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3/20/07

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

ROSLYN J JOHNSON  
Vs.  
JONETTA R. BARRAS

C.A. No. 2007 CA 001600 B

**INITIAL ORDER**

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("SCR Civ") 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the Summons, the Complaint, and this Initial Order, and any General Order issued **by the judge** to whom the case is assigned. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in SCR Civ 4(m).

(3) Within 20 days of service as described above, except as otherwise noted in SCR Civ 12, each defendant must respond to the Complaint by filing an Answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in SCR Civ 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an Initial Scheduling and Settlement Conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients **prior** to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than six business days before the scheduling conference date. No other continuance of the conference will be granted except upon motion for good cause shown.

Chief Judge Rufus G. King, III

Case Assigned to: Judge GERALD I FISHER  
Date: March 1, 2007  
Initial Conference: 9:30 am, Friday, June 01, 2007  
Location: Courtroom 519  
500 Indiana Avenue N.W.  
WASHINGTON, DC 20001

CA Form 1

Superior Court of the District of Columbia

CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone: 879-1133

ROSLYN J. JOHNSON
10916 Trotting Ridge Way
Columbia, MD 21044

Plaintiff

0001600-07

Civil Action No. \_\_\_\_\_

vs.

JONETTA R. BARRAS, TALK MEDIA COMMUNICATIONS, LLC
DC WATCH, DOROTHY A. BRIZILL, GARY IMHOFF, and THE DISTRICT OF COLUMBIA

Defendant

SUMMONS

To the above named Defendant: Gary Imhoff

1327 Girard Street, N.W., Washington, DC 20009

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Room JM 170 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

David S. Coaxum, Esq.

Name of Plaintiff's Attorney

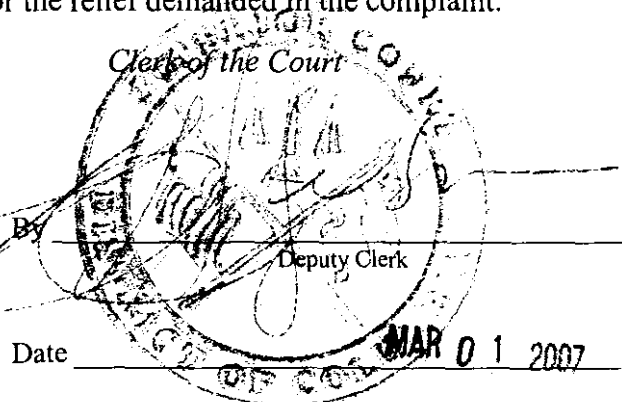
Joseph, Greenwald & Laake, P.A.

Address

6404 Ivy Ln., #400, Greenbelt, MD 20770

301-220-2200

Telephone



Date

MAR 01 2007

PUEDE OBTENERSE COPIAS DE ESTE FORMULARIO EN ESPANOL EN EL TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA, 500 INDIANA AVENUE, N.W., SALA JM 170

YOU MAY OBTAIN A COPY OF THIS FORM IN SPANISH AT THE SUPERIOR COURT OF D.C., 500 INDIANA AVENUE, N.W., ROOM JM 170



**GARY IMHOFF**  
1327 Girard Street, NW  
Washington, D.C. 20009

and

**THE DISTRICT OF COLUMBIA**

SERVE:  
Mayor Adrian M. Fenty  
Government of the District of Columbia  
441 4th Street, NW, Suite 1100S  
Washington, D.C. 20001

and

Corporation Counsel for the District of  
Columbia  
Government of the District of Columbia  
441 4th Street, NW Room 1060N  
Washington, D.C. 20001

Defendants.

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**COMPLAINT**

COMES NOW the Plaintiff, ROSLYN J. JOHNSON, by and through her attorneys,  
David S. Coaxum, Esquire and the law firm of Joseph, Greenwald & Laake, P.A., and Charles  
Walton, Esquire (D.C. Counsel), and herein files this civil suit against the above named  
Defendants, and for cause therefore states the following:

**PARTIES**

1. The Plaintiff, Roslyn J. Johnson (hereinafter referred to as "Ms. Johnson"), is a  
citizen of the United States and is an adult resident of Howard County, Maryland.

2. The Defendant, Jonetta Rose Barras (hereinafter referred to as "Ms. Barras"),  
is a citizen of the United States and an adult resident of the District of Columbia.

3. The Defendant, Talk Media Communications, LLC (hereinafter referred to as "TMC"), is a limited liability company with its principal place of business located in the District of Columbia.

