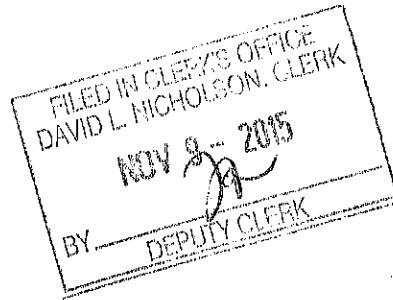


NO. 15-CI-005391

JEFFERSON CIRCUIT COURT  
DIVISION THREE (3)  
HON. MITCH PERRY

KYLE HORNBACK  
JAMIE SMITH  
DILLION HORNBACK  
REBECCA SOMMER  
JEMIAH NASH  
MARQUEASE RICHARDSON  
PRECIOUS BURNLEY  
SHINITA MARTIN  
DOLLY BOLDEN



PLAINTIFFS

VS.

KATINA POWELL  
832 S. Shelby St  
Louisville, KY 40203-2570

DEFENDANTS

AND

IBJ BOOK PUBLISHING, LLC.

Serve: Michael S Maurer  
Registered Agent  
11550 N Meridian St Suite 115  
Carmel, IN 46032

And

DICK CADY

### FIRST AMENDED COMPLAINT

Come the Plaintiffs, KYLE HORNBACK, JAMIE SMITH, DILLION HORNBACK, REBECCA SOMMER, MARQUEASE RICHARDSON, PRECIOUS BURNLEY, JEMIAH NASH, SHINITA MARTIN, and DOLLY BOLDEN, by counsel, and for their complaint against Defendants, KATINA POWELL, IBJ BOOK PUBLISHING, LLC, (hereafter referred to as (IBJ), and DICK CADY hereby state as follows.

1. Plaintiff, KYLE HORNBACK, is now and has been at all pertinent times a resident of

Louisville, Jefferson County, Kentucky. Plaintiff, KYLE HORNBACK, is a student and attends the University of Louisville in Jefferson County, Kentucky. Plaintiff sues on behalf of herself and others similarly situated.

2. Plaintiff, JAMIE SMITH, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky. Plaintiff, JAMIE SMITH, is a student and attends the University of Louisville in Jefferson County, Kentucky. Plaintiff sues on behalf of herself and others similarly situated.

3. Plaintiff, DILLION HORNBACK, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky. Plaintiff, DILLION HORNBACK, is a student and attends the University of Louisville in Jefferson County, Kentucky. Plaintiff sues on behalf of herself and others similarly situated.

4. Plaintiff, REBECCA SOMMER, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky. Plaintiff, REBECCA SOMMER, is a student and attends the University of Louisville in Jefferson County, Kentucky. Plaintiff sues on behalf of herself and others similarly situated.

5. Plaintiff, MARQUEASE RICHARDSON, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

6. Plaintiff, PRECIOUS BURNLEY, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

7. Plaintiff, JEMIAH NASH, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

8. Plaintiff, MARQUEASE RICHARDSON, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

9. Plaintiff, SHINITA MARTIN, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

10. Plaintiff, DOLLY BOLDEN, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

11. Defendant, Katina Powell, is now and has been at all pertinent times a resident of Louisville, Jefferson County, Kentucky.

12. Defendant, IBJ Book Publishing, LLC, is an Indiana limited liability company that is engaged in the business of book publishing. It published the book written by Katina Powell. This court has personal jurisdiction over this defendant pursuant to KRS 454.210, the long-arm jurisdiction of this court on the grounds, that said Defendant is transacting business in Kentucky and has contracted to provide goods and services in Kentucky, and otherwise has substantial contacts with the State and forum, and is properly brought before the Jefferson Circuit Court.

13. Defendant, DICK CADY, is, by information and belief, an Indianapolis, Marion County, Indiana resident that was the co-author of the book "Breaking Cardinal Rules". This court has personal jurisdiction over this Defendant pursuant to KRS 454.210, the long-arm jurisdiction of this court on the grounds that said Defendant is transacting business in Kentucky and has contracted to provide goods and services in Kentucky.

