

5 NORTH CAROLINA
FORSYTH COUNTY

SUPERIOR COURT OF NORTH CAROLINA
DISTRICT 21

10 DERIC LOSTUTTER

PLAINTIFF,

Case No: 16CNS 3077

COMPLAINT AND MOTION FOR INJUNCTION
AND RELIEF

15 V.

THOMAS OLSEN, MICHELLE MCKEE,
ALEXANDRIA GODDARD

DEFENDANTS

JURY TRIAL DEMANDED

The Plaintiff, Deric James Lostutter, does hereby state the following:

COMPLAINT

- 25 1. This is an action for declaratory, compensatory and injunctive relief based on the Plaintiff's rights to the internet domain **Dericlostutter.org and it's subdomains, content, author profiles, data and property** (hereafter, **DericLostutter.org**), arising under the **Anti-CyberSquatting Consumer Protection Act of 1999, 15 U.S.C. § 1125(d)** (hereafter, "**ACCPA**"), and more particularly, protection from cyberstalking under **North Carolina General Statute § 14-196.3** (hereafter, "**CyberStalking Statute**"). Defendants Thomas Olsen, Alexandria Goddard, and Michelle Mckee have repeatedly retaliated against the Plaintiff and Plaintiff's family, who are witnesses and victims of their crimes, violating **18 U.S. Code § 1513 - Retaliating against a witness or victim**. All exhibits will be brought before the Judge and Jury during trial and are not attached to this complaint.

JURISDICTION

- 40 2. The jurisdiction of this Court is invoked pursuant to **N.C. General Statute § 14-196.3(c)** which states that "Any offense under this section committed by the use of electronic mail or electronic communication may be deemed to have been committed where the electronic mail or electronic communication was originally sent, **originally received in this State, or first viewed by any person in this State**".

PARTIES

3. The plaintiff, Deric Lostutter, is a resident of Forsyth County, North Carolina and was living in Forsyth County, North Carolina the time of registration of DericLostutter.org. Plaintiff is a previous acquaintance of defendant parties through his philanthropy in the rights of rape victims. Plaintiff has been residing in Forsyth County, North Carolina during the course of alleged violations of the CyberStalking Statute stemming from the actions of the defendant parties. Plaintiff was previously granted ex parte' restraining orders against defendants Thomas Olsen and Michelle Mckee in 2016 in relation to the matters of this suit by Forsyth County court, which proved ineffective in halting their criminal activities. Plaintiff has gone by the following online monikers on various social media, including Twitter: "DericLostutter", "KYAnonymous", "ShadowRapz". Plaintiff is the C.E.O. And founder of Opsec CyberSecurity Solutions, LLC – a legally registered entity in the state of North Carolina who also operates under the DBA "TechAssist" with the SOSID 1452167 formed 6/15/2015 and managed by the plaintiff pursuant to **N.C.G.S 57-D-3-20**.

4. Defendant Thomas Olsen is a resident of Escambia County, Florida, and a United States Citizen, previous affiliate of the hacking activist group "Anonymous", forming his own offshoot of the group titled, "NextSec" in which some members were arrested by the federal government for unknown reasons. Said defendant is a convicted felon, currently on probation in Escambia County, Florida for stolen firearms, and grand theft auto, and previously was hunted by the United States Marshal Service. Said defendant is a friend/aquaintance of defendants Alexandria Goddard, and Michelle Mckee from his involvement in the Steubenville Rape Case protests in Steubenville Ohio in 2013. Defendant also is known by the online moniker(s): "ThomasOlsenPops", "KYAnonExposed", "Papadopoulos", "NextSec", "NextSecOfficial" "DericExposed" and "DericExposed2" on various social networks, including, but not limited to, Twitter. Said Defendant is the original registrar and webmaster and post author of DericLostutter.org under various usernames including "DericExposed" and "Γαμήσου" (Greek translated to english meaning, "Fuck Off"). Said defendant registered DericLostutter.org with Alibabahost.com and then with orangewebsite.com to circumvent DMCA requests. Said defendant knows defendant through his affiliation with the Steubenville Rape Case protests in 2013. Said defendant attended Plaintiff's presentation and speech in Columbus Ohio at the "614Con" information security convention at Actual Brewing Company in 2014.

