

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

2:12-cv-02040-JAD-PAL

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
APR - 6 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

CRYSTAL L. COX,
Defendant, Counter Plaintiff

v.

MARC J. RANDAZZA,
Plaintiffs, Counter Defendant

Motion in Limine
to include Exhibit 4, 8, 10, and 11
Forbes, NPR, NY Times, Coenen

Counter Plaintiff Cox moves this court to rule on the inclusion of Exhibit 4,8,10,11 into evidence in Cox's counterclaim. These exhibits prove that Randazza told third parties false and defamatory statements about Crystal Cox, his former client. And encouraged them to post the same allegations on their high profile blogs.

These Exhibits prove that Randazza contacted NPR Bob Garfield, Forbes Kashmir Hill, and Fraud Forensics Investigator Tracy Coenen and told them false statements about his former Cox, painted Cox in false light, lied about Cox attacking his infant daughter and having a blog about her, lied about being extorted by Cox and told them false, defamatory and misleading statements about Cox of which they posted on their blogs and published media, and broadcast on national radio (NPR).

Cox moves this court to include Exhibit 4, 8, 10 and 11 attached to this motion. Cox will provide the court a master Exhibit List.

Crystal L. Cox, Pro Se
Counter Plaintiff / Defendant

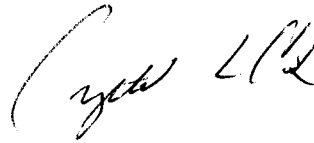


Certification of Service



On April 2, 2015, Crystal Cox certifies mailing a copy of this to:

U.S. District Court
Clerk of Court
Room 1334
333 Las Vegas Blvd. S.
Las Vegas , NV 89101

A handwritten signature in black ink, appearing to read "Crystal Cox", followed by a stylized date "4/2".



COMBATING "BAD" SPEECH WITH MORE SPEECH

Friday, April 06, 2012



00:00 / 00:00



(Marc Randazza)

First Amendment lawyer Marc Randazza disagrees with the Electronic Frontier Foundation's position on the Crystal Cox case despite being the target of one of her attacks. Randazza talks to Bob about that experience and whether it has tested his faith in the First Amendment.

Tanlines - Rain Delay

GUESTS: Marc Randazza

HOSTED BY: Bob Garfield

TAGS: bloggers as journalists, crystal cox, first amendment

Show 2 comments



**SUPPORT
ON [THE MEDIA]**

The Cancer Show: Part I

What Makes a Great Disease Story?

The War on Prevention

Perception vs. Reality

Every Edit You've Ever Made to a Facebook Post Is Visible

The Mystery of Childish Gambino

A Brief Biography of Cancer

Confession and Suppression

Speaking in Tongues

Episode 5: Marking Their Territory

FEEDS

On The Media : Latest Episodes (Atom)

On The Media : Latest Stories (Atom)

bloggers as journalists Feed (Atom)

crystal cox Feed (Atom)

first amendment Feed (Atom)

On The Media Podcast



© 2015 WNYC | BECOME A SPONSOR | TERMS OF USE | PRIVACY POLICY | CORRECTIONS

On The Media is funded, in part, by the John D. and Catherine T. MacArthur Foundation, the Overbrook Foundation and the Jane Marcher Foundation.

Exhibit 4

Forbes



Kashmir Hill (<http://www.forbes.com/sites/kashmirhill/>) Forbes Staff

Welcome to The Not-So Private Parts where technology & privacy collide

TECH (TECHNOLOGY) 4/02/2012 @ 12:33PM | 11,639 views

Ugly New Reputation-Smearing Tactic: Going After A Toddler's Internet Footprint

[Comment Now](#) [Follow Comments](#)

These days, you shouldn't worry just about your own online reputation but that of your children should you get on the bad side of a person who is willing to resort to ugly tactics in digital battles.

Crystal Cox, a Montana woman who calls herself an "investigative journalist," was slapped with a \$2.5-million judgment

(<http://www.forbes.com/sites/kashmirhill/2011/12/07/investment-firm-awarded-2-5-million-after-being-defamed-by-blogger/>) last year for defaming an investment firm and one of its lead partners. Cox had taken control of the Google footprint of Obsidian Finance and its principal Kevin Padrick by writing hundreds of posts about them on dozens of websites she owned, inter-linking them in ways that made them rise up in Google search results. It ruined Obsidian's business due to prospective clients being put off by the firm's seemingly terrible online reputation. After Obsidian sued Cox, she contacted them offering her "reputation services;" for \$2,500 a month she could "fix (<http://www.forbes.com/sites/kashmirhill/2011/12/07/investment-firm-awarded-2-5-million-after-being-defamed-by-blogger/>)" the firm's

Exhibit 9

reputation
and help
promote its
business.
(In some
circles, we
call that



Natalia Randazza, 3, already has to worry about her online reputation thanks to a blogger targeting her father

”extortion.”)