4. The Defendant, Dorothy Brizill (hereinafter referred to as "Ms. Brizill"), is an adult resident of the District of Columbia. Ms. Brizill is the Executive Director of DCWatch, a government watchdog organization in the District.

5. The Defendant, Gary Imhoff (hereinafter referred to as "Mr. Imhoff"), is an adult resident of the District of Columbia. Mr. Imhoff is the Vice President and Webmaster of DC Watch, and upon information and belief, is the joint proprietor of the DC Watch publication with Ms. Brizill.

6. The Defendant, DC Watch, is an organization formed and operating in the District of Columbia as a government watchdog group, which publishes articles via its website at [www.dccwatch.com](http://www.dccwatch.com).

#### **JURISDICTION and VENUE**

7. Jurisdiction is proper pursuant to D.C. Code §11-921 et al., §13-422 et al., and D.C. Code §13-423 et al. (2006 Ed.).

8. Venue is proper in the District of Columbia, it being the jurisdiction where the cause of action arose, and where all Defendants are found and/or do business.

#### **FACTS**

9. Ms. Johnson earned her B.S. in Elementary Education at the University of Maryland College Park in December, 1995. Prior to her employment with the District of Columbia Department of Recreation and Parks, Ms. Johnson was, *inter alia*, a Teacher at Deep Run Elementary, an Associate Director of the Baltimore City Department of Parks and

16. The revised and updated 2<sup>nd</sup> Resume, which was updated one day after having sent the 1<sup>st</sup> Resume, was provided to Ms. Anita Bonner, who at the time was employed with DCOP as the Deputy Director.

17. Ms. Bonner acknowledged receipt of the revised and updated 2<sup>nd</sup> Resume from Ms. Johnson, but failed to update Ms. Johnson's personnel file with the updated copy of the 2<sup>nd</sup> Resume.

18. At all times herein, the acts and omissions by all persons employed by HR, DPR, and DCOP were done in the scope of their employment.

19. On or about July 19, 2005, Ms. Johnson received a verbal offer of employment from Vanessa Glaspie, on behalf of DCOP.

20. On August 22, 2005, Ms. Johnson was hired by DCOP to hold a temporary appointment pending the establishment of a registered (TAPER) position as Deputy Director of Programs.

21. On September 9, 2005, a vacancy listing was posted for the position of Deputy Director of Programs on DCOP's website.

22. The posting for the open position was reserved for DPR agency employees only.

23. On September 16, 2005, Ms. Johnson submitted application materials in response to this posting. This was the third resume. On September 23, 2005, after a review of her application materials, Ms. Johnson was hired to fill the position of Deputy Director of Programs.

24. On October 3, 2005, Ms. Johnson's position was officially changed from the temporary appointment to a permanent position as Deputy Director of Programs for DCOP.

25. On April 28, 2006, Jonetta Rose Barras (hereinafter referred to as "Ms. Barras") called and attempted to interview Ms. Brenda Walker (at the time the Deputy Mayor for Children, Youth, Families and Elders), Ms. Regina Williams (at the time the Public Information Manager for DPR), and Ms. Portia Harris (at the time the Associate Director of Recreation and Parks in Baltimore).

26. Ms. Barras, at the time and in her communication to one or all of the individuals noted in the above paragraph, represented herself as a reporter for the publication known as *The Examiner*.

27. On or about April 24, 2006, Ms. Johnson received a call while at work from Ms. Barras, who requested an interview via telephone with Ms. Johnson.

28. Ms. Johnson agreed to be interviewed, and in fact engaged Ms. Barras in a discussion regarding an article Ms. Barras said she was writing for *The Examiner* regarding DPR.

29. Ms. Johnson talked to Ms. Barras on the speaker phone in the presence of Regina Williams, the Manager of Communications for DPR.

30. At some time between Ms. Johnson's commencement of employment and the publication of the first article by Ms. Barras, Ms. Barras received, without proper authority and justification of the D.C. Freedom of Information Act, personal and confidential information about Ms. Johnson, from which she used as part of her basis for printing the defamatory articles.

31. Ms. Johnson made attempts to clarify the inaccuracies, factual errors, and misinformation in Ms. Barras' record during the first interview before Ms. Barras attempted to publish any information or articles.

32. During the second discussion, Ms. Barras was hostile, yelled at Ms. Johnson, and ultimately hung up on Ms. Johnson without allowing Ms. Johnson to fully respond to the questions, innuendo, and incorrect conclusions of drawn by Ms. Barras. This was a three-way call with Regina Williams, the Communications Manager for Parks and Recreation, on the line.

