

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

RUGGERO SANTILLI,

Plaintiff,

vs.

CASE NO. 8:17-cv-1797-T-33MAP

PEPIJN VAN ERP, FRANK ISRAEL AND
HOSTING2GO,

Defendants.

SECOND AMENDED VERIFIED COMPLAINT

Plaintiffs, RUGGERO SANTILLI and CARLA SANTILLI, by and through undersigned counsel, sues Defendants, PEPIJN VAN ERP, individually, FRANK ISRAEL, individually, and HOSTING2GO, and alleges:

PARTIES, VENUE, JURISDICTION

1. This is an action for damages in excess of \$15,000, exclusive of interest, costs and attorney's fees
2. Plaintiff, RUGGERO SANTILLI (hereinafter RUGGERO) is a resident of Pinellas County Florida.
3. Plaintiff, CARLA SANTILLI (hereinafter CARLA) is a resident of Pinellas County Florida.
4. Ruggero Santilli and Carla Santilli shall be collectively known in this Complaint as SANTILLI or Plaintiffs.
5. Defendant, PEPIJN VAN ERP (hereinafter VAN ERP) is a resident of Breda, Netherlands and has purposely availed himself to the jurisdiction of Florida.

a. VAN ERP has purposely used the internet as a tool to reach into the state of Florida and publish disparaging and defaming (untrue) blogs/articles to third-party individuals and businesses within Florida, with the intent of causing injury to the Plaintiffs in Florida.

b. That third-party residents/businesses of and within Florida did in fact read blogs/articles published by VAN ERP about RUGGERO.

c. And that as a result of the publication of the blogs/articles within Florida, Plaintiffs have and continue to be injured by such tortious conduct occurring within the state of Florida.

d. Further basis and factual support of the committed torts, in Florida, are laid out in the factual allegations and pled counts below.

e. Through VAN ERP's actions, this Defendant could reasonably anticipate being brought into Florida Courts via a lawsuit against him.

6. Defendant, FRANK ISRAEL (hereinafter ISRAEL) is a resident of Leiden, Netherlands and has purposely availed himself to the jurisdiction of Florida.

a. ISRAEL has purposely used and/or directed the use of the internet as a tool to reach into the state of Florida and publish disparaging and defaming (untrue) blogs/articles to third-party individuals and businesses within Florida, with the intent of causing injury to the Plaintiffs in Florida.

b. That third-party residents/businesses of and within Florida did in fact read blogs/articles published or caused to be published by ISRAEL about RUGGERO.

c. And that as a result of the publication of the blogs/articles within Florida, Plaintiffs have and continue to be injured by such tortious conduct occurring within the state of Florida.

d. Further basis and factual support of the committed torts, in Florida, are laid out in the factual allegations and pled counts below.

e. Through ISRAEL's actions, this Defendant could reasonably anticipate being brought into Florida Courts via a lawsuit against him.

7. Defendant, JOHN DOE d/b/a HOSTING2GO (hereinafter HOSTING2GO) is believed to be a foreign corporation with a principle place of business in Breda, Netherlands and has purposely availed itself to the jurisdiction of Florida.

a. HOSTING2GO has purposely used and/or directed the use of the internet as a tool to reach into the state of Florida and publish disparaging and defaming (untrue) blogs/articles to third-party individuals and businesses within Florida, with the intent of causing injury to the Plaintiffs in Florida.

b. That third-party residents/businesses of and within Florida did in fact read blogs/articles published or caused to be published by HOSTING2GO about RUGGERO.

c. And that as a result of the publication of the blogs/articles within Florida, Plaintiffs have and continue to be injured by such tortious conduct occurring within the state of Florida.

d. Further basis and factual support of the committed torts, in Florida, are laid out in the factual allegations and pled counts below.

e. Through HOSTING2GO's actions, this Defendant could reasonably anticipate being brought into Florida Courts via a lawsuit against him.

8. As such, Personal Jurisdiction is proper for this Court over all Defendants under guidance of Fla. Stat. §48.193 (Long Arm Statute) and through Due Process.

9. Venue is proper in Pinellas County, Florida because the cause of action accrued in whole or in part in Pinellas County, Florida, the Plaintiffs are residents in Pinellas County, Florida and Defendants have availed themselves to Pinellas County, Florida.

