

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NUMBER: 9:16cv80605

STEVEN BELL, LARRY MELTZER, and
MELTZER & BELL, P.A.,

Plaintiff,

v.

A&E TELEVISION NETWORKS, LLC, et
al.,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

The Plaintiffs, STEVEN BELL, LARRY MELTZER, and MELTZER & BELL, P.A. (hereinafter referred to as “LAW FIRM”), (all of the Plaintiffs collectively referred to as the “Plaintiffs”), by and through their undersigned attorneys, hereby bring suit against A&E TELEVISION NETWORKS, LLC (hereinafter referred to as “A&E”) and WARRIOR POETS, INC., (hereinafter referred to as PRODUCER), (all the Defendants collectively referred to as the “Defendants”), and state as follows:

Jurisdiction and Venue

1. This is an action for damages in excess of seventy-five thousand dollars (\$75,000), exclusive of interests, costs, and attorneys’ fees.
2. STEVEN BELL is an individual and is a citizen of the State of Florida.
3. LARRY MELTZER is an individual and is a citizen of the State of Florida.
4. MELTZER & BELL P.A. is a Professional Association authorized to do business in Palm Beach County in the State of Florida.

5. A&E is a limited liability company, incorporated in State of Delaware, which conducts business in the State of Florida, and broadcasts television programming to viewers located in the State of Florida.

6. WARRIOR POETS is a production company located in the State of New York, which conducts business in the State of Florida, and produces content that is broadcast to viewers in the State of Florida.

7. The Court has jurisdiction based on 28 U.S.C. § 1332 based on the diversity of the parties as well as the amount in controversy.

8. Any and all conditions precedent have been met and/or waived prior to the filing of this Complaint.

9. This Court is the proper venue for disposition of this lawsuit pursuant to 28 U.S.C. § 1391.

Prefatory Statement

10. This is an action for damages arising from the Defendants publication of false, injurious, and defamatory statements about the Plaintiffs.

11. The LAW FIRM is a criminal law firm located in Palm Beach County, which handles criminal matters throughout the entire State of Florida.

12. Moreover, the LAW FIRM refers civil litigation matters to other attorneys throughout the State of Florida, which produces income for the LAW FIRM.

13. The LAW FRIM was established in 2013, by two attorneys; LARRY MELTZER (hereinafter referred to as "MELTZER"), and STEVEN BELL (hereinafter referred to as "BELL").

14. Both MELTZER and BELL have been practicing criminal law for over ten years, and in that time period have gained a reputation in the community as being top notch criminal attorneys.

15. A large portion of the LAW FIRM's business is gained through mail away solicitation, internet marketing, and social marketing, which capitalizes on the LAW FIRM's name. The LAW FIRM has branded the M&B logo and the LAW FIRM name, through the constant use in advertisement. The LAW FIRM generates business from motorists and passers-by seeing the LAW FIRM's sign in front of their office location.

16. Moreover, a large portion of the LAW FIRM's business is gained by their impeccable reputation in the various court-houses in the State of Florida, as well as in the community.

17. The A&E NETWORK is a national cable broadcast company, which is seen in the homes of millions of viewers.

18. The A&E NETWORK is known to broadcast provocative shows, aimed to grab the viewer's attention, which then, in turn, increases viewership and ratings. Such examples of these include their newest programming, such shows as "Beyond Scared Straight", and "Buried Alive".

19. In the year 2015, the network created a new a documentary series called "American Takedown", which first aired on June 4, 2015.

20. The show "American Takedown," according to A&E NETWORK, purports to be a documentary series showcasing highly specialized tactical law enforcement units across the United States.

21. One of the episodes on American Takedown was titled “White Collar Crime”, and that specific episode is the subject of this Complaint.

22. The specific episode of American Takedown was executive produced by the production company, the WARRIOR POETS. The WARRIOR POETS produced the content of the show under the direction of the A&E NETWORK, which was also listed as an executive producer for the show.

23. On July 9, 2015, the A&E NETWORK aired an episode nationally, titled White Collar Crime. The episode aired nationally at 10:00 p.m., Eastern Standard Time.

