

**IN THE CIRCUIT COURT OF THE TWENTY-SECOND DISTRICT
McHENRY COUNTY, ILLINOIS**

THE B. F. SHAW PRINTING COMPANY,)	
)	
Plaintiff,)	
)	
vs.)	No.
)	
CAL SKINNER, JR.,)	
)	JURY TRIAL DEMANDED
Defendant.)	

COMPLAINT

COURT I – DEFAMATION

NOW COMES Plaintiff, THE B. F. SHAW PRINTING COMPANY, by its attorney, Donald M. Craven, and for its complaint against Defendant, CAL SKINNER, JR., states as follows:

1. Plaintiff is an Illinois corporation, and is the owner of a daily newspaper, the NORTHWEST HERALD, published in Crystal Lake, Illinois.
2. Defendant, Cal Skinner, Jr., is a resident of McHenry County, and publishes commentary on the McHenry County blog.
3. On June 3, 2009, at approximately 10:36 a.m., Defendant posted to the McHenry County blog an article headlined “Borrowing on borrowing”, which attached hereto and incorporated herein as Exhibit A.
4. That posting includes the following language:

Perhaps a look at this 2006 article about example of the business judgment of the McHenry County Board might be instructive:

**McHenry County Board Backs and Fills
...After the Primary Election**

The result:

The State's Attorney's Office advised the county board to write off \$177,470 of the \$200,000 loaned to Contempos Industries after the election.

Don't recognize that name? How about Woodstock Gardens, 455 Borden Street, Woodstock (near the Illinois National Reserve Armory)?

Significantly, the recommendation came after the fall election. Democratic Party county board candidates didn't figure out this fiasco in time to attack Republicans' bad judgment.

Oh, well.

The money didn't come from county taxpayers anyway.

It was recycled State of Illinois dollars. We know we didn't pay any of that.

And, who could forget the multimillion loan to the Northwest Herald at sub-market rates?

I filed a Freedom of Information request for the details a couple of years and got nothing. Guess it's time to try again.

In any event, the NW Herald was not an "in extremis" condition then. The excuse for loaning the money was to keep the county newspaper from moving out of the county.

The real reason was to put the paper in the back pocket of the Republican Party. (Anyone want to deny the strategy worked?)

5. The posting contains false and defamatory statements about Plaintiff and its commercial property, THE NORTHWEST HERALD.
6. Plaintiff has never been the recipient of a multi-million dollar loan from McHenry County at sub-market rates.
7. Plaintiff has never been the recipient of any loan, from any public body, at market or sub-market rates.

8. Plaintiff is not, and never has been, 'in the back pocket' or under the control or influence of the McHenry County Republican Party, or any other political party or organization.
9. Plaintiff is not now, and has never been 'in extremis' condition.
10. Plaintiff does not now and has not considered moving the NORTHWEST HERALD from McHenry County.
11. There are no public records which would support the statements published by Defendant.
12. There are no documents recorded with the County Recorder which would support the statements published by Defendant.
13. There are no minutes of any public meeting of any public body which support the statements published by Defendant.
14. The statements published by Defendant are false.
15. The statements published by Defendant are of and concerning Plaintiff.
16. The statements published by Defendant were published by without a recognized privilege.
17. The statements published by Defendant were published with knowledge that the statements were false.
18. The statements published by Defendant were published with reckless disregard for the truth.
19. The statements published by Defendant were published with common law malice, or ill will towards the Plaintiff, based on the publication by Defendant of a series of news articles about Defendant and his contentious divorce and child custody proceedings.
20. The statements made by Defendant constitute defamation *per se*.

21. The statements published by Defendant are damaging to Plaintiff in that the statements question Plaintiff's financial viability and ability to continue to publish a newspaper in McHenry County Illinois.

22. The statements published by Defendant are damaging to Plaintiff in that the article impugns the financial and editorial integrity of Plaintiff and the NORTHWEST HERALD.

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for actual and punitive damages sufficient to compensate for the damages caused by Defendant's publication of false statements, and to deter Defendant and others from similar behavior in the future.

COUNT II – FALSE LIGHT

1-22. Plaintiff restates and incorporates ¶¶1-22 in Count I as ¶¶1-22 in Count II of the Complaint.

23. The false statements about Plaintiff by Defendant place Plaintiff in a false light before the public, as purported "mouthpiece" for the Republican party, rather than as an award-winning member of the independent press.

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for actual and punitive damages sufficient to compensate for the damages caused by Defendant's publication of false statements, and to deter Defendant and others from similar behavior in the future.

COUNT III – COMMERCIAL DISPARAGEMENT

1-23. Plaintiff repeats and realleges ¶¶1-23 in Count II as ¶¶1-23 in Count III of the Complaint.

24. The statements by Defendant are about the news product offered by Plaintiff to the citizens of McHenry and surrounding counties.

25. The statements made by Defendant were intended to deter members of the public from purchasing the news products offered by Plaintiff, and to undercut the news products offered by Plaintiff.

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for actual and punitive damages sufficient to compensate for the damages caused by Defendant's publication of false statements, and to deter Defendant and others from similar behavior in the future.

THE B. F. SHAW PRINTING COMPANY, Plaintiff

By: _____
Donald M. Craven, Attorney for Plaintiff

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