#### STATEMENT OF FACTS

14. During the period from 2010 to 2014, Defendant, Katina Powell, claims that she and her daughters engaged in and/or agreed to and/or offered to engage in sexual conduct with another person in return for a fee. Defendant Powell has also represented that she and her daughters were involved in promoting prostitution by providing prostitutes. She claimed her activities involved advancing prostitution when she acted, knowingly caused, or aided a person to engage

in prostitution, procured or solicited patrons for prostitution, provided persons, operated or assisted in the operation of a house of prostitution or a prostitution enterprise, and/or engaged in any conduct designed to institute, aid or facilitate an act or enterprise of prostitution. Defendant Powell intentionally directed her illegal activities, if true, towards prospective and current students of the University of Louisville. She claims in the book "Breaking Cardinal Rules", in numerous media interviews, and during appearances on various talk shows that she was engaged in prostitution, promoted prostitution, and advanced prostitution for profit. Prostitution, promotion of prostitution, and advancing prostitution in Kentucky are a violation of Kentucky Revised Statutes Chapter 529.

15. Defendant Powell wrote a book called "Breaking Cardinal Rules" in which she described her illegal activities of providing prostitutes and sexual services to students and prospective students on the University of Louisville campus, in exchange for a total of \$10,000 dollars.

16. Defendants IBJ and Dick Cady helped to write, co-author, and publish the book detailing Defendant Powell's illegal activities. From 2010-2014, Powell claims to have been paid to facilitate sexual encounters between prostitutes that worked for her escort service and students enrolled at the university as well as prospective students on recruiting visits. Defendant, Katina Powell, also during interviews on national television, told her story, promoted her book that Defendant IBJ published, and admitted that she facilitated the sexual acts and wrote the book in order to profit from them. She also claimed, "I couldn't make this up if I wanted to, I have no reason, or have the need, to lie on anyone. Everything I'm saying is 100 percent the truth." She also acknowledged her goal to was to make money. Defendants Powell, IBJ, and Cady knew or should have known that their alleged sensational sex scandal would cause tremendous damage to the reputation of the University of Louisville and the contract the University of Louisville had

with students.

17. In the book, during interviews with the media, and appearances on various talk shows, Defendants Powell, IBJ, and Cady mention Jemiah Nash, Marquease Richardson, Precious Burnley, Shinita Martin, and Dolly Bolden by their name, stage name, and/or alias. Furthermore, Defendant Powell, IBJ, and Dick Cady use their photo of, image, and/or likeness without permission or consent. In the book, during interviews with the media, and appearances on various talk shows Defendants impute and accuse these women of engaged in prostitution with recruits and students of the University of Louisville. These allegations are absolutely false. These Plaintiffs never gave any consent or permission to use their name, stage name, alias, photo, image, and/or likeness for this false, outrageous, horrendous, atrocious and heinous sex scandal.

18. Defendants Powell, IBJ, and Cady have engaged in a fraudulent and deceitful scam. Defendants IBJ and Cady failed to perform or engage in any due diligence to determine whether Powell's allegations were true or false. The allegations that Plaintiffs Nash, Richardson, Burnley, Martin, and Bolden participated in, engaged in, promoted, advanced, or profited in any criminal act of prostitution are false. The publication of the false allegations set off a fire storm of damage to the reputation of the University of Louisville, the student body of the University of Louisville, and the named Plaintiffs. Defendants Powell, IBJ, and Cady intentionally and/or negligently caused severe emotional distress. Their conduct was outrageous and intolerable and offends generally accepted standards of decency and morality. Defendants not only caused damage to the reputation and esteem of Plaintiffs locally, nationally and internationally, but subjected Plaintiffs to ridicule. The false allegations caused investigations by the NCAA, the University of Louisville, the Jefferson County Commonwealth Attorney, and various police

departments. Defendants Powell, IBJ, and Cady used Plaintiffs' name, stage name, alias, photo, image and/or likeness for a commercial benefit and purpose without consent in violation of KRS 391.170 which states, to wit:

(1) The General Assembly recognizes that a person has property rights in his name and likeness which are entitled to protection from commercial exploitation. The General Assembly further recognizes that although the traditional right of privacy terminates upon death of the person asserting it, the right of publicity, which is a right of protection from appropriation of some element of an individual's personality for commercial exploitation, does not terminate upon death.

(2) The name or likeness of a person who is a public figure shall not be used for commercial profit for a period of fifty (50) years from the date of his death without the written consent of the executor or administrator of his estate.

