

Pannex Corporation

PO Box 1465
Fort Walton Beach, FL 32549
850.582.2181
bwg@pannexusa.com

July 15, 2013

VIA EMAIL (TEXT/HTML, PDF)

ScamFound.com
Via Domains By Proxy, Inc.
15111 N. Hayden Rd.
Ste 160, PMB 353
Scottsdale, AZ 85260
SCAMFOUND.COM@domainsbyproxy.com

Re: ScamFound.com Website
Defamatory Statements

Owners/Editors – ScamFound.com,

Several defamatory statements and links to defamatory statements alleging various criminal acts were published on your website by what appears to be a ComplaintsBoard.com RSS-feed “bot” on May 2nd and May 3rd, 2010.

The original postings (which were quickly removed) were baseless and false, and were part of an ongoing criminal campaign of defamation, harassment, and tortious interference. To wit: there have been posts to Internet message boards, and to news and scam-sites alleging various misdeeds and illegal conduct, we have received numerous harassing and threatening telephone calls, and our business has been impacted.

In all cases, the online posts constitute *defamation per se* and/or *libel per se*, the telephone calls constitute *harassment*, and the intentional disruption of our business constitutes *tortious interference*. Separately, these acts are violations of various United States State and Federal civil and criminal laws. Due to their ongoing and coincident nature, and given their commission by one actor, they also constitute “*cyberstalking*.”

Additionally, the posts are a clear violation of your domain registrar's (GoDaddy.com) published terms of service and domain registration agreement, your private registration service's (DomainsByProxy.com) proxy agreement, and your web host's (Worldstream.nl) conditions of service. All variously prohibit you from engaging or participating in illegal or morally objectionable activities, activities that run counter to established norms, activities that defame, embarrass, harm, abuse, threaten or harass others, and/or activities that are tortious.

I hereby request that you remove the posts and content at, links, and any references to, the following URLs, immediately:

- [URL redacted to prevent indexing]

Please understand that the posting and publication of this information is a violation of one or more US Federal laws (including 47 USC §113), and therefore the safe harbors of the Communications Decency Act of 1996 (codified at 47 USC §230), upon which your business relies, do not apply. Consequently, if you continue to publish the above content, you may be held liable.

Because your domain registration is private, I've copied the abuse, business, and legal teams at your domain registrar, GoDaddy.com, your private registration service, DomainsByProxy.com, and your webhosting provider, Worldstream, here. If the above posts are not removed forthwith, I may proceed with legal action, which will begin with discovery of your identity.

Thank you for your cooperation.

Sincerely,

/s/ Brian W. Gortney, II
Brian W. Gortney, II
President

cc: GoDaddy, Inc. – Legal and Abuse Departments (legal@godaddy.com, abuse@godaddy.com)
Domains By Proxy, Inc. – General Manager/Legal Department (generalmanager@domainsbyproxy.com)
Worldstream – Abuse Department (abuse@customerpanel.nl, info@worldstream.nl)