10. Plaintiffs have complied with Florida Statute §770.01 precedent to bringing this action.

GENERAL ALLEGATIONS

11. On or about February 6, 2016, Defendant, VAN ERP, published an article/blog titled “The Continuing Stupidity of Ruggero Santilli” on the website PepijnVanErp.nl. *See Ex. A.*

12. On or about February 6, 2016, Defendant, HOSTING2GO, published or caused to be published an article titled “The Continuing Stupidity of Ruggero Santilli” on the website PepijnVanErp.nl. *See Ex. A.*

13. On or about August 12, 2016 VAN ERP published/republished an article/blog entitled “Finding JV Kadeisvili-or Mailing with Ruggero M Santilli” on the website Pepijnvanerp.nl *See Ex. B.*

14. On or about August 12, 2016 HOSTING2GO published/republished or caused to be published/republished an article/blog entitled “Finding JV Kadeisvili-or Mailing with Ruggero M Santilli” on the website Pepijnvanerp.nl *See Ex. B.*

15. On or about August 25, 2016, VAN ERP, published an article/blog entitled “More Santilli Shenanigans” on the website pepijnvanerp.nl *See Ex. C.*

16. On or about August 25, 2016, HOSTING2GO, published or caused to be published an article/blog entitled “More Santilli Shenanigans” on the website pepijnvanerp.nl *See Ex. C.*

17. **Exhibits A, B and C** of this Complaint are referred collectively as “The Subject Articles.”

18. The Subject Articles were published at the direction of and with assistance from Defendant ISRAEL.

19. In The Subject Articles the Defendants (among other disparaging comments and subjects) falsely and maliciously refers to RUGGERO as a “fringe scientist,” “a mad professor,” and “a cunning scam artist” and further states or insinuates that RUGGERO publishes articles using “fake” journals; states that RUGGERO fabricates, changes and/or wrongly instigates awards provided to RUGGERO by third parties; states that RUGGERO falsely poses as another individual for personal and business gain; and further states that RUGGERO pays for publication services. The very nature of the subject matter, tone and insinuations of The Subject Articles, along with stating that RUGGERO is continuing in stupidity, reflects negatively upon RUGGERO in his profession as a scientist and inventor.

20. Defendants, VAN ERP, ISRAEL and HOSTING2GO published The Subject Articles with malicious intent to harm the credibility and reputation of RUGGERO as can be seen in much of the content, which does not provide any other service other than to disparage the character and reputation of RUGGERO.

21. These false and malicious statements made by Defendants, VAN ERP, ISRAEL and HOSTING2GO, do reflect and affect Plaintiffs negatively and in RUGGERO’s profession, which in turn depreciates the value of all stock associated with the businesses owned by the Plaintiffs, along with the overall value of their businesses.

22. Some of the false and malicious statements made by Defendants, VAN ERP, ISRAEL and HOSTING2GO are criminal allegations against RUGGERO.

23. Defendants, VAN ERP, ISRAEL and HOSTING2GO published the false and malicious statements with the intent to interrupt or interfere with known business relationships of

the Plaintiffs and also to interfere with the value of stock belonging to businesses owned by the Plaintiffs and the depreciation of the business as a whole.

24. It is recognized in the scientific community that when one disagrees with the scientific findings of another, the proper forum for challenging the science is through respectful debate, research and publication of peer reviewed articles based on inconsistent scientific findings and is not customarily unilaterally attacked through blogs without peer review in the way that Defendants attacked RUGGERO in The Subject Articles.

COUNT I – DEFAMATION – VAN ERP

25. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

26. As can be seen in The Subject Articles, incorporated in this count, false and disparaging statements of fact concerning RUGGERO were published to third parties in and out of the state of Florida.

27. The Subject Articles referred to RUGGERO, by name throughout the report and was clearly understood by those who read the article to be about RUGGERO individually and Plaintiffs as a major shareholder of certain corporate entities.

28. Defendant, VAN ERP, used The Subject Articles to intentionally and maliciously harm the reputation of RUGGERO and businesses associated with the Plaintiffs.

29. These false and malicious statements within The Subject Articles reflect and have affect upon RUGGERO negatively in his profession and damage to the Plaintiffs.

