WICK COMMUNICATIONS COMPANY** d/b/a/ The Daily Iberian and www.iberianet.com from publishing or posting on its website any article or story in which plaintiff, **DAVID W. GRONER**, is accused of dishonesty, fraud or deceit in connection with a Louisiana Supreme Court decision or similar matter.

*EML* IT IS FURTHER ORDERED THAT defendant, **WICK COMMUNICATIONS COMPANY**, show cause on the 11th day of Sept., 2015 at 9:00 a.m./p.m. before this Honorable Court why a preliminary injunction should not be issued in the form and substance of the aforementioned Temporary Restraining Order.

ORDERED in New Iberia, Louisiana this 25 day of August, 2015.

Bj Curtis Segur  
DISTRICT JUDGE

**PLEASE SERVE:**

**WILL CHAPMAN, Publisher (PERSONALLY)**  
The Daily Iberian  
926 East Main Street  
New Iberia, LA 70560

Filed Aug 25, 2015  
by Phillip D. Nelson, Dty. Clk.  
CLERK OF COURT  
Phillip D. Nelson  
CLERK OF COURT  
IBERIA PARISH, LA