33. On or about May, 2006, through August, 2006, Jonetta Rose Barras willfully and intentionally engaged in an intentional, malicious campaign to publicly ridicule and defame Ms. Johnson.

34. Even after being told that her interpretation of Ms. Johnson's personal information was inaccurate, and after being advised that Ms. Johnson was hired through the proper process of employment at DPR's HR department and DCOP, Ms. Barras proceeded to publish successive articles containing further defamatory information about Ms. Johnson.

35. Upon information and belief, Ms. Barras obtained the confidential information regarding Ms. Johnson from representatives of DCOP.

36. Upon information and belief, Ms. Barras wrote approximately six (6) articles about DCOP and its hiring practices, and in the process proceeded to include deceitful and incorrect information with the intent to smear and discredit Ms. Johnson's good character and name.

37. Ms. Barras repeatedly made allegations regarding Ms. Johnson's fitness and qualifications for the position of Deputy Director and further wrote articles containing information of false truths about Ms. Johnson.



38. The defamatory articles and comments were written, orally stated, and publicly disseminated on Ms. Barras' weblog (found at www.jrbarras.com), on the DC Watch website, and on the Kojo Nnamdi radio show during the period in question.

39. Consequently, due to the nature of the allegations made against Ms. Johnson by Ms. Barras, on October 13, 2006, the District terminated Ms. Johnson's employment.

40. Ms. Johnson has steadily made best efforts to look for work after having been terminated.

41. The defamatory articles and statements have made it virtually impossible for Ms. Johnson to continue to work in her area of expertise in the Washington D.C./Maryland metropolitan area, which has been her home and area of employment all of her career.

42. Ms. Johnson has had to uproot herself to seek employment in other States in an attempt to avert the negative and damaging affect of Ms. Barras' actions.

43. Ms. Johnson has suffered extreme humiliation, prejudice, and embarrassment because of the allegations made by Ms. Barras and the public dissemination through print and radio media.

### COUNT I

(Defamation – Defendant Ms. Barras)

44. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

45. On May 5, 2006, Defendant Ms. Barras appeared on the Kojo Nnamdi radio show, and stated that she had obtained information regarding Ms. Johnson's position with the Department of Parks and Recreation.

**Joseph  
Greenwald  
& Laake**

Joseph, Greenwald & Laake, P.A.  
104 Ivy Lane • Suite 400  
Belt, Maryland 20770

Phone: (301) 220-2200 • Fax: 220-1214

46. Ms. Barras is a political analyst on the Kojo Nnamdi radio show, and has her own website, www.JRBarras.com where she publishes the Barras Report, a weblog that serves as a vehicle for Ms. Barras's commentary.

47. On the Kojo Nnamdi radio show, Ms. Barras stated:

I learnt that one person, Roselyn [sic] Johnson, who is the second in command, the Deputy Director at the Department, had actually inflated her resume, including how much she had earned on one job. All of these factors, you know when you inflate the history, your employment history, you inflate your -- your compensation history. These are factors that the Office of Personnel actually considers when it is determining whether you are qualified for a job.

...

[Agency Director Kimberly Flowers] indicated that perhaps I had the wrong resume in my hand, which was ludicrous because I had gotten the right resume from the Office of Personnel. Which is what -- the Office of Personnel used.

...

[Ms. Flowers] picked her friends and then she paid her friend the top salary. Although her friend, based on the resume that was submitted may not have actually deserved that salary.

....

Ms. Barras: It is a big deal because it was wrong. Because someone inflated their resume.

Mr. Nnamdi: Oh, you've got to stop right there.

Ms. Barras: Someone inflated their resume to get a job. It suggests that this person is not qualified for the job. So the process should start all over again.

The Kojo Nnamdi Show, *D.C. Politics Hour with Jonetta* (Transcript from American University radio broadcast on WAMU 88.5 FM, May 5, 2006).

48. As a direct and proximate result of the false and defamatory statements made by Ms. Barras, the character and reputation of Ms. Johnson were harmed, her standing and reputation in the professional and personal community were impaired, and she suffered, and continues to suffer mental anguish and personal humiliation.

**Joseph  
Greenwald  
& Laake**

Joseph Greenwald & Laake, P.A.  
104 Ivy Lane • Suite 400  
Baltimore, Maryland 21202

Phone: 410-220-2200 • Fax: 410-220-1214

49. As a direct and proximate result of the statements made by Ms. Barras, Ms. Johnson has lost her employment with the District, and has experienced extreme difficulty in finding replacement employment, and has been called to answer the unjustified statements made by Ms. Barras.