By publishing the book, making the statements during interviews to the media, and statements during appearances on various talk shows, Defendants knew these false allegations would be republished and read by the general public locally, nationally, and internationally. The statements were in fact republished and read by members of the general public locally, nationally, and internationally. The harm, loss, and damage to the Plaintiffs, including the University of Louisville student body, was a direct, natural, probable, and foreseeable consequence of the publications and the nature of the allegations constitutes defamation per se.

19. The aforementioned statements are false and were false when made. Defendants Powell, IBJ, and Cady knew or should have known the statements were false when made. The statements were made with reckless disregard for the truth or falsity or with knowledge of their falsity and with wanton and willful disregard of the reputation and rights of the Plaintiffs.

20. Defendant Powell claims she and her daughters engaged in, promoted, advanced, and profited from prostitution. Pursuant to KRS 446.070, the Defendant's engagement, promotion, advancement and profiting from prostitution were violations of KRS 529.020 and 529.040.

21. Katina Powell, and her daughters violated KRS 529.020, by her own admission, when they engaged in sexual conduct with another person in return for a fee.

22. Katina Powell, and her daughters violated KRS 529.040, by their own admission, when they advanced and profited from prostitution, by providing two of her daughters, to perform sexual acts with University of Louisville students and recruits, in return for a fee.

23. Katina Powell's conduct was the sort that KRS 529.040 was intended to regulate.

24. The Plaintiffs Kyle Hornback, Jamie Smith, Rececca Sommer, and Dillion Hornback, are students currently enrolled at the University of Louisville. Katina Powell's criminal conduct targeted the University of Louisville's student body. Since Plaintiffs are students at the University of Louisville, they falls within the intended protected class KRS 529.020 and KRS 529.0404 were designed to protect.

25. Both KRS 529.020 and KRS 529.040 are penal in nature, intended to espouse the public policy against prostitution or the profiting from prostitution, and do not provide specific remedies for anyone damaged by the violations. In addition, Chapter 529 has a health provision intended to protect against the transmission of HIV. Katina Powell's violations of KRS 529.020 and KRS 529.040, puts the health of the entire student body at risk.

26. Kentucky law provides a civil remedy, KRS 446.070, for anyone who suffered damages from the violation of a Kentucky penal statute. The harm, loss, and damage to the Plaintiffs, including the University of Louisville student body, was a direct, natural, probable, and foreseeable consequence of the actions of Katina Powell.

27. As students at the University of Louisville, Plaintiffs Kyle Hornback, Jamie Smith, Rececca Sommer, and Dillion Hornback have contracts with the University of Louisville whereby for and in consideration of tuition, the University of Louisville will provide an

education necessary to obtain employment in the Plaintiff's competitive field of study, a degree in her field of study, and a degree that would allow Plaintiff to pay off any student loans.

28. As part of that contract, the University of Louisville has a code of conduct and for faculty, staff and administrators referred to as community members. The guiding principles of the code of conduct states that community members:

- a. Shall have honesty, respect, accountability, and leadership pride;
- b. Conduct in the affairs of University in compliance with applicable federal, state, and local laws as well as policies and procedures of University available;
- c. Act responsibly;
- d. Act ethically and with integrity;
- e. Act in conformance with the highest ethical and professional standards of conduct;
- f. Be personally accountable for individual action;
- g. Communicate standards of conduct through instruction and example;
- h. Manage responsibly;
- i. Only use University property for legitimate university purposes;
- j. To prevent and detect any compliance violation;
- k. To report suspected violations to supervision or the university officials; and
- l. To ensure that reports of violations within the area of responsibility or properly resolved, including disclosure to sponsors earlier state or federal authorities of appropriate;

29. Katina Powell caused intentional damage resulting in the University's breach of said contract specifically the University code of conduct therefore to the reputation of University of Louisville. That Powell's admitted conduct negatively impacts upon each contracting student's resume, negatively impacts job opportunities, negatively impacts potential financial gain of the students seeking a University of Louisville degree of higher education, and otherwise sullies and



impairs the degree which has been sought at great personal cost to each student Plaintiff. The negative impact by Katina Powell causing scandalous damage to the University of Louisville adversely affects every student's future and the marketability of obtained degrees. That the stain cast upon the University of Louisville and the degrees which it issues is permanently sullies its marketability. Surveys around the country show that where a college graduate received his degree is very important. For Example 46% of the business leaders rate the reputation of the school highly important or important. Studies show graduates from flagship public colleges earn greater than their peers who attended non-flagship colleges.