5. Defendant Alexandria Goddard is a resident of Franklin County, Ohio, who immigrated to the United States from Germany to Ohio as a young girl, and also living in the western United States briefly. Said defendant is the founder of Xander Business Group, and the blogger/webmaster/author of multiple domains including: Truecrimecrazytown.com, prinniefied.com, dericlostutter.org. Said defendant goes by the online moniker(s): "BeaconHell", "Prinnie", "PrinnieDit", "p33p", and "Parrhesia" (Greek to English translated means "free speech"). Said defendant is an acquaintance of

100 defendants Thomas Olsen and Michelle Mckee through her coverage of the Steubenville
Rape Case and various other matters defendant has blogged about online. Said defendant
has also met defendants in real life at various times throughout the past 5 years for their
involvement in the Steubenville Rape Case protests in her home-state of Ohio. Said
defendant knows plaintiff due to her inquiry to have plaintiff seek justice for the
105 Steubenville Rape Case victims. Said defendant attended Plaintiff's presentation and
speech in Columbus Ohio at the "614Con" information security convention at Actual
Brewing Company in 2014.

- 110 6. Defendant Michelle Mckee is a resident of Pierce County, Washington and is currently
not known to be employed. Said defendant claims to live off of social security. Said
defendant goes by the online moniker: "MichelleLMckee" and "Michelle Mckee" on
various social networks including Twitter.

FACTS

- 115 6. Plaintiff was born May 8th, 1987 and is presently 29 years of age and is a United
States citizen.
- 120 7. Plaintiff is well known because Plaintiff has been featured in multiple publications
including Rolling Stone Magazine and CNN for his activism for woman's rights
regarding the Steubenville Rape Case, resulting in movie star Brad Pitt obtaining the
rights to the Rolling Stone article for movie production purposes.
- 125 8. Plaintiff has submitted numerous take down requests to hosts of DericLostutter.org
citing the ACCPA, to which Alibabahost complied in 2015 without transferring the
domain to Plaintiff.
- 130 9. Plaintiff, using legal investigation and data forensic methods, submitted a false tip to
Dericlostutter.org with an IP tracker, harvesting Thomas Olsen's home IP address in
Milton Florida. Upon receiving the false tip, Mr. Olsen responded via email with a
contact number and his attorney, Kim Picazio's email, who he stated was also
helping. Plaintiff solicited the help of his wife to play the role of "Lindsey
Westerman" in a recorded video of a google voice call to the number given by the
website's owner. The plaintiff's wife gave the web owner enough information to gain
135 the website owner's trust, and then asked for the name of the website owner. The
website owner responded that his name was Thomas Olsen, and confirmed his
location to be Milton/Pensacola Florida, the same as the I.P. Address that the
Plaintiff legally harvested. Thomas Olsen then admitted to Alexandria Goddard's
involvement, as well as Michelle Mckee's involvement in violating the ACCPA and
the CyberStalking Statute.
- 145 10. Upon the removal of the website by Alibabahost, Thomas Olsen transferred the
domain to Iceland to OrangeWebsite.com. Plaintiff has submitted the same evidence
and DMCA requests to OrangeWebsite.com however OrangeWebsite.com has
refused to comply with any requests as they are based in Iceland and do not
recognize U.S. Title Code.
11. Plaintiff and the Plaintiff's wife engaged in a brief experimental, and completely

150 legal entrepreneurial engagement with the webcam model business Chaturbate.com
in 2015 under the pseudonyms "Archer" and "Lana". The channel and the
pornographic content meant for private Chaturbate customers was subsequently
leaked by online "troll" affiliates of the defendants via Twitter. Plaintiff immediately
signed off of the service, taking down the profile and its content. Defendant's broke
Chaturbate's terms of service and copyright protection, and redistributed the
155 plaintiff's profile and pornographic content on DericLostutter.org and
Prinniefied.com for purposes of harassing, degrading, and embarrassing the Plaintiff,
the Plaintiff's family, and targeting the Plaintiff's official business.
(<http://dericlostutter.org/blog/2015/05/07/but-yet-you-do-porn/>)
(<http://prinniefied.com/wp/2015/12/01/deric-lostutter-defense-fund/>)

