

**PENNSYLVANIA COURT OF COMMON PLEAS
ALLEGHENY COUNTY, CIVIL DIVISION**

DEREK KRYMOWSKI,

Plaintiff,

v.

TABATHA THEA WHITED,

and

JOHN DOE,

Defendants.

JURY TRIAL DEMANDED

NOTICE TO PLEAD

TO: DEFENDANTS

Take notice that you must file a written response to this Complaint within 20 days from the date of service of this document or a judgment may be entered against you.

By:



Matthew Doebler

Docket Number: ____

COMPLAINT

Filed on behalf of Plaintiff Derek Krymowski

Counsel of record for this party:

Matthew Doebler
Pa. I.D. No.: 304848

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DEREK KRYMOWSKI,

Plaintiff,

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TABATHA THEA WHITED,

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Defendants.

COMPLAINT

PARTIES, VENUE, JURISDICTION

1. Plaintiff is a Pennsylvania resident who resides in Allegheny County, Pennsylvania.

2. Defendant Tabatha Thea Whited (“Ms. Whited”) is a Pennsylvania resident who resides in Allegheny county and posted defamatory statements about Plaintiff on the internet.

3. Alternatively, Defendant John Doe is a fictitiously designated individual that pseudonymously posted defamatory statements about Plaintiff on the internet.

4. Venue of this proceeding in this Court is proper in Allegheny County because one or more the Defendants reside in Allegheny County, may be served there, and the defamatory

statements forming the basis of this cause of action arose from internet posts that were posted in Allegheny County and were read by residents in Allegheny County.

FACTUAL SUMMARY

5. Plaintiff and Ms. Whited briefly engaged in a casual relationship several years ago.

6. During their brief, casual relationship, Plaintiff made it clear to Ms. Whited from the very beginning that Ms. Whited was not his girlfriend.

7. Plaintiff withdrew any romantic interest in Ms. Whited after Ms. Whited suggested Mr. Krymowski meet her family and revealed that her feelings for Plaintiff exceeded any reciprocal feelings Plaintiff had for Ms. Whited.

8. As Plaintiff withdrew his interest in Ms. Whited, he would reply to her texts and indicate he was very busy with work, hoping that could politely make himself unavailable and Ms. Whited would take the hint that he was not interested in her.

9. On one occasion, Ms. Whited messaged Mr. Krymowski on Facebook Messenger asking him “Did things get better at work?” and did not receive a response.

10. Two weeks after sending the Facebook message referenced in the preceding paragraph, Ms. Whited messaged Plaintiff again via Facebook Messenger stating: “Hey. So we

were doing whatever for like three months and you ghosted me and didn't even give me a reason like a pussy. So ummmm where do you get off asking my friends to meet you out[?] That's f[*]cked up. And I'm messaging you on here because I deleted your number. Seriously!?"

11. The day after the message described in the preceding paragraph, Ms. Whited wrote to Mr. Krymowski again: "Really? No response?..." Plaintiff blocked Ms. Whited after this message.

12. Three days after Mr. Krymowski blocked Ms. Whited, Ms. Whited published a defamatory submission on www.theclubcreep.com, accusing Mr. Krymowski of not respecting sexual boundaries and abuse: "If you have sex with him he does not respect boundaries. Several girls have said they have had sex with him in the past and that it escalated into abuse if the girl withdrew consent."

13. Despite posting the extremely disparaging and defamatory content on www.theclubcreep.com that characterized Mr. Krymowski as a someone Ms. Whited likely would not want to be around if the statements she posted his alleged lack of respect for sexual boundaries were true, three weeks later, Ms. Whited texted Mr. Krymowski yet again stating: "Hey assh[*]le. I really need to hate f[*]ck something, and even though your face is very punchable, I promise I won't."

14. Mr. Krymowski did not respond to the message referred to in the preceding paragraph.

15. After discovering that Ms. Whited had posted defamatory statements about Plaintiff, Ms. Krymowski contacted Ms. Whited and asked her to remove her statements from TheClubCreep.com.

16. Ms. Whited admitted authoring the post and sent Mr. Krymowski a PayPal request for money the referenced TheClubCreep.com.

17. Mr. Krymowski, through his legal representative, contacted the owner of TheClubCreep.com, and TheClubCreep.com removed the statements Ms. Whited posted about Mr. Krymowski after reviewing messages exchanged between Ms. Krymowski and Ms. Whited.

18. Upon information and belief, on October 13, 2020, Ms. Whited posted another submission on TheClubCreep.com, at the following URLs: <http://www.theclubcreep.com/> <http://www.theclubcreep.com/derek-krymowski-rapist/> using the pseudonym “Coopertown” (“Post”). A copy of the post is attached as Exhibit A.

19. The Post states, in part: “Derek Krymowski of Pittsburgh Pa, raped, sodomized, and robbed my ex fiancé after he drugged her. He preyed on her coworkers after he was done with her. He is easily given access to strippers.”

20. Alternatively, John Doe posted the Post.

21. Upon information and belief, John Doe posted the Post at the direction or behest of Ms. Whited.

22. The Post is false. Plaintiff has never raped, sodomized, robbed, or abused anyone, nor has Plaintiff engaged in any sexual acts without the consent of the other party; Plaintiff respects people's boundaries.