Nonetheless, when the outrageously high judgment came down, some bloggers rushed to Cox’s defense (http://blogs.seattleweekly.com/dailyweekly/2011/12/crystal_cox_oregon_blogger_isn.php), in great part because the judge declared Cox not to be a member of the media in a poorly-written opinion that some interpreted to mean that bloggers generally couldn’t claim legal protections for members of the press. So First Amendment-loving lawyers, including Eugene Volokh of the Volokh Conspiracy and Matthew Zimmerman at the Electronic Frontier Foundation, offered Cox their services in appealing the case and attempting to get a new trial. (They were denied this week (<http://www.courthousenews.com/2012/03/29/45154.htm>), with the judge clarifying that bloggers can be journalists, but that Cox is a serial harasser, not a journalist.) Another lawyer, Marc Randazza, had also spoken with Cox about her case; after deciding not to work with him, Cox sent him an email letting him know that she “needed to make money (<http://randazza.files.wordpress.com/2011/12/screen-shot-2012-03-29-at-11-09-31-am.png?w=450&h=278>)” and was willing to offer him her reputation management services. In fact, she had already bought his domain name (marcrandazza.com). Randazza writes on his blog:

“ Apparently I was not sufficiently threatened by this tactic, so Cox went on to register:

fuckmarcrandazza.com, marcrandazzasucks.com, marcjrandazza.com,
marcjohrandazza.com

She also registered a great many Blogger accounts bearing my name, including
markrandazza.blogger.com.

via Judge rules, again, that blogger Crystal Cox is not a journalist. You know why? Because she ISN’T a journalist. « The Legal Satyricon
(<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>).

Exhibit 8

(For disclosure's sake, I should mention that Cox also began blogging about me repeatedly around this time using the same tactics she used on Obsidian and Padrick, because I was the first to write a critical article

google.com/AdWords

(<http://www.forbes.com/sites/kashmirhill/2011/12/07/investment-firm-awarded-2-5-million-after-being-defamed-by-blogger/>) about her tactics. When David Carr of the New York Times followed suit (<http://www.nytimes.com/2011/12/12/business/media/when-truth-survives-free-speech.html?pagewanted=all>) he also attracted her ire. In addition to frequent blog posts about Carr she bought the url 'davidcarrsucks.com' (<http://mediadecoder.blogs.nytimes.com/2012/04/02/judge-clarifies-that-bloggers-can-be-journalists-just-not-one-in-particular/>.)

Because Randazza (like David Carr and myself) writes frequently online he had a pretty solid handle on his online reputation (unlike bankruptcy lawyer Kevin Padrick), so Cox was unable to make much headway in ruining his Google search results with her domain-name buying and blogging. So she moved on to Randazza's family members who did not have much online content associated with their names. She bought the domain name for Marc's wife, Jennifer Randazza (and has already started dominating her first page of Google results (https://www.google.com/search?q=jennifer+randazza&ie=utf-8&oe=utf-8&aq=t&rls=org.mozilla:en-US:official&client=firefox-a#q=jennifer+randazza&ie=utf-8&oe=utf-8&aq=t&rls=org.mozilla:en-US:official&client=firefox-a&pws=0&bav=on.2,or.r_gc.r_pw.r_cp.r_qf.,cf.osb&fp=f23c61bd7e89fd45&biw=1143&bih=676) with her hyperbolic posts). When Randazza still wouldn't buy her services Cox moved on to a younger member of the family:

“ When this didn't get the desired response, Cox turned to a place where even the lowest of the low would not stoop — she focused her stalkerish attention on my three-year-old daughter and registered NataliaRandazza.com.

via Judge rules, again, that blogger Crystal Cox is not a journalist. You know why? Because she ISN'T a journalist. « The Legal Satyricon
(<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>).