- 160 12. On May 9th 2016, defendants hatched a plot to falsely label the Plaintiff threatening,
including false threats of rape and violence, this time using what appears to be
Facebook Message generators to imitate Plaintiff Facebook page, typing ridiculous
threats, encouraging the readers of the blog to send the fabrications to Plaintiff's
165 local police department and the F.B.I. in an attempt to have Plaintiff arrested and
damage the Plaintiff's good name. Doing so would have caused their readers to
submit false reports and false evidence. Their blatant and criminal falsifications
endangered not only the Plaintiff, but everyone who read the article and believed it.
(<http://dericlostutter.org/blog/2015/05/09/deric-threatens-to-rape-and-film-stab-a-girl-threatens-her-kid/>)
13. Plaintiff's business was targeted by all 3 defendants and their friends in a smear
campaign in the fall/winter of 2015, resulting in catastrophic loss of clientele and
forcing Plaintiff to close the doors of his DBA, TechAssist at the physical location of
the business located at 219 North Main Street, Kernersville N.C.
14. Upon the closing of the Plaintiff's business, defendants posted about it on the illegal
DericLostutter.org domain, falsely accusing Plaintiff of keeping customer's devices.
(<http://dericlostutter.org/blog/2015/12/14/techassist-closes-shop-keeps-customers-phone/>)
15. The harassment of the plaintiff and smear campaign against the plaintiff's company
cost the company a projected \$80,000 in revenue for the fiscal year of 2016, and an
immediate loss of \$4000 per month.
- 185 16. At the time of the smear campaign against Plaintiff's business, Plaintiff was the sole
caregiver and provider for his high risk pregnant wife, Jennifer Lostutter, who was in
her third trimester. The loss of revenue, combined with the harassment the Plaintiff's
family endured, forced undue stress upon the Plaintiff and the Plaintiff's wife. The
190 plaintiff's child was then prematurely stillborn at Forsyth Medical center, in January
of 2016.
17. On or about November-December of 2015, defendants made contact with Plaintiff's
wife's 8 year old son's paternal family and the paternal families friends, with the
intent to distribute false and defamatory and damaging content to the paternal family
195 to interfere in a private juvenile custody case in Kenton County. In December of
2015 multiple posts were made by defendants to the illegal DericLostutter.org

domain regarding confidential court matters that they could otherwise have not known. Most of the content is false, and highly defamatory, yet some content is true. The defendant's could not have known the true content had they not made contact with the juveniles paternal family themselves or via third party.

(<http://dericlostutter.org/blog/2015/12/29/parental-rights-permanently-terminated/>)(<http://dericlostutter.org/blog/2015/12/21/100-not-allowed-to-see-jennys-son/>)