50. Ms. Johnson has in fact suffered a loss of prospective income, which she would have earned had not the defamatory statements been made.

51. WHEREFORE, the Plaintiff, Roslyn J. Johnson, demands judgment against the Defendants, Jonetta Rose Barras, in the amount of two-million dollars (\$2,000,000.00), plus interest and costs, and such other and further relief as the nature of this cause may require and which this Honorable Court deems just and proper.

## COUNT II

(Libel – Defendant Ms. Barras)

52. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

53. On or about May 2006 through October 2006, in an effort to subvert Ms. Johnson's professional efforts, and in an effort to intentionally embarrass, harm, and cause damage to Ms. Johnson's reputation, Ms. Barras wrote and published numerous articles alleging that Ms. Johnson lied on her resume, was not qualified for the position for which she was hired by HR and DCOP, and claiming that Ms. Johnson was not truthful in her representations to HR and DCOP regarding her qualifications.

54. These statements were defamatory in tending to injure Ms. Johnson in her profession and employment, and further, in impugning her to be a liar, dishonest, and to, in effect, have intentionally misled HR and DCOP to obtain her position of employment.

55. Ms. Barras knowingly made the aforementioned false and defamatory statements about Ms. Johnson and has adopted the statements as her own.

56. In the alternative, Ms. Barras negligently made the aforementioned false and defamatory statements about Ms. Johnson.

57. Ms. Barras published these false and defamatory articles as they related to Ms. Johnson for the entire readership of her weblog, and the readership of DCWatch, and for any and all persons accessing and surfing the internet for a search on Ms. Johnson.

58. A reasonable person, having read Ms. Barras' articles, would reasonably understand the articles to be defamatory in nature and that they injured plaintiff in her profession and/or her standing in the community.

59. Ms. Barras has acted with knowledge of the falsity of the statements and with the intent to harm Ms. Johnson when publishing these false and defamatory statements about Ms. Johnson.

60. As a direct and proximate result of the false and defamatory statements published by Ms. Barras, the character and reputation of Ms. Johnson were harmed, her standing and reputation in the professional and personal community were impaired, and she suffered, and continues to suffer mental anguish and personal humiliation.

61. As a direct and proximate result of the articles published by Ms. Barras, Ms. Johnson has lost her employment with the District, and has experienced extreme difficulty in finding replacement employment, and has been called to answer the unjustified allegations printed by Ms. Barras.

62. Ms. Johnson has in fact suffered a loss of prospective income which she would have earned had not the defamatory information been published.

63. WHEREFORE, Plaintiff demands five-hundred Thousand Dollars (\$ 500,000.00) in compensatory damages and Three Hundred Thousand Dollars (\$ 300,000.00) in punitive damages, plus interest and costs.

64. The Plaintiff also demands that the articles published by Ms. Barras be removed from Ms. Barras' weblog. Any wrongful mention of the Plaintiff in conjunction with these articles should be entirely removed from the internet. A formal apology should be issued to the Plaintiff on Ms. Barras' website.

### COUNT III

(Defamation – Defendant DC Watch and Owners Ms. Brizill and Mr. Imhoff, and Talk Media Communications, LLC)

65. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

66. Ms. Barras has published a series of libelous articles in The Mail, an online publication controlled, organized, and owned by Defendants DC Watch, Ms. Brizill and Mr. Imhoff.

67. DC Watch has published Ms. Barras' defamatory articles on its website and on its weblog, to wit: The Mail.

68. Defendant TMC is a limited liability company which has supported, authorized, and or financed the publication of Ms. Barras' articles on her website, to wit: [www.JRBarras.com](http://www.JRBarras.com).

69. Some of the defamatory statements published in the noted publications and with the authority of the above named defendants include the following:

70. In What's a Little White Lie Among Friends? Ms. Barras wrote regarding Ms. Johnson:

[Johnson] deliberately inflated her employment and compensation history to secure her position, according to the resume she submitted to the Office of Personnel (OP) and admissions made by her during interviews with me ... Johnson admitted in an interview with me that at least three entries on the resume submitted to OP were exaggerated ... "Falsifying a resume is cause for immediate termination, especially if the resume is used to enhance earning potential."

Jonetta Rose Barras, *What's a Little White Lie Among Friends?* THE BARRAS REPORT, May 4, 2006, [http://jrbarras.com/artman/publish/article\\_106.shtml](http://jrbarras.com/artman/publish/article_106.shtml); see also, DC Watch, *The Mail: The Death and Life of Jane Jacobs*, (May 3, 2006), <http://www.dcwatch.com/themail/2006/06-05-03.htm>. In this article, Ms. Barras referenced an interview that she had with Ms. Johnson. However, Ms. Barras omitted relevant and necessary facts in her article, facts which Ms. Johnson had taken care to relay to Ms. Barras for the express purpose of ensuring that inaccuracies were not published.

