

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

SUPERIOR TRADELINES, LLC, a Florida
Limited Liability Company, and
MICHAEL MALGOZA, individually,

Case No.: 2016-CA-020131-XXXX-XX

Plaintiffs,

v.

TAMARA SANDERFIELD a/k/a
TAMARA N. SLAUGHTER,

Defendant.

ORDER GRANTING PARTIAL SUMMARY JUDGMENT

THIS CAUSE, came before this Court on the 28th day of November upon Plaintiff's Complaint for Defamation, filed March 24, 2016. The Court having reviewed the file, reviewed the evidence, and otherwise being fully advised of the premises, the Court finds:

1. This Court has jurisdiction of the parties and service of process was proper.
2. Based on the pleadings, affidavits, and other evidence presented to this Court, no genuine issue of material fact remains as to the following undisputed facts:
 - a. Superior Tradelines, LLC is a company with its principal place of business in Brevard County, FL with an online presence throughout the United States;
 - b. Michael Malgoza works as an independent contractor for Superior Tradelines, LLC.
 - c. On February 14, 2017, Defendant, Tamara Sanderfield contacted the business of Superior Tradelines, LLC.

- d. On February 15, 2016, Plaintiff, Michael Malgoza, in the course of his duties as an independent contractor, contacted Defendant via email to follow up on the Defendant's inquiry.
- e. Superior Tradelines never received or demanded money or other compensation from Defendant.
- f. On or about February 29, 2016, Defendant published defamatory content, directed toward Superior Tradelines, LLC and Michael Malgoza on at least three different websites on the world wide web, at least two of which are still currently available and accessible at the time of this Order:

A. <http://www.ripoffreport.com/r/Superior-Tradelines/Cocoa-Beach-Florida-32931/Superior-Tradelines-Mike-Malgoza-Domestic-Terrorists-Cocoa-Beach-Florida-1290559>

B. <http://www.yelp.com/biz/superior-tradelines-cocoa-beach>

- 3. The following statements, published by the Defendant, Tamara Sanderfield, were false and malicious towards Plaintiffs, Superior Tradelines, LLC and Michael Malgoza:

- 1. "Superior Tradelines Mike Malgoza Domestic Terrorists!!! Cocoa Beach Florida" (ripoff report);
- 2. "These people are criminals" (ripoff report and yelp);
- 3. "They literally took my debit card information and made all kinds of fraudulent purchases with my debit card." (ripoff report and yelp);

4. "The good thing is, 5 years from now someone will be able to google Credit Correction LLC or Superior Tradelines and see this review and will not fall victim to their scams."
(ripoff report and yelp);
5. "DOMESTIC TERRORISTS ALL THE WAY!!!" (ripoff report and yelp);
6. "Second, these scammers have a pretty legitimate "Looking" LinkedIn page, however, it is as FAKE as they are as a business." (yelp review only)

4. The Court finds that the published statements tend to subject the Plaintiffs to hatred, distrust, ridicule, contempt, or disgrace and further tends to injure Plaintiffs in their trade or profession.

ORDERED and ADJUDGED that the Plaintiffs are entitled to partial summary judgment as a matter of law. This Court reserves on the issue of monetary damages. This Court determines that the undisputed statements of the Defendant constitute the intentional tort of defamation per se. In making the findings that the statements addressed herein constitute defamation per se, this Order is intended to satisfy the removal requirements of any third-party webhost(s) hosting the defamatory statements and shall operate as an Order to remove the same.

DONE AND ORDERED at Moore Justice Center, Viera, Brevard County, Florida this 8 day of Dec., 2017.


CIRCUIT COURT JUDGE

Cc: Joshua F. Porter, Esq.
Tamara Sanderfield, 4 Hunters Pond Dr, Columbia, SC 29229