24. On July 10, 2015, the episode aired again, with its original content.

25. The episode was also made available by A&E for viewing on the A&E NETWORK’s online company website, www.aetv.com.

26. Furthermore, the episode was shown on multiple live streaming services, such as, Netflix, and HULU, among others.

27. The episode of American Takedown focused on insurance fraud in South Florida.

28. The episode specifically dealt with instances of insurance fraud committed by a South Florida attorney, named Cory Meltzer, as well as a South Florida chiropractor named Roger Bell, as well as other chiropractors.

29. The show featured the alleged crimes committed by the lawyer and the chiropractor in submitting false insurance claims, specifically related to personal injury traffic accidents.

30. As the title of the show was labeled “America Takedown”, the show was dramatized to make it appear that the producers, A&E NETWORK and WARRIOR POETS,

were investigating the alleged insurance fraud, and working with the local police to “take down” the alleged fraudsters.

31. The Plaintiffs have no relation to Corey Meltzer, Roger Bell, or any involvement in the alleged insurance fraud investigation. Despite the fact that the Plaintiffs are innocent third-parties, the Plaintiffs were dragged into the show by the reckless behavior of the Defendants, who were attempting to create a provocative show that would capture viewers’ interest.

32. During the latter half of the subject episode, the sign of the LAW FIRM, (Meltzer & Bell, P.A.), as well as the business itself, was shown in a standstill shot.

33. While the sign of the LAW FIRM, and the business location was being shown, the A&E episode narrator stated, “the past week, we have been establishing at their houses and businesses to try to establish a pattern of their daily activities.”

34. Recklessly, and without any regard for verifying the truth of such statements, A&E stated and made it appear to the millions of viewers who were watching the show, that the business sign and the physical location of the LAW FIRM, (MELTZER & BELL), was the same business location where the insurance fraud was being committed.

35. Furthermore, A&E stated that the LAW FIRM was being staked out by the network and police, and that the LAW FIRM was committing the crimes.

36. The sign of the LAW FIRM is located in Palm Beach County, and is seen by thousands of passers-by every day. Furthermore, the LAW FIRM conducts a main part of their business from that location.

37. The LAW FIRM paid, and continues to pay a great amount of money in advertising, to brand themselves, and that location.

38. The show made it appear that the LAW FIRM and BELL and MELTZER were the actual fraudsters, and that the LAW FIRM's location, shown by the sign outside, was where the actual crimes were being committed.

39. This could not be farther from the truth, as the Plaintiffs have no relation to Cory Meltzer or Roger Bell or any of the business dealing of either.

40. Because of the airing of the episode, the Plaintiffs have been wrongly associated with the immoral crimes perpetuated in the episode, and have suffered losses.

41. The Defendants, in a reckless and malicious effort to produce provocative programming, made it appear to millions of viewers that an innocent LAW FIRM was the subject of the investigation by the show, and the criminal investigation.

42. The false, reckless, and malicious statements were communicated to millions of third parties.

43. It is believed, that due to the fact that Corey Meltzer and Roger Bell did not work in the same office, hence no actual physical business location together, it made better content for the producers of the show to make it appear that the physical address for where the alleged crimes were being committed was at "MELTZER & BELL.

44. This provided better content for the show, as the Defendants could then falsely make it appear to the viewers that they were staking out the fraudsters, which was all a blatant lie, as there was never any stakeout.

45. Moreover, Corey Meltzer and Roger Bell never occupied the same physical address, as one was a chiropractor, and the other a lawyer. Having them both together in the same office, made the story more tantalizing.

46. Having a sign and physical address for a firm named MELTZER & BELL, allowed the producers to now have a joint location for both alleged fraudsters, and to be able to falsely claim that the crimes were occurring at that location, and that it was being staked out by the Defendants.

47. All of these false statements were made to enhance a show titled, “American Take Down”, in order to make it appear to the viewers that the Defendants were not only staking out the fraudsters, who were allegedly committing their crimes in the same office, but also “taking them down.” Hence, the need for a physical location to be able to “take them down” from.

48. The Defendants false and malicious statements, when considered alone and without innuendo, have (a) negatively impacted the Plaintiffs trustworthiness and character, (b) caused Plaintiffs to be subjected to distrust, ridicule, contempt, and disgrace, and (c), injured Plaintiffs reputation and goodwill in the legal and general community, located in the State of Florida.

Count I – Libel Per Se

49. The Plaintiffs aver the allegations contained in Paragraphs 1 through 48, above, and incorporates them by reference as though they are fully set forth herein a cause of action for libel under Florida law accrued in Florida because the Defendants’ libelous statements were published in Florida.

