

STEVEN PORTER and RITA PORTER,	)	IN THE COURT OF COMMON
PLEAS	)	
Husband and Wife,	)	OF ERIE COUNTY,
PENNSYLVANA	)	
Plaintiffs	)	
	)	Trial Division
v.	)	Civil Action No. 14324 of 2006
	)	
PHILIP S. ENGLISH and	)	
PEOPLE FOR ENGLISH,	)	
Defendants	)	TRIAL BY JURY OF TWELVE
(12)	)	
	)	JURORS DEMANDED

**COMPLAINT**

AND NOW, the Plaintiffs, by and through their attorney, Alan Natalie, Esquire, file this Complaint against Defendants, respectfully representing as follows;

1. Plaintiffs, Steven Porter and Rita Porter, husband and wife, are adult individuals and residents of Erie County, Commonwealth of Pennsylvania.
2. Defendant, Philip S. English, is an adult individual and resident of Erie County, Commonwealth of Pennsylvania.
3. Defendant, People for English, is a Political Committee, with its registered address and principal office located in Erie County, Commonwealth of Pennsylvania.
4. At all times relevant to this action, People for English acted as the authorized agent, servant, employee and representative of Philip S. English in all matters relevant to his 2004 and 2006 political campaigns for retention of his seat in the

- U.S. House of Representatives, including, but not limited to, political advertising and communications.
5. In 2004 and 2006, Steven Porter was the challenger to Philip S. English for the said seat in the U.S. House of Representatives.
  6. The subject U.S. House of Representatives seat represents the northwestern region of the Commonwealth of Pennsylvania.
  7. In 1991, Steven Porter authored and caused to be published a book entitled, "The Ethics of a Democracy."
  8. Steven Porter's book, as a philosophical treatise, posits a selected "moral standard" against which to evaluate ethical decisions in a democracy. No portion of Steven Porter's book attributes to him personally the positions on issues discussed, the fact of which was known to Defendants at all times relevant to this action.
  9. Steven Porter's book was published for use in university level political science classes to promote discussion of public policy and ethics, the fact of which was known to Defendants at all times relevant to this action.
  10. Beginning in 2004, and continuing through the Fall, 2006, election, Philip S. English, individually and by and through, and in complicity with People for English, published in the electronic, print, direct mail and internet media, with publication directed but not limited to northwestern Pennsylvania, various false and defamatory statements attributing to Steven Porter, personally, the following views [attached hereto collectively as Exhibit "A" and made a part hereof is a true and correct copy of leaflet in which are contained samples of Defendants'

communications, discovered by Steven Porter in April, 2006; attached hereto as Exhibit “B” is a true and correct copy of the transcript of an internet interview Philip S. English provided the internet site “politicspa.com” for continued internet publication through the Fall of 2006; attached hereto collectively as Exhibit “C” are the pages of Steven Porter’s book quoted by Defendants in the following representations]:

- a. That Steven Porter “argues the case for government sterilization, on a voluntary basis, of some mental patients, welfare recipients, alcoholics, and parents of diseased or deformed children”;
- b. That for Steven Porter, “the atonement for mistakes could be sterilization – no more children, even if you turn your life around”;
- c. [While depicting a young child’s image] That “Mommy says I’m her little angel and that I helped her fix her life. If it were up to Steven Porter, I wouldn’t be here. Then who would be mommy’s angel?”
- d. That “Steven Porter’s solution for life’s problems: take away your God-given right to have children by sterilizing you”, quoting *selectively* from pages 65-67 of Steven Porter’s book;
- e. That Steven Porter considers illegal drug use an “inalienable right”, quoting *selectively* from page 39 of Steven Porter’s book;
- f. That for Steven Porter, “hunting is unethical ... instead of hunting, ‘deer would live and die according to a more natural plan.’”, quoting *selectively* from page 55 of Steven Porter’s book;

- g. That for Steven Porter, “prostitution and drug use are morally acceptable, and sterilization is the answer to poverty and alcohol abuse”;
- h. That for Steven Porter, “prostitution ... is an act involving willing participants, and if entered into by consenting adults constitutes an ethical act...”, quoting *selectively* from page 41 of Steven Porter’s book;
- i. That Steven Porter “passionately embraces eclectic positions on a number of strange topics: legalized prostitution, the ethics of deer hunting and restricting the suffrage of individuals who do not have a high school degree. From my part, I find it a little hard to listen to a lecture on ‘reproductive freedom’ from a guy who wants to sterilize individuals suffering from alcoholism. For the record, I find the sterilization of American citizens by the government an appalling throw back to an earlier time, completely inconsistent with contemporary concepts.”
- j. [Through a recorded telephone message published in late October and/or early November, 2006] That “liberal Steven Porter is pro-choice and in fact Steve Porter has written about sterilizing welfare recipients, alcoholics, diseased and deformed children and some mental patients”;
- k. [Through a television advertisement published in the Fall of 2006] That Steven Porter lost prior elections in New York because he

“discussed the merits of legalizing prostitution”, that he “proposed making drugs available to addicts”, and that he “wrote about legalizing drugs and distributing narcotics to addicts” further paraphrasing *erroneously* Steven Porter’s book, generally, and, in particular, paraphrasing *selectively* and *erroneously* page 41 of Steven Porter’s book.