71. In her next article, White Lies Part 2, Ms. Barras wrote:

Roslyn Johnson, one of the individuals hired by Flowers, continues to draw her \$105,588 salary, although she inflated her resume. Anyone found to have provided false information to receive his or her employment with the government can be terminated immediately and may be subject to criminal prosecution, according to DC personnel laws.

DC Watch, *The Mail: Task Forces*, (May 14, 2006), <http://www.dcwatch.com/themail/2006/06-05-14.htm>.

72. Ms. Barras alleged in The Saga Continues:

Roslyn Johnson [] admitted to this reporter that she inflated the salary and employment history in a resume provided to the DC Office of Personnel to obtain her nearly \$106,000 deputy director position at the DPR ... Meanwhile, sources say that Johnson is arguing she submitted two resumes and that the wrong one landed in the personnel files, according to government sources. Were Ottley around, she might confirm this story, with a caveat: the first resume was sent back by OP with a

note that Johnson didn't qualify for the position, say government sources familiar with the situation. A second resume, the one obtained by me, was sent to the OP. It was, by Johnson's own admission, inflated. The rest is history.

DC Watch, *The Mail: Getting Schooled*, (May 21, 2006),

<http://www.dwatch.com/themail/2006/06-05-21.htm>. In this publication, Ms. Barras continued to cite inaccurate and deliberately misleading information. Ms. Barras also alleged that Ms. Johnson admitted that she had inflated her own resume, which is untrue. Ms. Johnson did not admit to Ms. Barras that she had done so, and Ms. Johnson did not speak with Ms. Barras since the second interview.

73. In Ignoring Sins, Ms. Barras continued:

Len Becker, in a report to City Administrator Robert Bobb, about personnel infractions at the Department of Parks and Recreation (DPR), proposes a slap on the wrist for someone who knowingly inflated her resume and lied about it.

...

Johnson is allowed to keep her post--although she admitted to Becker that her first application signed on July 9, 2005 included the resume on which she inflated her salary as Regional Director of Studyworks. She claimed she earned \$101,000 in that position. She was subsequently hired at DPR with a salary of \$101,893. In fact, Johnson's base salary was at Studyworks was only \$55,000 and even with bonuses never reached the level she reported on her resume, according to Ron Hinchliss with Studyworks who supervised Johnson and who spoke with me in April, 2006.

Jonetta Rose Barras, *Ignoring Sins*, THE BARRAS REPORT, June 11, 2006,

[http://jrbarras.com/artman/publish/article\\_105.shtml](http://jrbarras.com/artman/publish/article_105.shtml); See also, DC Watch, *The Mail: Rates*,

(June 4, 2006), <http://www.dwatch.com/themail/2006/06-06-04.htm>. Ms. Barras alleged that

Ms. Johnson lied about her resume. This statement was untrue, as Ms. Johnson has not "knowingly inflated" her resume and been forthcoming about the facts on her resume.

74. In Show Me The Money, Ms. Barras wrote:

Johnson had been associate director in Baltimore with an \$83,000 salary. She had less than three years experience in that position when Flowers tapped her for the D.C. job. Johnson subsequently was given a salary of nearly \$106,000, although she misrepresented her credentials and salary history on the resume used to secure her position.

...  
Johnson "failed to note that her periods of employment [on her resume] were part-time. Additionally, she failed to cite the correct salaries earned, according to government sources familiar with the report ... Johnson did not meet the "minimum qualifications[]" and that she "enhanced her employment history and salaries in order to raise her earning potential."

Jonetta Rose Barras, *Show Me The Money*, THE BARRAS REPORT, July 16, 2006,

[http://jrbarras.com/artman/publish/article\\_110.shtml](http://jrbarras.com/artman/publish/article_110.shtml); *See also*, DC Watch, *The Mail:*

*Tempted*, (July 16, 2006), <http://www.dccwatch.com/themail/2006/06-07-16.htm>. Ms. Johnson met the minimum qualifications for the position of Deputy Director when she applied for, and was offered the position. Ms. Johnson had been employed in the same position as an Associate Director of the Baltimore City Department of Parks and Recreation for three years, and the DCOP had forwarded a Selection Register to DPR that listed Ms. Johnson as the "only qualified applicant to apply." Therefore, Ms. Johnson was qualified for the position of Deputy Director.