#### CLAIMS FOR RELIEF

30. This action is brought by Plaintiff for compensatory and punitive damages, injunctive relief, and restraining order relief. Plaintiffs' theories of recovery are violation of the Kentucky Revised Statute Chapter 529 and KRS 446.070, intentional interference with a contract, right of privacy, defamation, and outrage.

#### COUNT I PLAINTIFF KYLE HORNBACK KRS 446.070 and KRS 529 DEFENDANT KATINA POWELL

31. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

32. As a direct and proximate cause of Defendant Powell's violation of Chapter 529 and pursuant to KRS 446.070, Plaintiff to suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value her ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that

exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

33. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT II  
PLAINTIFF KYLE HORNBACK  
INTENTIONAL INTERFERENCE WITH A CONTRACT  
DEFENDANT KATINA POWELL

34. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

35. As a direct and proximate cause of Defendant Powell's tortious interference with the student's contract, Plaintiff Hornback has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value her ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

36. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT III  
PLAINTIFF KYLE HORNBACK  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
KATINA POWELL

37. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

38. As a direct and proximate cause of Defendant's violation of Plaintiff's outrageous conduct, Plaintiff Kyle Hornback has suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

39. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT IV  
PLAINTIFF JAMIE SMITH  
KRS 446.070 and KRS 529  
DEFENDANT KATINA POWELL

40. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

41. As a direct and proximate cause of Defendant Powell's violation of Chapter 529 and pursuant to KRS 446.070, Plaintiff Smith has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value her ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

42. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT V  
PLAINTIFF JAMIE SMITH  
INTENTIONAL INTERFERENCE WITH A CONTRACT  
DEFENDANT KATINA POWELL

43. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

44. As a direct and proximate cause of Defendant Powell's tortious interference with the student's contract, Plaintiff Smith has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value her ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

45. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT VI  
PLAINTIFF JAMIE SMITH  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
PLAINTIFF KATINA POWELL

46. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

47. As a direct and proximate cause of Defendant's outrageous conduct, Plaintiff Jamie Smith suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury

to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

48. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT VII  
PLAINTIFF DILLION HORNBACK  
KRS 446.070 and KRS 529  
DEFENDANT KATINA POWELL

49. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

50. As a direct and proximate cause of Defendant Powell's violation of Chapter 529 and pursuant to KRS 446.070, Plaintiff Dillion Hornback has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to his degree; diminished value his ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

51. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT VIII  
PLAINTIFF DILLON HORNBACK  
INTENTIONAL INTERFERENCE WITH A CONTRACT  
DEFENDANT KATINA POWELL

52. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

53. As a direct and proximate cause of Defendant Powell's tortious interference with the student's contract, Plaintiff Dillion Hornback has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value his ability to repay student loans; and diminished value in his ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

54. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT IX  
PLAINTIFF DILLON HORNBACK  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

55. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

56. As a direct and proximate cause of Defendant's outrageous conduct, Plaintiff Dillion Hornback has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value his ability to repay student loans; and diminished value in his ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

57. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT X  
PLAINTIFF REBECCA SOMMER  
KRS 446.070 and KRS 529  
DEFENDANT KATINA POWELL

58. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

59. As a direct and proximate cause of Defendant Powell's violation of Chapter 529 and pursuant to KRS 446.070, Plaintiff Sommer has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value her ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

60. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XI  
PLAINTIFF REBECCA SOMMER  
INTENTIONAL INTERFERENCE WITH A CONTRACT  
DEFENDANT KATINA POWELL

61. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

62. As a direct and proximate cause of Defendant Powell's tortious interference with the

student's contract, Plaintiff Sommer has suffered loss, harm, and damage including but not by way of limitation past, present, permanent, and future pain and suffering; suffered past, present, and future loss of income; and suffered stress, anxiety, mental and emotional distress, and depression; diminished value to her degree; diminished value her ability to repay student loans; and diminished value in her ability to find employment after graduation in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

63. Furthermore, the actions of Defendant Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XII  
PLAINTIFF REBECCA SOMMER  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

64. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

65. As a direct and proximate cause of Defendant's outrageous conduct, Plaintiff Sommer has suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

66. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XIII



PLAINTIFF JEMIAH NASH  
RIGHT OF PRIVACY  
DEFENDANT KATINA POWELL

67. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

68. As a direct and proximate cause of Defendant's violation of Plaintiff's right of privacy, Plaintiff Nash suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

69. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XIV  
PLAINTIFF JEMIAH NASH  
DEFAMATION  
DEFENDANT KATINA POWELL

70. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

71. As a direct and proximate cause of Defendant Powell's defamation per se, Plaintiff Nash suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

72. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XV  
PLAINTIFF JEMIAH NASH  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

73. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

74. As a direct and proximate cause of Defendant's violation of Plaintiff's outrageous conduct, Plaintiff Nash suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

75. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XVI  
PLAINTIFF MARQUEASE RICHARDSON  
RIGHT OF PRIVACY  
DEFENDANT KATINA POWELL

76. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

77. As a direct and proximate cause of Defendant's violation of Plaintiff's right of privacy, Plaintiff Richardson has suffered loss, harm, and damage, including but not by way of limitation,

past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

78. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XVII  
PLAINTIFF MARQUEASE RICHARDSON  
DEFAMATION  
DEFENDANT KATINA POWELL

79. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

80. As a direct and proximate cause of Defendant Powell's defamation per se, Plaintiff Richardson has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

81. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XVIII  
PLAINTIFF MARQUEASE RICHARDSON  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

82. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

83. As a direct and proximate cause of Defendant's violation of Plaintiff's outrageous conduct, Plaintiff Richardson has suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

84. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XIX  
PLAINTIFF PRECIOUS BURNLEY  
RIGHT OF PRIVACY  
DEFENDANT KATINA POWELL

85. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

86. As a direct and proximate cause of Defendant's violation of Plaintiff's right of privacy, Plaintiff Burnley has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

87. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that

exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XX  
PLAINTIFF PRECIOUS BURNLEY  
DEFAMATION  
DEFENDANT KATINA POWELL

88. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

89. As a direct and proximate cause of Defendant Powell's defamation per se, Plaintiff Burnley has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

90. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXI  
PLAINTIFF PRECIOUS BURNLEY  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

91. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

92. As a direct and proximate cause of Defendant's violation of Plaintiff's outrageous conduct, Plaintiff Burnley has suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and

depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

93. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXII  
PLAINTIFF SHINITA MARTIN  
RIGHT OF PRIVACY  
DEFENDANT KATINA POWELL

94. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

95. As a direct and proximate cause of Defendant's violation of Plaintiff's right of privacy, Plaintiff Martin has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

96. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXIII  
PLAINTIFF SHINITA MARTIN  
DEFAMATION  
DEFENDANT KATINA POWELL

97. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

98. As a direct and proximate cause of Defendant Powell's defamation per se, Plaintiff Martin has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

99. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXIV  
PLAINTIFF SHINITA MARTIN  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

100. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

101. As a direct and proximate cause of Defendant's violation of Plaintiff's outrageous conduct, Plaintiff Martin has suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

102. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXV  
PLAINTIFF DOLLY BOLDEN  
RIGHT OF PRIVACY  
DEFENDANT IBJ

103. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

104. As a direct and proximate cause of Defendant IBJ's violation of Plaintiff's right of privacy, Plaintiff Bolden has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

105. Furthermore, the actions of Defendant IBJ were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXVI  
PLAINTIFF DOLLY BOLDEN  
DEFAMATION  
DEFENDANT KATINA POWELL

106. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

107. As a direct and proximate cause of Defendant Powell's defamation per se, Plaintiff Bolden has suffered loss, harm, and damage, including but not by way of limitation, past, present and future pain and suffering; suffered past, present, and future loss of income; and suffered past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court,



the specific amount to be proven at trial.

108. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXVII  
PLAINTIFF DOLLY BOLDEN  
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS/OUTRAGE  
DEFENDANT KATINA POWELL

109. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

110. As a direct and proximate cause of Defendant's violation of Plaintiff's outrageous conduct, Plaintiff Bolden has suffered loss, harm, and damage to her detriment, including but not by way of limitation, past, present and future pain and suffering; past, present, and future loss of income; and past, present, and future stress, anxiety, mental and emotional distress, and depression; suffered injury to her reputation and esteem in the amount that exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

111. Furthermore, the actions of Defendant, Katina Powell were so oppressive, malicious, willful, wanton, and outrageous so as to warrant the award of punitive damages in an amount that exceeds the jurisdictional prerequisite of Circuit Court, the specific amount to be proven at trial.