The search engine results for **three-year-old** Natalia Randazza are at this time dominated by content from her father, including a 'the baby has arrived' blog post with accompanying wrinkly newborn photo

Exhibit B

(<http://randazza.wordpress.com/2008/11/09/please-welcome-natalia-antoINETte-randazza/>) and a few YouTube baby videos (<http://www.youtube.com/user/marcorandazza/featured>) (classics like “Natalia’s first bath”). There’s also a page by some confused data grabber that suggests Natalia and Marc Randazza are business associates (<http://www.corporationwiki.com/Florida/Lake-Mary/randazza-a-natalia/27661676.aspx>). Perhaps due to the negative attention Cox took down the content she had started publishing on the nataliarandazza.com site.

Randazza’s struggle with Cox is representative of a much larger battle being waged on the Internet pitting free speech against our rights to protect our reputations. Randazza, a lawyer who has in his career (http://en.wikipedia.org/wiki/Marc_Randazza) fought to protect lots of troubling speech, understands this tension more than most. Yet he writes:

“ Fortunately, I had a large enough public reputation and the Google juice to withstand her attacks.

Kevin Padrick didn’t have that luxury.

Other people won’t have that luxury.

My three year old daughter doesn’t have that luxury...

There is no doubt that the blogging community needs as many protections as it can get, and I believe many bloggers who I read, talk to and work with would qualify for protection under Oregon’s shield statute. Crystal Cox did not, does not, and cannot advance this goal. If the blogging community wishes to stand among those with the title of “journalist,” then it must reject people like Crystal Cox, and relegate them to their own bizarre, obsessive and child-targeting corner of the Internet.

She is not one of us.

She harms us.

via Judge rules, again, that blogger Crystal Cox is not a journalist. You know why? Because she ISN’T a journalist. « The Legal Satyricon
(<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>).

Cox is an outlier. Her tactics are extreme ones. But we do now live in a world where money can be made from ruining reputations and then offering to fix them. In the business world there is RipOffReport.com, a site that hosts negative reviews of businesses and offers a paid “ambassador program” to those businesses to help them improve the reviews on the site. There’s also a series of sites that dig up people’s mug shots from public records and post them so that they appear in those people’s search results; they then offer to take them down for a fee.

How do we draw the line between speech rights and digital forms of extortion? It is not a new question for us in the Internet age, but it remains an unanswered one.



14 comments, 8 called-out

[Comment Now](#)

[Follow Comments](#)

Promoted Stories

- 1. [Retailers don't want you to find out this online shopping trick](#) 2 weeks ago [dsct1.com](#) [MadBid](#) (sponsored)
- 2. [Extremely Brilliant Way To Pay Off Mortgage](#) 3 months ago [onesmartpenny.com](#) [One Smart Penny](#) [One Smart Penny](#) (sponsored)
- 3. [The Best Kept Secret to Getting A Brand New iPhone 6 for Next to Nothing](#) 2 months ago [lifefactopia.com](#) [Quibids](#) (sponsored)
- 4. [7 Cards You Should Not Ignore If You Have Excellent Credit](#) 3 months ago [nextadvisor.com](#) [Next Advisor](#) [Next Advisor](#) (sponsored)
- 5. [A Genius Mortgage Payoff Plan Expiring This year](#) a week ago [onesmartpenny.com](#) [One Smart Penny](#) [One Smart Penny](#) (sponsored)
- 6. [If You Know Anyone That SNORES, You Must Read THIS...](#) a month ago [click.clktraker.com](#) [The Daily Life](#) (sponsored)
- 7. [Meet Cloud Innovation Hero Veda Woods](#) 3 weeks ago [bttrack.com](#) [AWS & Intel](#) [Bidtellect](#) - [SunPower](#) (sponsored)
- 8. [And the Best Stock for 2015 is ...](#) 2 months ago [venturecapitalnews.us](#) [Venture Capital News](#) [VentureCapitalNews.us](#) (sponsored)

by [Gravity](#)

"Investigative Journalist" Crystal Cox's Latest Target: An Enemy's Three-Year-Old Daughter

Mar 30, 2012 By Ken White. Iksome, Law

Here's the most important thing you need to know about blogger and "investigative journalist" Crystal Cox: when she got angry at First Amendment attorney [Marc Randazza](#), she didn't just register the domains [marcrandazza.com](#) and [fuckmarcrandazza.com](#) and [marcrandazzasucks.com](#) in order to attack him. She registered [jenniferrandazza.com](#) and [nataliarandazza.com](#) — the names of Randazza's wife and three-year-old daughter.

```
Registrant:
Crystal Cox

Registered through: GoDaddy.com, LLC (http://www.godaddy.com)
Domain Name: JENNIFERRANDAZZA.COM

Registrant:
Crystal Cox

Registered through: GoDaddy.com, LLC (http://www.godaddy.com)
Domain Name: NATALIARANDAZZA.COM
```

That's Crystal Cox in a nutshell — an appropriate receptacle.