11. Defendants’ statements, representations, publications, advertisements and quotations cited in paragraph 10 are false.
12. Defendants knew at the time of their creation and publication that the statements, representations, publications, advertisements and quotations cited in paragraph 10 were false.
13. In addition and/or in the alternative, at the time of their creation and publication, Defendants recklessly disregarded the falsity of the statements, representations, publications, advertisements and quotations cited in paragraph 10.
14. Defendants published the later statements cited in paragraph 10 with the intent to build upon, reinforce and/or republish without correction or interruption the statements published earlier, so as to attribute all such references to Steven Porter, personally.
15. At the time of Defendants’ creation and publication of the statements, representations, publications, advertisements and quotations cited in paragraph 10, Defendants knew and intended for the statements to be republished in the public media and/or news reports.

16. From 2004 through 2006, Steven Porter, individually and through his authorized campaign communications, repeatedly communicated to Defendants and their managerial agents, prior to Defendants' repeated publication of the subject statements, that the statements were false and the attribution to Steven Porter, personally, of selected text from Steven Porter's book was false.
17. Defendants' creation and publication of the statements, representations, publications, advertisements and quotations cited in paragraph 10 were willful, wanton, outrageous, made with actual malice, and deliberately and/or recklessly indifferent to Steven Porter's rights and interests.

**COUNT ONE – CIVIL CONSPIRACY**  
***Steven Porter v. Philip S. English***

18. To the extent applicable, the allegations of paragraphs 1 through 17 are incorporated herein by reference as if more fully set forth.
19. Philip S. English expressly and/or implicitly conspired with People for English to create and publish the false statements, representations, publications, advertisements and quotations cited in paragraph 10 when Philip S. English knew the statements were false or demonstrated and possessed reckless disregard to the falsity of the statements.
20. Philip S. English, individually and/or by virtue of his complicity with his co-conspirator, People for English, furthered the conspiracy by creating and/or publishing the false statements, representations, publications, advertisements and quotations cited in paragraph 10.

21. Philip S. English's conduct in engaging and furthering this civil conspiracy was willful, wanton, reckless, with actual malice and/or deliberately and/or recklessly indifferent to the rights and interests of Steven Porter.
22. As a direct result of this civil conspiracy, Steven Porter sustained the following injuries and damages:
  - a. injury to his reputation in the community, exposing him to public hatred and contempt;
  - b. past, present and future mental pain and suffering;
  - c. past, present and future embarrassment and humiliation;
  - d. past, present and future loss of the enjoyment of life's pleasures; and
  - e. past, present and future loss of earnings and/or earning capacity.

WHEREFORE, Plaintiff, Steven Porter, demands judgment against Defendants for compensatory damages in amount in excess of the compulsory arbitration limit of Erie County, punitive damages, interest and costs of this action.

**COUNT TWO – DEFAMATION**  
***Steven Porter v. Philip S. English***

23. To the extent applicable, the allegations of paragraphs 1 through 22 are incorporated herein by reference as if more fully set forth.
24. Philip S. English, individually and/or by and through his authorized agent, servant, employee and/or representative, People for English, created and/or published the false statements, representations, publications, advertisements and quotations cited in paragraph 10.

25. Philip S. English's statements, representations, publications, advertisements and quotations cited in paragraph 10 are false.
26. Philip S. English knew at the time of their creation and publication that the statements, representations, publications, advertisements and quotations cited in paragraph 10 were false.
27. In addition and/or in the alternative, at the time of their creation and publication, Philip S. English recklessly disregarded the falsity of the statements, representations, publications, advertisements and quotations cited in paragraph 10.
28. Philip S. English published the later statements cited in paragraph 10 with the intent to build upon, reinforce and/or republish without correction or interruption the statements published earlier, so as to attribute all such references to Steven Porter, personally.
29. At the time of Philip S. English's creation and publication of the statements, representations, publications, advertisements and quotations cited in paragraph 10, Philip S. English knew and intended for the statements to be republished in the public media and/or news reports.
30. Philip S. English's creation and publication of the statements, representations, publications, advertisements and quotations cited in paragraph 10 were willful, wanton, outrageous, made with actual malice, and deliberately and/or recklessly indifferent to Steven Porter's rights.
31. As a direct and proximate result of these false statements, Steven Porter suffered the following injuries and damages:

- a. injury to his reputation in the community, exposing him to public hatred and contempt;
- b. past, present and future mental pain and suffering;
- c. past, present and future embarrassment and humiliation;
- d. past, present and future loss of the enjoyment of life's pleasures; and
- e. past, present and future loss of earnings and/or earning capacity.