75. Finally, in *The Main Event: Desperate and Shrill*, Ms. Barras stated that "Rosalyn Johnson... actually misrepresented her employment and salary history." Jonetta Rose Barras, *The Main Event: Desperate and Shrill*, THE BARRAS REPORT, August 14, 2006, [http://jrbarras.com/artman/publish/article\\_112.shtml](http://jrbarras.com/artman/publish/article_112.shtml).

76. Ms. Barras has published, and has received authority to publish, several libelous statements in the Barras Report and in *The Mail*, under the authority and approval of the defendants noted herein.

Joseph  
Greenwald  
& Laake

Joseph, Greenwald & Laake, P.A.  
104 Ivy Lane • Suite 400  
Baltimore, Maryland 21201

Phone: 202-220-2200 • Fax: 202-220-1214



77. Through the publication of the defamatory articles as against Ms. Johnson, and approving and authorizing their release for public dissemination, which have caused the plaintiff no end of embarrassment and humiliation, the Defendants Jonetta Rose Barras, DC Watch, Talk Media Communications, LLC, Ms. Brizill, and Mr. Imhoff are individually and collectively liable to Ms. Johnson for the publication of the said articles.

78. WHEREFORE, the Plaintiff, Roslyn J. Johnson, demands judgment against the Defendants, Jonetta Rose Barras, DC Watch, Talk Media Communications, LLC, Ms. Brizill, and Mr. Imhoff in the amount of two-million dollars (\$2,000,000.00), individually and collectively, plus interest and costs, and such other and further relief as the nature of this cause may require and which this Honorable Court deems just and proper.

79. The Plaintiff also demands that the articles published by Ms. Barras, and sanctioned by the Defendants herein, be removed from Ms. Barras' website and the DC Watch website. The Plaintiff demands that any further wrongful mention of the Plaintiff by the Defendants in conjunction with these articles should be entirely removed from the internet. The Plaintiff also demands that a formal apology should be issued to the Plaintiff on these websites.

#### COUNT IV

(False Light Action - Defendant DC Watch and Owners Ms. Brizill and Mr. Imhoff, and Talk Media Communications, LLC and Defendant Barras)

80. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

81. The Defendants publicized false information, which placed Plaintiff in a false light by attributing misconduct to her and questioning her veracity and qualifications to act as a government official.

**Joseph  
Greenwald  
& Laake**

Joseph Greenwald & Laake, P.A.  
104 Ivy Lane • Suite 400  
Greenbelt, Maryland 20770

Phone: (301) 220-2200 • Fax: (301) 220-1214

82. The Defendants knew or should have known that the Plaintiff had not committed said misconduct, was truthful, and was qualified to act in her position.

83. The Defendants publicized in both papers and on radio air ways that Plaintiff had committed misconduct, was untruthful, and not qualified in a reckless manner and with a reckless disregard for the truth as to whether committed any misconduct.

84. The broadcasts of this misinformation were highly offensive to a reasonable person and have financially damaged Plaintiff's reputation and ability to find gainful employment.

85. As a result of the Defendants' conduct, Plaintiff suffered and will continue to suffer the loss of reputation, privacy, income, and other damages.

86. The above-described acts of Barras, Brizill, and Imhoff were committed within the scope of their employment with their respective employers, in that they committed them in furtherance of their respective employers' (Defendants Talk Media Communications and DC Watch) interests.

87. As the employer of Barras, Brizill, and Imhoff, Defendants Talk Media Communications' and DC Watch are responsible for all of the acts committed by Barras, Brizill, and Imhoff within the scope of their employment.

88. WHEREFORE, the Plaintiff, Roslyn J. Johnson, demands judgment against the Defendants, Jonetta Rose Barras, DC Watch, Talk Media Communications, LLC, Ms. Brizill, and Mr. Imhoff in the amount of two-million dollars (\$2,000,000.00), individually and collectively, plus interest and costs, and such other and further relief as the nature of this cause may require and which this Honorable Court deems just and proper.

**COUNT V**

(Intentional Interference with Contract – Defendants Ms. Barras, DC Watch and Owners Ms. Brizill and Mr. Imhoff, and Talk Media Communications, LLC)

89. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

90. The Plaintiff was employed by the D.C. Department of Parks and Recreation, as the Deputy Director of Programs, prior to this incident and therefore had a quasi-contractual relationship as employee with the District of Columbia. Defendants Ms. Barras, DC Watch and Owners Ms. Brizill and Mr. Imhoff, and Talk Media Communications, LLC knew that Plaintiff was employed by the District of Columbia in her position.