You've probably heard of Crystal Cox before, even if you don't remember the name. Last December, the media and the blogosphere were [full of stories](#) about how a federal judge in Oregon had ruled that "bloggers are not journalists" and declined to extend to her various statutory defenses available to the press, leading to a \$2.5 million defamation judgment against her. She was hailed as a champion of free speech and a victim of a backwards and technophobic judiciary.

The truth, as is often the case, was a little more complicated. Remember: the first thing you need to know is that blogger and "investigative journalist" Crystal Cox is the sort of person who registers domains in the name of the three-year-old daughters of her enemies.

A few journalists probed further. [Kashmir Hill and Forbes](#) and [David Carr at the New York Times](#) looked beyond the narrative. They turned over a rock, and what they found was unpleasant.

The full story is very lengthy and detailed. I will revisit it, but I haven't finished downloading all the case documents from PACER, and I'm thinking of springing for the transcripts of Crystal Cox's deposition and trial. But read the Forbes and New York times pieces. You'll learn about how Crystal Cox started a swarm of blogs attacking an Oregon lawyer named Kevin D. Padrick, by all reliable sources a decent and trustworthy lawyer. Padrick had the bad fortune to be appointed as the trustee in a bankruptcy case Cox was obsessed with. As the Times puts it:

In a long-running series of hyperbolic posts, she wrote that Mr. Padrick and his company, the Obsidian Finance Group, had engaged in bribery, tax fraud, money laundering, payoffs and theft, among other things. Her one-woman barrage did not alter the resolution of the Summit affair, but it was effective in ruining Mr. Padrick.

In a phone interview, he told me his business as a financial adviser had dropped by half since Ms. Cox started in on him, and any search of his name or his company turned up page after page on Google detailing his supposed skullduggery, showing up under a variety of sites, including Bend Oregon News, Bankruptcy Corruption, and Northwest Tribune.

After Crystal Cox vomited forth a series of blogs accusing Padrick of being a criminal, dominating the search results for his name, she sent this email to his lawyer:

Exhibit 8

David Aman

From: Crystal L. Cox [savvybroker@yahoo.com]
 Sent: Wednesday, January 18, 2011 2:23 PM
 To: David Aman
 Subject: From Crystal L. Cox

Hello David, I hope this eMail finds you doing well. All said and done, looks like Summit boys going to Jail.. and Well I don't think that Kevin acted with the Highest of Integrity.. however at this Point in my Life it is Time to Think of Me.

So I want to Let you know and Obsidian Finance that I am now offering PR Services and Search Engine Management Services starting at \$2500 a month to promote Law Firms... Finance Companies , and to protect online reputations and promote businesses..

Please Let me know if Tonkon Torp or Obsidian Finance is interested in this service..

thanks for your time..

In Love and Light



Crystal L. Cox
 Investigative Blogger
 Real Estate Broker Owner..

That sure sounds like "pay me to take down the terrible things I've said about you," doesn't it? It does to me. It sounds like *extortion*. When asked by the New York Times, Crystal Cox responded blandly that she was "not on trial for writing e-mails."

Contrast that with her [email to Marc Randazza](#), telling him that she had already registered [www.marcrandazza.com](#), and needed money, and she had been accused of extortion before, but did he or anyone he knew need a reputation manager?

Subject: From Crystal L. Cox
 From: "Crystal L. Cox" <savvybroker@yahoo.com>
 Date: Mon, January 16, 2012 2:30 pm
 To: "marc@randazza.com" <marc@randazza.com>

Hi Marc, hope this email finds you doing well. When I thought we may work together i bought <http://www.marcrandazza.com/> to control the search, and pr on my case, if you represented me. I manage it now, as ownership is well.. a different story now due to my current judgement.

I am confident with the case, and leaving it to the highest and best good..

I do however need to make money, so I am asking you if you or anyone you know could use a very good search engine reputation manager. Not sure if you ever researched that for your online presence.. not sure of what you think of David Aman excusing me of extortion, thing is search management is something tons of people due and for thousands a month per search term.. and so when he sent a cease and desist and filed a lawsuit, i offered it as a way to settle and not spend a year fighting, he turned it down, then a year later accused me of a crime.. its simply not how it happened..

Anyway if you know anyone needing a very good search engine reputation manager please let me know..