COUNT XXVIII  
INJUNCTIVE RELIEF AND RESTRAINING ORDER

112. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

113. Plaintiffs respectfully requests this court enter injunctive relief directing the Defendants Powell, IBJ, and Cady to withdraw any and all sales of the book "Breaking Cardinal Rules" from

all sales venues. In addition, Plaintiffs respectfully request this court to restrain Defendants from using the name, stage name, alias, photo, image and/or likeness of Jemiah Nash, Marquease Richardson, Precious Burnley, Shinita Martin, and Dolly Bolden from any association of the alleged sex scandal with the University of Louisville. Request is hereby made for injunctive relief ordering the Defendants to stop expressly or by implication that Plaintiffs engaged in prostitution.

114. Furthermore, Plaintiffs respectfully request this court order all funds received and/or to be received from Katina Powell for any movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of such person's thoughts, feelings, opinions, or emotions regarding the sex scandal involving the University of Louisville to be ordered paid to the court receiver. One purpose of Chapter 529 of the, the Kentucky Prostitution statutes, is to prohibit a person from profiting from prostitution. In addition, KRS 346.165 states:

Every person contracting with any person or the representative or assignee of any person accused or convicted of a crime in this state, with respect to the reenactment of such crime, by way of a movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of such person's thoughts, feelings, opinions, or emotions regarding such crime, shall pay over to the board any moneys which would otherwise, by terms of such contract, be owing to the person so accused or convicted or his representatives.

COUNT XXIX  
CLASS ACTION

115. Plaintiff incorporates herein by reference the averments in the preceding paragraphs of this First Amended Complaint.

116. Plaintiffs Kyle Hornback, Jamie Smith, Dillion Hornback, and Rebecca Sommer bring this action on behalf of themselves and as representatives of a proposed Plaintiff class. The

proposed Plaintiff class that Plaintiffs seek to represent are students currently enrolled at the University of Louisville.

117. Plaintiffs seek to represent a class that is so numerous that joinder of all members is impractical. At this time the exact number of class members is unknown to Plaintiffs, and can only be ascertained through discovery. Plaintiffs are informed and believe, and on that basis alleged, that thousands of persons are members of the class.

118. There are questions of law or common-law to the class, the claims or defenses of the defendant herein are typical of the claims or defenses of the class, and the representative parties will fairly and adequately protect the interests of the class.

119. Prosecution of separate actions by or against individual members of the class will create a risk of inconsistent or varying adjudications with respect to individual members of the class which would establish incompatible standards of conduct for the party opposing the class.

120. Adjudication with respect to individual members of the class which would, as a practical matter, be dispositive of the interest of the other members not party to the adjudication or substantially impair their ability to protect their interest.

121. The Defendants who may oppose the class and acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole.

122. Questions of law or fact common to members of the class predominate over any questions affecting any other individual members, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy alleged.

123. In addition to the foregoing allegations regarding formation of the class, all counsel representing the class member here and have had extensive litigation experience. Nader George

Shunnarah has been a practicing attorney for 32 years and has engaged in complex litigation involving thousands of claimants. Currently, said counsel is currently involved in cases involving 340 home owner association members and another college student case involving thousands of prospective Plaintiffs. J. Andrew White is an attorney in practice for 32 years and has also been involved in complex litigation involving thousands of Plaintiffs.

WHEREFORE, Plaintiffs demand judgment as follows:

1. Judgment against the Defendants, jointly and severally, for compensatory damages in an amount which exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

2. Judgment against the Defendants, jointly and severally, for punitive damages in an amount which exceeds the jurisdictional amount of circuit court, the specific amount to be proven at trial.

3. For injunctive and restraining order relief;

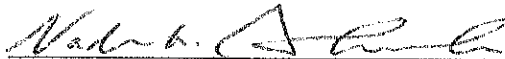
4. For a jury trial;

5. For Plaintiffs' costs herein expended;

6. For leave of Court to amend this First Amended Complaint to conform to the evidence;

7. For any and all other relief to which this Court may find Plaintiff entitled.

Respectfully submitted,



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