91. Defendants Ms. Barras, DC Watch and Owners Ms. Brizill and Mr. Imhoff, and Talk Media Communications, LLC intentionally and improperly interfered with the performance of Plaintiff's employment with the District of Columbia by inducing or otherwise causing the District of Columbia to terminate her employment, resulting in lost income and benefits and other pecuniary loss.

92. Specifically, on or about May 2006 through October 2006, in an effort to subvert Ms. Johnson's professional efforts, and in an effort to intentionally embarrass, harm, and cause damage to Ms. Johnson's reputation, Ms. Barras wrote and published numerous articles alleging that Ms. Johnson lied on her resume, was not qualified for the position for which she was hired by HR and DCOP, and claiming that Ms. Johnson was not truthful in her representations to HR and DCOP regarding her qualifications. Ms. Barras made repeated references to Ms. Johnson's employment with DPR.

93. As a direct and proximate result of the false and defamatory statements published by the Defendants, Ms. Johnson has lost her employment with the District, and has experienced extreme difficulty in finding replacement employment, and has suffered a loss of

prospective income. Furthermore, the character and reputation of Ms. Johnson were harmed, her standing and reputation in the professional and personal community were impaired, and she suffered, and continues to suffer mental anguish and personal humiliation.

94. WHEREFORE, the Plaintiff, Roslyn J. Johnson, demands judgment against the Defendants Jonetta Rose Barras, DC Watch, Talk Media Communications, LLC, Ms. Brizill, and Mr. Imhoff in the amount of two-million dollars (\$2,000,000.00), plus interest and costs, and such other and further relief as the nature of this cause may require and which this Honorable Court deems just and proper.

#### COUNT VI

(Negligence – Defendant District of Columbia)

95. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

96. Defendant the District of Columbia through the DCOP had a standard of care to act as a reasonable personnel office would act in an ordinary circumstance. Defendant District of Columbia failed in maintaining this reasonable standard of care.

97. Defendant District of Columbia, acting in its role as a personnel office, was required to exercise the degree of care that a reasonable personnel office, engaged in similar practice and acting in similar circumstances would exercise.

98. An employee's personnel files contain confidential information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. *See*, 5 U.S.C.S. §552. Defendant District of Columbia had the duty of care to withhold this information from the general public, including inquisitive news reporters.

99. Defendant District of Columbia failed in its duty of care, as Ms. Barras obtained the confidential information regarding Ms. Johnson from representatives of DCOP, and published several defamatory articles regarding Ms. Johnson. Due to the nature of the allegations made against Ms. Johnson by Ms. Barras, on October 13, 2006, the District terminated Ms. Johnson's employment contract.

100. As a direct and proximate result of the release of Ms. Johnson's confidential personnel file, Ms. Johnson has had defamatory articles published against her, has lost her employment with the District, and has experienced extreme difficulty in finding replacement employment, and has suffered a loss of prospective income. Furthermore, the character and reputation of Ms. Johnson were harmed, her standing and reputation in the professional and personal community were impaired, and she suffered, and continues to suffer mental anguish and personal humiliation.

101. WHEREFORE, the Plaintiff, Roslyn J. Johnson, demands judgment against the Defendant District of Columbia in the amount of two-million dollars (\$2,000,000.00), plus interest and costs, and such other and further relief as the nature of this cause may require and which this Honorable Court deems just and proper.

#### **COUNT VII**

(Violation of the D.C. Freedom of Information Act, D.C. Code § 2-534 - Defendant DCOP)

102. Plaintiff hereby incorporates by reference the paragraphs above, as if fully set forth herein.

103. The Defendant District of Columbia through the DCOP released Ms. Johnson's personal information to Ms. Barras and, in doing so, violated the D.C. Freedom of Information Act, D.C. Code § 2-534 (2006).

104. The D.C. Freedom of Information Act provides that “[t]he following matters may be exempt from disclosure under the provisions of this subchapter: (2) Information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.” D.C. Code § 2-534 (2006).

105. The D.C. Personnel Regulations also state “[i]t shall be the policy of the District Government to make personnel information in its possession or under its control available upon request to appropriate personnel and law enforcement authorities, **except if such disclosure would constitute an unwarranted invasion of personal privacy or is prohibited by law or regulation.**” (emphasis added) D.C. Personnel Regulations, Chapter 31A, § 3102.1. Moreover, § 3113.2 states “[d]isclosure of this information shall not be made where the information requested is...selected in such a way as to constitute a clearly unwarranted invasion of personal privacy because the nature of the request calls for a response that would reveal more about the employees on whom information is sought than the five enumerated items;<sup>1</sup> or would otherwise be protected from mandatory disclosure under an exemption of the D.C. Freedom of Information Act.”<sup>2</sup> *Id.* at § 3113.2(a).