18. On December 15th of 2015, defendants put in motion a plan to label the Plaintiff, who has a highly publicized history of defending woman's rights, including rape victims, a rapist himself. Defendants posted an article on the illegal DericLostutter.org domain. In the article located at <http://dericlostutter.org/blog/2015/12/15/when-the-kitchen-gets-hot-just-make-rape-threats/> they did not list any threats they alleged me to make, instead listing an article orchestrated by a woman the Plaintiff dated for 5 years who tried to extort the Plaintiff for money. When the extortion failed, the Plaintiff's ex-girlfriend and defendant Thomas Olsen included third party Don Carpenter to orchestrate the article that was posted by an un-trustworthy blog called "DailyDot" in 2014. The article, which the Plaintiff believes is a clever way to bring traffic to his ex-girlfriends pornographic webcam channel for profit, details a false account of sexual assault by the Plaintiff, in which the plaintiff was never charged, questioned, or taken to court. Plaintiff's lawyer responded to the accusation that it was The plaintiff has submitted a takedown request to DailyDot to no avail. The defendants therefore alleged Plaintiff made threats without providing any factual evidence, tagging the Plaintiff's business as a keyword, to further monetarily damage the plaintiff
19. After the death of plaintiff's child, defendants posted to the DericLostutter.org website did accuse the Plaintiff of using the death of his child for profit on january 7th, 2016. (<http://dericlostutter.org/blog/2016/01/07/using-the-death-of-a-child-for-profit-is-revolting/>) and again on January 8th, 2016 (<http://dericlostutter.org/blog/2016/01/08/jades-relief-how-to-internet-panhandle-and-exploit-a-dead-baby/>). Multiple anonymous commenters then offered their input as well.
20. Plaintiff was granted ex parte protection orders against DericLostutter.org domain owner, defendant Thomas Olsen, as well as a criminal summons in January-February of 2016 by the Forsyth County court in North Carolina.
21. Defendant was granted ex parte protection orders against defendant Michelle Mckee in January of 2016 including an injunction listed on the order for defendant to clear her social media of any mention of the plaintiff, the plaintiff's wife, the plaintiff's deceased child, the plaintiff's company/clients, and the DericLostutter.org domain.
22. On February 29th, 2016, Defendant Michelle Mckee mailed or faxed Forsyth County District Attorney Jim O'Neill regarding the Plaintiff, claiming that she was a victim of the plaintiff, that plaintiff issued illegal subpoenas even though they were served, signed, and dated by the Forsyth County court, falsely stating that she was unaware of any court actions against her (as it was all she would discuss on Twitter bragging about avoiding service of her restraining order), attaching unrelated, and severely

outdated photos of various firearms that Plaintiff has owned over the years, falsely stated that Plaintiff “threatened to have his “bois” rape a woman, film it, and have her daughter watch.”, falsely telling the honorable district attorney that the Plaintiff “threatened an entire high school”, and name the Plaintiff “a predator”.

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Defendant Michelle Mckee went on to state that a woman by the name of Mary Peeples was a victim of the Plaintiff, when in fact, Stokes County court dismissed a restraining order attempt at the Plaintiff by Ms. Peeples, as it was seen as fabricated information and an attempt to hinder the Plaintiff's legal investigation against Ms. Peeples and her co-conspirators.

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Defendant Michelle Mckee then stated to the District Attorney that she has never contacted anyone's employer, which is false. Defendant has contacted many employers of the Plaintiff, and the Plaintiff's acquaintances.

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Defendant Michelle Mckee also falsely stated that the illegal website DericLostutter.org is protected by the first amendment when it violates the ACCPA, and knowledge about how it is hosted, therefore admitting involvement with the website.

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Defendant Michelle Mckee admits to obsessively tweeting (sending public messages via Twitter) to president Obama, the F.B.I. And the United States Attorney demanding imprisonment of the Plaintiff.

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Defendant Michelle Mckee's letter to the District Attorney states that the Plaintiff is guilty of “grifting” donations. Grifting defined means “petty swindling” and swindling defined is theft by deception. Defendant further defamed the Plaintiff.

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Defendant Michelle Mckee states that Plaintiff's wife and Plaintiff are guilty of fraud and the pregnancy that the Plaintiff's wife lost, having given stillbirth to, never happened, based on her slanderous claim of altered ultrasounds, and “expert” analysis of Facebook photographs, demanding the Attorney investigates the Plaintiff and Plaintiff's wife for fraud.

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Defendant refers to Plaintiff's deceased child as “medical waste” in the letter to District Attorney Jim O'Neill.

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23. Plaintiff filed multiple violations in relation to the aforementioned ex parte protection orders for the continued stalking and harassment of Plaintiff, Plaintiff's family, Plaintiff's friends, and Plaintiff's client's/customers, by defendants Thomas Olsen and Michelle Mckee.
24. Defendants constantly tag the Plaintiff, and Plaintiff's business name in posts to damage search results on the Plaintiff's company.
25. Defendants constantly state that the Plaintiff is a scam artist as a fact rather than an allegation, stating that Plaintiff is ripping people off and embezzling donations for purposes other than what the donations were obtained for.