Crystal L. Cox
 Broker Owner

He didn't bite. Soon she was filling the web with sites ranting and raving about him — freakish, incoherent, meandering rants. I'm not linking to them. After some thought, and with reluctance, and with apologies to Marc and his lovely wife, I'm going to show you [this pdf](#) of one of her pages attacking Jennifer by twisting a typically-Marc charming story about their engagement and pregnancy into something vile. I show it to you because I think it is necessary to understand how sick and evil Crystal Cox is. If you want to see more, go see one of her sites for yourself. Observe the disturbing rants, the odd capitalization and layouts, the sidebar advertisements for quack nostrums, and the occasional video report in which Crystal Cox twitches and babbles and meanders wherever her sick mind takes her. Don't link her, though. That helps her.

Crystal Cox now has formidable attorneys on her side — Eugene Volokh and the Electronic Frontier Foundation, [who just lost a motion for a new trial](#) and are now appealing the judgment against Cox to the Ninth Circuit. Though Crystal Cox is a vile, evil person, I have nothing but respect for Volokh (a Popehat [favorite](#)) and the EFF. Read their briefs. They assert that the trial judge in Cox's case erred in instructing the jury and failed to extend to Cox the free speech protections we all should enjoy — that Padrick was not held to the right standard of proof in proving her intent in writing false things about him. They aren't arguing — at least as far as I can tell — that she proved that what she wrote was true; rather, they are arguing that the jury lacked to right rules to judge the case. Even if every damn thing Cox said was maliciously manufactured, this is important work: ultimately Volokh and the EFF are fighting for the rights of bloggers everywhere. But it's too bad that Crystal Cox is the standard-bearer for the case. Volokh and the EFF labor under a terrible record replete with Cox's bizarre rants. Consider her [bizarre cross-complaint suing the victim for suing her](#), or her [demand that the judge and court staff sign a declaration of lack of conflict of interest](#) (this is typical of unhinged pro se litigants; it must be on a web site someplace), or her [attempt to spin her extortionate email as really being about misconduct against her](#), or her post-trial motion [launching a broadside against a hapless juror based on a largely incomprehensible conspiracy theory](#). And consider — as I keep saying — that Crystal Cox is the sort of person who registers a domain in the name of the three-year-old daughter of an enemy. But fighting for free speech often involves rubbing shoulders with evil — the Phelps clan, the Nazis at Skokie, and so forth.

I agree with Marc that Crystal Cox is no journalist. Journalists don't offer their services as reputation managers to the people they are reporting on. Journalists don't engage in bizarre and incomprehensible rants. (Well, OK, not counting cable news.) Journalists don't engage in the writing equivalent of spam. But I'm not convinced that this should matter. I

Exhibit 8

think that Crystal Cox — like me, or Marc Randazza — should enjoy the same protections as a journalist. But with that comes responsibility. If she destroys someone's life — as she did to Padrick — and he can prove that her claims were false and that she had the requisite mental state, then she should pay. If the Ninth Circuit reverses here, despite Crystal Cox's warts, she should get another trial — and then I hope that Padrick thoroughly cockroach-stomps her again. Given the freakish nature of her filings, that seems like a probable result, no matter what standard she is held to.

But that's years in the future. Right now, we are dealing with someone who is registering domains in the names of the three-year-old daughters of her enemies. What can we do about people like Crystal Cox?

We can respond to her evil, vengeful speech with more speech.

First, every time Crystal Cox attacks someone, we can band together — as bloggers did for Marc Randazza when Crystal Cox attacked him — and write fair and factual posts about the target. That substantially blunted Crystal Cox's attempt to destroy Randazza's reputation by spamming numerous nutty blogs about him, pushing her efforts off the first page. As a team, we can render Crystal Cox powerless and largely irrelevant. More speech works. (Now you know why I put up that mysterious Popehat Signal.) It might be nice to start by offering this gesture to Kevin D. Patrick, her victim in the Oregon case. But if you're out there — if she's gone after you, or threatened to — we can help you, too. We'll throw up the Popehat Signal and gather a more-speech team and flush her off the first pages of your search results.

Second, We can write about Crystal Cox based on established facts, documentary evidence, and her own words. We can all point out that she's the sort of person who retaliates against an opponent by registering a domain in the name of his three-year-old girl. If enough people do it, then Crystal Cox's power to destroy people's reputations will be further diminished. Even if people run across her vengeful posts about a victim, even the quickest inquiry into *her* will reveal her for who — for *what* — she is. More speech works.