106. As a direct and proximate result of the release of Ms. Johnson’s confidential personnel file, Ms. Johnson has had defamatory articles published against her, has lost her employment with the District, and has experienced extreme difficulty in finding replacement employment, and has suffered a loss of prospective income. Furthermore, the character and reputation of Ms. Johnson were harmed, her standing and reputation in the professional and

<sup>1</sup> § 3113.1 states that the following information about government employees should be publicly available: name, present and past position titles, grades and salaries.

<sup>2</sup> The D.C. FOIA does not apply to “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C.S. §552.

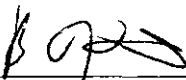
personal community were impaired, and she suffered, and continues to suffer mental anguish and personal humiliation.

107. WHEREFORE, the Plaintiff, Roslyn J. Johnson, demands judgment against the Defendant District of Columbia in the amount of two-million dollars (\$2,000,000.00), plus interest and costs, and such other and further relief as the nature of this cause may require and which this Honorable Court deems just and proper.

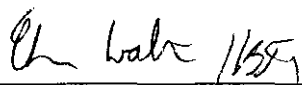
Respectfully submitted,

JOSEPH, GREENWALD & LAAKE, P.A.

By:

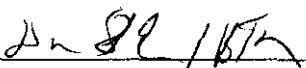
  
\_\_\_\_\_  
David S. Coaxum, D.C. Bar # 013963  
Brian J. Markovitz, D.C. Bar # 481517  
6404 Ivy Lane  
Suite 400  
Greenbelt, MD 20770  
(301) 220-2200  
*Counsel for Plaintiff*

and

  
\_\_\_\_\_  
Charles Walton, D.C. Bar # 474873

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury on all issues of triable fact in the foregoing complaint.

  
\_\_\_\_\_  
David S. Coaxum

Joseph  
Greenwald  
& Laake

Joseph, Greenwald & Laake, P.A.  
104 Ivy Lane • Suite 400  
Greenbelt, Maryland 20770

(301) 220-2200 • Fax 220-1214

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA

Civil Division

**ROSLYN J. JOHNSON**  
10916 Trotting Ridge Way  
Columbia, MD 21044

Plaintiff,

vs.

Civil Action No.: \_\_\_\_\_

**JONETTA ROSE BARRAS**  
6101 16<sup>th</sup> Street, #506  
Washington, D.C. 20011

And

**TALK MEDIA COMMUNICATIONS, LLC**

Serve: Registered Agent: Torrence E. Thomas  
8121 Georgia Avenue  
Suite 203  
Silver Spring, MD 20910

and

**DC WATCH**  
1327 Girard Street, N.W.,  
Washington, D.C. 20009-4915

Serve: Executive Director Dorothy Brizill  
1327 Girard Street, NW  
Washington, DC 20009

and

**DOROTHY A. BRIZILL**  
1327 Girard Street, NW  
Washington, D.C. 20009

and

**Joseph  
Greenwald  
& Laake**

Joseph, Greenwald & Laake, P.A.  
1000 Ivy Lane • Suite 400  
Greenbelt, Maryland 20770

(301) 220-2200 • Fax 220-1214



**GARY IMHOFF**  
1327 Girard Street, NW  
Washington, D.C. 20009

and

**THE DISTRICT OF COLUMBIA**

SERVE:  
Mayor Adrian M. Fenty  
Government of the District of Columbia  
441 4th Street, NW, Suite 1100S  
Washington, D.C. 20001

and

Corporation Counsel for the District of  
Columbia  
Government of the District of Columbia  
441 4th Street, NW Room 1060N  
Washington, D.C. 20001

Defendants.

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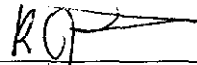
**LINE**

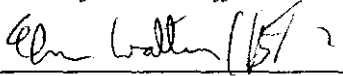
SIR/MADAM CLERK:

Please issue Summonses for the Defendants in the above-captioned matter and return  
to the undersigned for service by private process.

Respectfully submitted,

JOSEPH, GREENWALD & LAAKE, P.A.

By:   
David S. Coaxum, D.C. Bar # 013963  
Brian J. Markovitz, D.C. Bar # 481517  
6404 Ivy Lane  
Suite 400  
Greenbelt, MD 20770  
(301) 220-2200  
Counsel for Plaintiff

and   
Charles Walton, D.C. Bar # 474873