- 295 26. The harassment and financial loss that the Plaintiff's family has endured has put
undue stress on the Plaintiff's wife, causing her to seek medication for depression
and anxiety.
- 300 27. Defendant Michelle Mckee is subject of a criminal Forsyth County Sheriff's
investigation, report number: 2016-00342
28. Defendant Alexandria Goddard is subject of a criminal Forsyth County Sheriff's
investigation, report number: 2016-00342
- 305 29. Defendant Thomas Olsen is subject of a criminal Forsyth County Sheriff's
investigation, report number: 2016-00342
- 310 30. Defendants constantly promote illegal DericLostutter.org site and it's contents on
various social media profiles to harass and defame the Plaintiff, including contacting
anyone who speaks to the Plaintiff, be it media, client, or average person, with the
link to the illegal website DericLostutter.org.
- 315 31. Plaintiff has repeatedly requested the closure of DericLostutter.org and transfer of
DericLostutter.org as mandated by the ACCPA to no avail. Plaintiff has also
requested multiple times for harassment to cease and mention of the Plaintiff be
removed from all social media. Even with restraining order demands, Defendants
failed to comply. Therefore, it is the Plaintiff's belief that the Plaintiff has exhausted
all pre-trial mediation options and is left with no choice but to seek damages and
injunctions by the superior court of North Carolina.
- 325 32. Defendant Alexandria Goddard has repeatedly faxed/emailed/and mailed multiple
authorities and solicited help of other people to maliciously prosecute the Plaintiff in
an effort to hinder his pursuit of justice for his family.
- 330 33. Defendant Michelle Mckee has repeatedly faxed/emailed/mailed multiple authorities
and solicited help of other people to maliciously prosecute the Plaintiff in an effort
to hinder his pursuit of justice for his family.
- 335 34. Defendant Thomas Olsen has repeatedly threatened the Plaintiff with violence, even
traveling to the defendant's state of residence.
35. Defendants Thomas Olsen, Alexandria Goddard, and Michelle Mckee have
repeatedly retaliated against the Plaintiff and Plaintiff's family, who are witnesses
and victims of their crimes, violating **18 U.S. Code § 1513 - Retaliating against a
witness or victim.**
- 340 36. Defendant Alexandria Goddard has sexually harassed the Plaintiff multiple times on
the social network, Twitter, in an effort to humiliate the Plaintiff.

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CLAIM FOR RELIEF

28. Plaintiff hereby incorporates the foregoing paragraphs as if fully set forth herein.

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29. As stated above, Plaintiff was harassed, defamed, stalked, and monetarily damaged due to the use of the illegal domain DericLostutter.org and violations of the CyberStalking Statute.

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30. Defendants' blatant disregard for the safety, and well being of the Plaintiff and his family, including the Plaintiff's child and stepchild have taken both physical and mental tolls on the Plaintiff's life.

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31. Due to the nature of the crime, defendants have succeeded in immortalizing the defendant's good name on the internet, associating it with heinous acts such as rape, death threats, and scams. Anyone on google will see the illegal domain DericLostutter.org, including potential clients, or employers should the Plaintiff need to seek work to provide for Plaintiff's family, thus rendering the Plaintiff unemployable and damaging his ability to earn income and provide for his growing family for years to come.

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32. Based on the willingness of the defendants to keep contributing to, and promoting the illegal domain DericLostutter.org, and violate the CyberStalking Statute, the defendants demonstrate a complete disregard for the court and law.

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33. Based on Defendant Thomas Olsen's violent criminal history, and the harassment of the Plaintiff by his friend/attorney, Kim Picazio, Plaintiff has reason to fear for the safety of his family, and reason to doubt the legality of Kim Picazio's representation should Thomas Olsen retain her office. Plaintiff has filed a bar complaint with the Florida Bar for Kim Picazio falsifying court proceedings, and law enforcement communications with the intent to harass, intimidate, and extort the Plaintiff.

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34. Defendant Michelle Mckee has shown severe instability with her harassment of our nation's president, federal and local agencies in regard to the Plaintiff. Her stalking has damaged the Plaintiff and his family both monetarily and mentally.

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35. Alexandria Goddard's involvement with both defendants and as the main author after DericLostutter.org since the site's migration to OrangeWebsite.com leads Plaintiff to believe that she is the new domain owner.