30. Further, Defendant is associating RUGGERO with criminal actions within The Subject Articles.

31. The false and malicious statements in The Subject Articles have proximately caused significant damages on the part Plaintiffs and has created serious financial harm to businesses

associated with the Plaintiffs and third parties, by hurting their reputation, creating a devaluation of certain companies in which the Plaintiffs are shareholders, and creating doubt in the credibility of RUGGERO and his scientific findings and businesses.

WHEREFORE, Plaintiffs demands judgment against Defendant, VAN ERP for loss of reputation and credibility, loss of income and value, and any further relief that this court may deem just and proper.

COUNT II-DEFAMATION-ISRAEL

32. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

33. As can be seen in The Subject Articles, incorporated in this count, false and disparaging statements of fact concerning RUGGERO were published to third parties in and out of the state of Florida.

34. The Subject Articles referred to RUGGERO, by name throughout the report and was clearly understood by those who read the article to be about RUGGERO individually and the Plaintiffs as major shareholders of certain businesses.

35. Defendant, ISRAEL, used The Subject Articles to intentionally and maliciously harm the reputation of RUGGERO and businesses associated with the Plaintiffs and third parties.

36. These false and malicious statements within The Subject Articles reflect and have affect upon RUGGERO negatively in his profession and damage to the Plaintiffs.

37. Further, Defendant is associating RUGGERO with criminal actions within The Subject Articles.

38. The false and malicious statements in The Subject Articles have proximately caused significant damages on the part of the Plaintiffs and have created serious financial harm to businesses associated with the Plaintiffs, by hurting their reputation, creating a devaluation of

certain companies in which the Plaintiffs are shareholders, and creating doubt in the credibility of RUGGERO and his scientific findings and businesses.

WHEREFORE, Plaintiffs demands judgment against Defendant, ISRAEL for loss of reputation and credibility, loss of income and value, and any further relief that this court may deem just and proper.

COUNT III – DEFAMATION – HOSTING2GO

39. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

40. As can be seen in The Subject Articles, incorporated in this count, false and disparaging statements of fact concerning Plaintiffs were published to third parties in and out of the state of Florida.

41. The Subject Articles referred to RUGGERO, by name throughout the report and was clearly understood by those who read the article to be about RUGGERO individually and the Plaintiffs as major shareholders of certain businesses.

42. Defendant, HOSTING2GO, used The Subject Articles to intentionally and maliciously harm the reputation of RUGGERO and businesses associated with the Plaintiffs.

43. These false and malicious statements within The Subject Articles reflect and have affect upon RUGGERO negatively in his profession and damage to the Plaintiffs.

44. Further, Defendant is associating RUGGERO with criminal actions within The Subject Articles.

45. The false and malicious statements in The Subject Articles have proximately caused significant damages on the part of the Plaintiffs and have created serious financial harm to businesses associated with the Plaintiffs by hurting their reputation, creating a devaluation of

certain companies in which the Plaintiffs are shareholders, and creating doubt in the credibility of RUGGERO and his scientific findings and businesses.

WHEREFORE, Plaintiffs demand judgment against Defendant, HOSTING2GO for loss of reputation and credibility, loss of income and value, and any further relief that this court may deem just and proper.

COUNT IV –TORTIOUS INTERFERENCE
(VAN ERP against RUGGERO SANTILLI)

46. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

47. As described above, RUGGERO has business relationships through businesses owned by the Plaintiffs.

48. Defendant, VAN ERP, knew of the business relationships between businesses owned by Plaintiffs and third parties.

49. Defendant, VAN ERP, maliciously provided false and malicious information about RUGGERO and in turn published this information on internationally and nationally viewable websites, with the intent to interfere with known business relationships of Plaintiffs and third parties.

50. VAN ERP knowingly and intentionally decided, endeavored and sought to engage in acts which caused irreparable damage to the established business relationships of the Plaintiffs and third parties.

51. The conduct of VAN ERP in interfering with the Plaintiffs' economic relationships, was intentional, willful, and calculated to cause damage to the Plaintiffs business relationships, including third parties, and ability to earn income.