WHEREFORE, Plaintiff, Steven Porter, demands judgment against Defendants for compensatory damages in amount in excess of the compulsory arbitration limit of Erie County, punitive damages, interest and costs of this action.

**COUNT THREE – CIVIL CONSPIRACY**  
***Steven Porter v. People For English***

32. To the extent applicable, the allegations of paragraphs 1 through 31 are incorporated herein by reference as if more fully set forth.
33. At all times relevant to this action, People for English acted through its authorized managerial agents, servants and/or employees.
34. People for English expressly and/or implicitly conspired with Philip S. English to create and publish the false statements, representations, publications, advertisements and quotations cited in paragraph 10 when People for English knew the statements were false or with reckless disregard to the falsity of the statements.
35. People for English, individually and/or by virtue of its complicity with its co-conspirator, Philip S. English, furthered the conspiracy by creating and/or

- publishing the false statements, representations, publications, advertisements and quotations cited in paragraph 10.
36. People for English's conduct in engaging and furthering this civil conspiracy was willful, wanton, reckless and/or deliberately or recklessly indifferent to the rights and interests of Steven Porter.
37. As a direct result of this civil conspiracy, Steven Porter sustained the following injuries and damages:
- a. injury to his reputation in the community, exposing him to public hatred and contempt;
  - b. past, present and future mental pain and suffering;
  - c. past, present and future embarrassment and humiliation;
  - d. past, present and future loss of the enjoyment of life's pleasures; and
  - e. past, present and future loss of earnings and/or earning capacity.

WHEREFORE, Plaintiff, Steven Porter, demands judgment against Defendants for compensatory damages in amount in excess of the compulsory arbitration limit of Erie County, punitive damages, interest and costs of this action.

**COUNT FOUR – DEFAMATION**  
***Steven Porter v. People For English***

38. To the extent applicable, the allegations of paragraphs 1 through 37 are incorporated herein by reference as if more fully set forth.
39. At all times relevant to this action, People for English acted through its authorized managerial agents, servants and/or employees.

40. People for English created and/or published the false statements, representations, publications, advertisements and quotations cited in paragraph 10.
41. People for English's statements, representations, publications, advertisements and quotations cited in paragraph 10 are false.
42. People for English knew at the time of their creation and publication that the statements, representations, publications, advertisements and quotations cited in paragraph 10 were false.
43. In addition and/or in the alternative, at the time of their creation and publication, People for English recklessly disregarded the falsity of the statements, representations, publications, advertisements and quotations cited in paragraph 10.
44. People for English published the later statements cited in paragraph 10 with the intent to build upon, reinforce and/or republish without correction or interruption the statements published earlier, so as to attribute all such references to Steven Porter, personally.
45. At the time of People for English's creation and publication of the statements, representations, publications, advertisements and quotations cited in paragraph 10, People for English knew and intended for the statements to be republished in the public media and/or news reports.
46. People for English's creation and publication of the statements, representations, publications, advertisements and quotations cited in paragraph 10 were willful, wanton, outrageous, made with actual malice, and deliberately and/or recklessly indifferent to Steven Porter's rights.

47. As a direct and proximate result of these false statements, Steven Porter suffered the following injuries and damages:

- a. injury to his reputation in the community, exposing him to public hatred and contempt;
- b. past, present and future mental pain and suffering;
- c. past, present and future embarrassment and humiliation;
- d. past, present and future loss of the enjoyment of life's pleasures; and
- e. past, present and future loss of earnings and/or earning capacity.

WHEREFORE, Plaintiff, Steven Porter, demands judgment against Defendants for compensatory damages in amount in excess of the compulsory arbitration limit of Erie County, punitive damages, interest and costs of this action.

**COUNT FIVE – LOSS OF CONSORTIUM**  
***Rita Porter v. Defendants***

48. To the extent applicable, the allegations of paragraphs 1 through 47 are incorporated herein by reference as if more fully set forth.

49. As a direct and proximate result of the injurious, tortious, conspiring and defamatory conduct of the Defendants, as set forth in Counts One through Four of this Complaint, and the resulting damages sustained by Steven Porter, more specifically set forth in said Counts, Rita Porter has sustained the past, present and future loss of the comfort, society, support, companionship, solace, relations and consortium of her husband, Steven Porter.

WHEREFORE, Plaintiff, Rita Porter, demands judgment against Defendants for compensatory damages in amount in excess of the compulsory arbitration limit of Erie County, punitive damages, interest and costs of this action.

Respectfully  
submitted

By,

\_\_\_\_\_  
Alan Natalie,  
Esquire  
Attorney for Plaintiffs  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served upon all parties and/or their counsel of record by United States first-class mail, postage prepaid, or by hand delivery this 2<sup>nd</sup> day of February, 2007.

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Alan Natalie, Esquire