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36. The damages done, both past and present to the Plaintiff and his family are not only criminal in nature, but if not acted upon, will continue to damage the Plaintiff and his family.

37. The contributions to the harassment of the Plaintiff on all social media platforms, including DericLostutter.org, have ensured the unemployability of the Plaintiff should a potential employer or client google him or a member of his family, a common practice in today's society. Therefore, it is the Plaintiffs belief that the Plaintiff should be awarded compensation for future damages.


PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests the following relief:

- 400 (1) That this Court issue a declaratory judgment that the Plaintiff is entitled to an award in damages totaling \$180,000 for defamation, targeted harassment and violations of the ACCPA and CyberStalking Statute.
- (2) That this Court award the Plaintiff monetary compensation for future damages incurred by the social media reach of the criminal acts the defendants committed.
- 405 (3) That if no monetary relief can be awarded due to no income, that the Court leverage their assets, including automobiles, recreational vehicles, livestock, domesticated animals, estate, company assets, or otherwise, to be awarded to the Plaintiff so that the Plaintiff may sell or distribute the assets to obtain compensation. Furthermore, Plaintiff prays that this Court garnishes wages, and or bank accounts, contracts, or future dated payments to pay for the relief sought.
- 410 (4) That the defendants pay for reputation management services of the Plaintiff's choice to rebuild the brand that the Plaintiff has built for 3 years, destroyed by their criminal acts.
- 415 (5) That the plaintiff is awarded the transfer and sole ownership of all domains related to and including DericLostutter.org and it's subdomains, to be transferred immediately to the plaintiff's GoDaddy hosting account pursuant to the ACCPA.
- 420 (6) That this Court issue a permanent protection order against Michelle Mckee, Alexandria Goddard, and Thomas Olsen, and bar them from contacting or harassing the Plaintiff, Plaintiff's family, Plaintiff's friends/acquaintances, Plaintiff's step-son's paternal family, and Plaintiff's business/clients/employers.
- 425 (7) That Plaintiff recover the costs for this action, including any attorney fees accrued pursuant to 29 U.S.C. Subsection 1132(g), filing fees.
- (8) That this Court issue an injunction barring the defendants from registering any further accounts in the name of the Plaintiff, Plaintiff's business, or Plaintiffs family's names.
- 430 (9) That the Court issue an order demanding the defendants to remove all mention of the Plaintiff, Plaintiff's wife, and Plaintiff's clients off of the internet, including, but not limited to, photographs, hyperlinks, tweets, facebook posts, etc.
- (10) That this Court award such other and further relief as it deems just and proper.

The Plaintiff hereby demands a trial by jury on all issues presented herein.

This the 24th day of May 2016.


Deric Lostutter
Pro-Se Litigant/Plaintiff

AFFIDAVIT OF THE PLAINTIFF

DERIC LOSTUTTER

PLAINTIFF,

V.

**THOMAS OLSEN, MICHELLE MCKEE,
ALEXANDRIA GODDARD**

DEFENDANTS

The Plaintiff Deric Lostutter hereby swears and affirms the foregoing complaint and contents therein are true and correct to the best of his knowledge under penalty of perjury in the state of North Carolina.

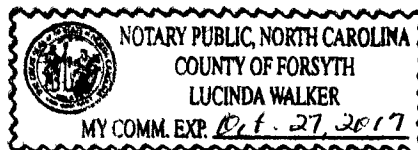
FURTHER AFFIANT SAYETH NOT



AFFIANT

5-24-16

DATE






NOTARY PUBLIC

5/24/2016

DATE

CERTIFICATE OF SERVICE

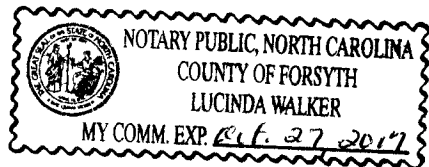

490 I, Deric James Lostutter, do hereby swear and affirm that a true and correct copy of the
foregoing complaint and motion for judgement was mailed to the defendants listed.



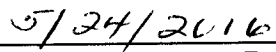
SIGNATURE OF AFFIANT

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DATE

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DATE