50. The Plaintiffs have always enjoyed good reputations personally, and in their occupations and business.

51. The Defendants published a false statement about the Plaintiffs, when they showed the LAW FIRM’s sign and business location, and stated in the episode, which was

viewed by millions of viewers that the LAW FIRM was under investigation. A picture of the law firm sign taken from the episode is attached hereto as Exhibit "A."

52. Moreover, the Defendants published a false statement when they intentionally made it appear that BELL and MELTZER, (described in the show as an attorney and chiropractor, respectively), were operating under the same roof, a partnership or business together. Such an arrangement between a lawyer and chiropractor is strictly prohibited in the State of Florida under the Florida Rules of Professional Conduct, as the rules require the professional independence of the lawyer. The episode falsely made it appear to the viewers that the LAW FIRM and its lawyers were violating the Florida Bar Rules, which could be grounds for disbarment.

53. The false statements were published when the content was shown to the millions of viewers who watched the show.

54. The falsity of the claim has caused the Plaintiffs to suffer injuries.

55. The statements made in the episode of American Takedown were false because the Plaintiffs were never under investigation, were never involved in any insurance fraud scandal, and were never being staked out by A&E and/or the police, and never violated the Florida Rules of Professional Responsibility by operating a partnership between a lawyer and chiropractor.

56. Moreover, the statement that LAW FIRM was the same, or related in any way to Corey Melzer and/or Roger Bell, was false.

57. The Defendants knew or should have known that the statements were false when made, or did not exercise reasonable care in verifying the truth of such statements before

transmitting and publishing these statements, or recklessly disregarded the truth or falsity of the statements.

58. By publishing the statements, the Defendants sought to injure the Plaintiffs reputations, business reputations, and disparage its business.

59. The statements published to A&E's millions of viewers, described in the paragraphs above are libelous per se, because (1) the statements are in printed form and are thus libel (2) the statements ascribe characteristics that adversely affect the Plaintiffs' fitness for its business; and (3) the statements claim or indicate that the Plaintiffs have engaged in criminal conduct (fraud).

60. The false and defamatory statements made by the Defendants are injurious to the personal reputation, as well as business reputation of the Plaintiff per se. Among other things, the Defendants' false and defamatory statements have made it appear to the community, as well as the legal community, that the Plaintiffs are criminals.

61. The Defendants knew or should have known that such statements were false when they published them, and the false statements were not an inadvertent honest mistake.

62. The Defendants published the false statements recklessly, and in conscious disregard for the truth.

63. Further, the Defendants committed such acts maliciously, oppressively, with ill will, and evil intent to defame, and injure the Plaintiffs.

64. As a direct result of the Defendants' actions, the Plaintiff has suffered damages including loss of profits, customers, goodwill and damages to their reputation.

WHEREFORE, Plaintiffs, STEVEN BELL, Esquire, LARRY MELTZER, Esquire, and MELTZER & BELL P.A., respectfully request this Honorable Court to enter judgment against Defendants, A&E TELEVISION NETWORKS, LLC and WARRIOR POETS, for damages against the Defendants, and any other relief this Court deems just and proper.

DEMAND FOR JURY TRIAL

The Plaintiffs demands a trial by jury on all issues so triable.

Dated: April 19, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 19, 2016, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Jamie Alan Sasson

Jamie Alan Sasson

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25:43 / 43:13



Exhibit "A"

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.) **NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.**

I. (a) PLAINTIFFS

DEFENDANTS

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

(d) Check County Where Action Arose: ☐ MIAMI-DADE ☐ MONROE ☐ BROWARD ☐ PALM BEACH ☐ MARTIN ☐ ST. LUCIE ☐ INDIAN RIVER ☐ OKEECHOBEE ☐ HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF |
|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 |
| Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729 (a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Re-filed (See VI below) ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment ☐ 8 Remanded from Appellate Court

VI. RELATED/ RE-FILED CASE(S)

(See instructions):

a) Re-filed Case ☐ YES ☐ NO

b) Related Cases ☐ YES ☐ NO

JUDGE

DOCKET NUMBER

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):

VII. CAUSE OF ACTION

LENGTH OF TRIAL via days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

DATE SIGNATURE OF ATTORNEY OF RECORD

/s/ Jamie Alan Sasson

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

IFP

JUDGE

MAG JUDGE