52. The improper conduct of VAN ERP was committed with actual malice and ill will towards the Plaintiffs, and with the intentional and improper purpose of causing irreparable damage.

53. As a direct and proximate result of VAN ERP's willful and improper conduct, the business relationships between the Plaintiffs and third parties, RUGGERO has suffered monetary damages.

54. There is no justification or privilege for VAN ERP's actions.

WHEREFORE, RUGGERO respectfully demands judgement against VAN ERP for damages, interest, costs, a trial by jury on all issues to triable, and such other relief as this Court deems proper.

COUNT V –TORTIOUS INTERFERENCE
(ISRAEL against RUGGERO SANTILLI)

55. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

56. As described above, RUGGERO has business relationships through businesses owned by the Plaintiffs.

57. Defendant, ISRAEL, knew of the business relationships between businesses owned by Plaintiffs and third parties.

58. Defendant, ISRAEL, maliciously provided false and malicious information about RUGGERO and in turn published this information on internationally and nationally viewable websites, with the intent to interfere with known business relationships of Plaintiffs and third parties.

59. ISRAEL knowingly and intentionally decided, endeavored and sought to engage in acts which caused irreparable damage to the established business relationships of the Plaintiffs and third parties.

60. The conduct of ISRAEL in interfering with the Plaintiffs' economic relationships, was intentional, willful, and calculated to cause damage to the Plaintiffs business relationships, including third parties, and ability to earn income.

61. The improper conduct of ISRAEL was committed with actual malice and ill will towards the Plaintiffs, and with the intentional and improper purpose of causing irreparable damage.

62. As a direct and proximate result of ISRAEL's willful and improper conduct, the business relationships between the Plaintiffs and third parties, RUGGERO has suffered monetary damages.

63. There is no justification or privilege for ISRAEL's actions.

WHEREFORE, RUGGERO respectfully demands judgement against ISRAEL for damages, interest, costs, a trial by jury on all issues to triable, and such other relief as this Court deems proper.

COUNT VI – TORTIOUS INTERFERENCE
(HOSTING2GO against RUGGERO SANTILLI)

64. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

65. As described above, RUGGERO has business relationships through businesses owned by the Plaintiffs.

66. Defendant, HOSTING2GO, knew of the business relationships between businesses owned by Plaintiffs and third parties.

67. Defendant, HOSTING2GO, maliciously provided false and malicious information about RUGGERO and in turn published this information on internationally and nationally viewable websites, with the intent to interfere with known business relationships of Plaintiffs and third parties.

68. HOSTING2GO knowingly and intentionally decided, endeavored and sought to engage in acts which caused irreparable damage to the established business relationships of the Plaintiffs and third parties.

69. The conduct of HOSTING2GO in interfering with the Plaintiffs' economic relationships, was intentional, willful, and calculated to cause damage to the Plaintiffs business relationships, including third parties, and ability to earn income.

70. The improper conduct of HOSTING2GO was committed with actual malice and ill will towards the Plaintiffs, and with the intentional and improper purpose of causing irreparable damage.

71. As a direct and proximate result of HOSTING2GO's willful and improper conduct, the business relationships between the Plaintiffs and third parties, RUGGERO has suffered monetary damages.

72. There is no justification or privilege for HOSTING2GO's actions.

WHEREFORE, RUGGERO respectfully demands judgement against HOSTING2GO for damages, interest, costs, a trial by jury on all issues to triable, and such other relief as this Court deems proper.

COUNT VII – TORTIOUS INTERFERENCE
(VAN ERP against CARLA SANTILLI)

73. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

74. As described above, CARLA has business relationships through businesses owned by the Plaintiffs.

75. Defendant, VAN ERP, knew of the business relationships between businesses owned by Plaintiffs and third parties.

76. Defendant, VAN ERP, maliciously provided false and malicious information about RUGGERO and in turn published this information on internationally and nationally viewable websites, with the intent to interfere with known business relationships of Plaintiffs and third parties.

77. VAN ERP knowingly and intentionally decided, endeavored and sought to engage in acts which caused irreparable damage to the established business relationships of the Plaintiffs and third parties.

78. The conduct of VAN ERP in interfering with the Plaintiffs' economic relationships, was intentional, willful, and calculated to cause damage to the Plaintiffs business relationships, including third parties, and ability to earn income.