CAUSES OF ACTION

COUNT 1: LIBEL

23. Plaintiff realleges each and every allegation contained in the preceding paragraphs as if fully rewritten and restated herein.

24. Defendants published the Posts about Plaintiff on a publicly viewable website that was read by Pennsylvania residents and people that Plaintiff knows.

25. The Post Defendants published contains false statements of fact, to wit: that Plaintiff "raped, sodomized, and robbed [someone] after he drugged her; [and that] [h]e preyed on her coworkers after he was done with her."

26. The falsity of the statements in the preceding paragraph carry a defamatory meaning that accuses Plaintiff of heinous crimes and lowers Plaintiff's reputation and esteem in the community by imputing felonious, criminal conduct to him.

27. Defendants published the Post with malice and knowledge of its falsity or with reckless disregard of the falsity of the statements made in the Post in an attempt to damage Plaintiff's reputation.

28. Defendants published the Post without privilege or authorization.

29. As a direct and proximate result of the Post, Plaintiff sustained damages in an amount to be proven at trial.

30. WHEREFORE, Plaintiff requests the following relief:

A. A preliminary order authorizing discovery from TheClubCreep.com to obtain relevant evidence for proof of authorship for the Post.

B. Preliminary and permanent injunctive relief enjoining the publication of the same or similar defamatory statements contained in the Post and ordering Defendants to remove the aforementioned Post from <http://www.theclubcreep.com/> <http://www.theclubcreep.com/derek-krymowski-rapist/> and anywhere else on the Internet where it is posted or may be accessible.

C. Relief authorizing Plaintiff to request removal the Post and any substantially similar posts on the Defendant's behalf in the event of a default.

D. A final order declaring the Post defamatory.

E. Damages in an amount to be proven at trial.

F. Attorneys' fees.

G. The costs of this action and pre and post judgment interest

H. Any other relief to which Plaintiff is entitled.

Respectfully submitted,

PRIBANIC & PRIBANIC, LLC

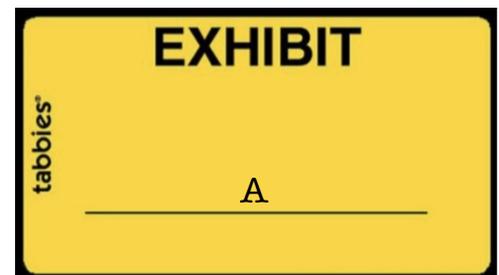
By:



Matthew Doebler
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(412) 281-8844

Dated: 1 December 2020
Sewickley, PA

Document title: Derek Krymowski, rapist - The Club Creep
Capture URL: <http://www.theclubcreep.com/derek-krymowski-rapist/>
Captured site IP: 208.109.173.196
Page loaded at (UTC): Mon, 26 Oct 2020 22:40:56 GMT
Capture timestamp (UTC): Mon, 26 Oct 2020 22:41:46 GMT
Capture tool: v7.1.9
Collection server IP: 54.174.78.137
Browser engine: Chrome/77.0.3865.120
Operating system: Microsoft Windows NT 10.0.14393.0 (10.0.14393.0)
PDF length: 4
Capture ID: b21b8835-27cd-4089-a998-fbc595314dc8
User: drl-bresto



PENNSYLVANIA

Derek Krymowski, rapist

10/13/2020 6:29 am

OFF

⚡ 39





In the last act of love I'll do for this woman, I am here to tell you Derek Krymowski of Pittsburgh Pa, raped, sodomized, and robbed my ex fiancé after he drugged her. He preyed on her coworkers after he was done with her. He is easily given access to strippers. He will then threaten legal action against the women when they speak out. Come after me instead asshole. I would love to bleed your resources dry. You know who I am.



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PREVIOUS ARTICLE

OPEN CLUBS IN NORTHERS CALIFORNIA



they speak out. Come after me instead asshole. I would love to bleed your resources dry. You know who I am.



::



PREVIOUS ARTICLE

OPEN CLUBS IN NORTHERS CALIFORNIA



VERIFICATION

Plaintiff verifies that he is the Plaintiff in the foregoing action; that the foregoing Complaint is based upon information which he has furnished to his counsel and information which has been gathered by his counsel in the preparation of the lawsuit. The language of the Complaint is that of counsel and not of the Plaintiff. Plaintiff has read the Complaint and to the extent that the Complaint is based upon information which he has given to his counsel, it is true and correct to the best of his knowledge, information and belief.

To the extent that the contents of the Complaint are that of counsel, he has relied upon counsel in making this verification. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

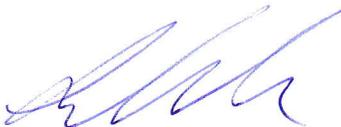
DATE: 11/25/2020



DEREK KRYMOWSKI

**STATE OF PENNSYLVANIA
COUNTY OF ALLEGHENY**

**SWORN & SUBSCRIBED BEFORE
ME THIS 25 DAY OF
NOV., 2020**



Commonwealth of Pennsylvania - Notary Seal
L Scott Waldo, Notary Public
Allegheny County
My commission expires July 18, 2022
Commission number 1173155
Member, Pennsylvania Association of Notaries