79. The improper conduct of VAN ERP was committed with actual malice and ill will towards the Plaintiffs, and with the intentional and improper purpose of causing irreparable damage.

80. As a direct and proximate result of VAN ERP's willful and improper conduct, the business relationships between the Plaintiffs and third parties, CARLA has suffered monetary damages.

81. There is no justification or privilege for VAN ERP's actions.

WHEREFORE, CARLA SANTILLI respectfully demands judgement against VAN ERP for damages, interest, costs, a trial by jury on all issues to triable, and such other relief as this Court deems proper.

COUNT VIII –TORTIOUS INTERFERENCE
(ISRAEL against CARLA SANTILLI)

82. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

83. As described above, CARLA has business relationships through businesses owned by the Plaintiffs.

84. Defendant, ISRAEL, knew of the business relationships between businesses owned by Plaintiffs and third parties.

85. Defendant, ISRAEL, maliciously provided false and malicious information about RUGGERO and in turn published this information on internationally and nationally viewable websites, with the intent to interfere with known business relationships of Plaintiffs and third parties.

86. ISRAEL knowingly and intentionally decided, endeavored and sought to engage in acts which caused irreparable damage to the established business relationships of the Plaintiffs and third parties.

87. The conduct of ISRAEL in interfering with the Plaintiffs' economic relationships, was intentional, willful, and calculated to cause damage to the Plaintiffs business relationships, including third parties, and ability to earn income.

88. The improper conduct of ISRAEL was committed with actual malice and ill will towards the Plaintiffs, and with the intentional and improper purpose of causing irreparable damage.

89. As a direct and proximate result of ISRAEL's willful and improper conduct, the business relationships between the Plaintiffs and third parties, CARLA has suffered monetary damages.

90. There is no justification or privilege for ISRAEL's actions.

WHEREFORE, CARLA SANTILLI respectfully demands judgement against ISRAEL for damages, interest, costs, a trial by jury on all issues to triable, and such other relief as this Court deems proper.

COUNT IX –TORTIOUS INTERFERENCE
(HOSTING2GO against CARLA SANTILLI)

91. Plaintiffs adopts and incorporates herein by reference paragraphs 1 through 24.

92. As described above, CARLA has business relationships through businesses owned by the Plaintiffs.

93. Defendant, HOSTING2GO, knew of the business relationships between businesses owned by Plaintiffs and third parties.

94. Defendant, HOSTING2GO, maliciously provided false and malicious information about RUGGERO and in turn published this information on internationally and nationally viewable websites, with the intent to interfere with known business relationships of Plaintiffs and third parties.

95. HOSTING2GO knowingly and intentionally decided, endeavored and sought to engage in acts which caused irreparable damage to the established business relationships of the Plaintiffs and third parties.

96. The conduct of HOSTING2GO in interfering with the Plaintiffs' economic relationships, was intentional, willful, and calculated to cause damage to the Plaintiffs business relationships, including third parties, and ability to earn income.

97. The improper conduct of HOSTING2GO was committed with actual malice and ill will towards the Plaintiffs, and with the intentional and improper purpose of causing irreparable damage.

98. As a direct and proximate result of HOSTING2GO's willful and improper conduct, the business relationships between the Plaintiffs and third parties, CARLA has suffered monetary damages.

99. There is no justification or privilege for HOSTING2GO's actions.

WHEREFORE, CARLA SANTILLI respectfully demands judgement against HOSTING2GO for damages, interest, costs, a trial by jury on all issues to triable, and such other relief as this Court deems proper.

DEMAND FOR JURY TRIAL

Plaintiffs demand trial by jury of all issues so triable as a matter of right.

DATED this 28th day of September, 2017

/s/ Joseph E. Parrish
JOSEPH E. PARRISH
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Court's CM/ECF filing Portal to counsel for Defendant Van Erp and Frank Isreal: James J. McGuire, Esquire and James B. Lake, Esquire, Thomas & Locciero, PL, 601 South Boulevard, Tampa, Florida 33606 at jmcguire@tlolawfirm.com, jlake@tlolawfirm.com on this 28th day of September, 2017.

/s/ Joseph E. Parrish
Attorney