Third, we can search for other victims. The emails to Padrick's lawyer and to Randazza are two data points — but showing a remarkably similar approach. Has she done this other times? There's a way to find out — we use reverse whois directories, plug in her name and addresses and email addresses and known associates, and find every domain she has ever registered. I've already started. Then we see whether the domains were used to attack someone. If they were, we start contacting the targets and asking questions — like "has Crystal Cox offered you reputation management services?"

Why would we want to see if Crystal Cox has sent emails to others like the ones she sent to Randazza and Padrick? Well, two reasons, really. The first is civil. If Volokh succeeds in getting Crystal Cox a new trial on appeal — or if anyone else sues her — a pattern of such communications will be very probative of her *intent* in making false statements about people when she sets up multiple blogs about them. Under Federal Rule of Evidence 404(b), such "other bad acts" evidence is generally inadmissible — unless it is probative of intent, or knowledge, or motive, or lack of accident, or similar factors. What could be more probative of Crystal Cox's malicious intent than a pattern of such communications — like the pattern we already see in the two described above?

And the second reason to investigate further "reputation manager" offers?

Oh, yeah. That.

It's because of Title 18, United States Code, Section 875(d):

(d) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

I suppose, if you want to get technical, that's not "more speech." But, like the best last line of a movie *ever* goes, "well, nobody's perfect."

Other posts about this:

Crystal Cox – Investigative Blogger? No, More Like A Scammer and Extortionist
A Blogger Not Like Us

Judge rules, again, that blogger Crystal Cox is not a journalist. You know why? Because she ISN'T a journalist.
How Crystal Cox Is Helping To Prove The Strength of the First Amendment
Investigative Journalist Crystal Cox Attacks Kevin D. Padrick

Exhibit 8

The New York Times

Media Decoder

Behind the Scenes, Between the Lines

Judge Clarifies That Bloggers Can Be Journalists (Just Not One in Particular)

By David Carr

April 2, 2012 8:22 am

Back in December, United States District Court Judge Marco A. Hernandez created a stir by seeming to suggest that bloggers are not journalists as defined by Oregon's shield law. The ruling came in a case involving a self-described "investigative blogger," Crystal L. Cox. She had been sued by Kevin Padrick of the Obsidian Finance Group for defamation because she had written that he and his company had engaged in a wholesale fraud in a bankruptcy case.

Initially, the blogosphere sounded the alarm at what seemed to be an attack by powerful moneyed interests on a crusading blogger. But a cursory investigation revealed that Ms. Cox employed a number of unorthodox tactics for a journalist, including registering dozens of domain names of people she perceived as her enemies in order to initiate serial and often profane salvos against them. In the instance of Mr. Padrick, she sent his lawyer an e-mail offering reputation management services after savaging his client in several blogs.

Exhibit 11

She represented herself in the initial defamation case at the end of last year and lost, with the jury awarding \$2.5 million to Mr. Padrick. She appealed the decision and this time was represented by Eugene Volokh and the Electronic Frontier Foundation in a motion for a new trial, which was denied.

In his ruling denying the motion for a new trial, the judge said that he never intended to suggest that bloggers can't be journalists, only that Ms. Cox did not fit the definition:

"In my discussion, I did not state that a person who 'blogs' could never be considered 'media.' I also did not state that to be considered 'media,' one had to possess all or most of the characteristics I recited."

"The uncontroverted evidence at trial was that after receiving a demand to stop posting what plaintiffs believed to be false and defamatory materials on several Web sites, including allegations that Mr. Padrick had committed tax fraud, defendant offered 'PR,' 'search engine management,' and online reputation repair services to Obsidian Finance, for a price of \$2,500 per month."

"The suggestion was that defendant offered to repair the very damage she caused for a small but tasteful monthly fee. This feature, along with the absence of other media features, led me to conclude that defendant was not media."

Oddly, a number of bloggers applauded the decision, including Marc Randazza, who writes The Legal Satyricon blog and had been asked to represent Ms. Cox on appeal:

Hernandez was right to draw a line, and where he drew it leaves plenty of room for even the most

Exhibit 11

casual blogger to find protection. Hernandez's decision does not say that bloggers are not journalists, it merely says that Crystal Cox is no journalist.

Mr. Randazza wrote that Ms. Cox had registered a number of domains that included his name and offered him help as a "search engine reputation manager." He declined, and she registered domains that included not only his name and various profanities, but also domains that included his wife's name, and, creepily enough, that of his 3-year-old daughter. She has filled at least some of these blogs with invective about Mr. Randazza and an incredibly vile post about his wife as well. (I should probably mention here that after writing about Ms. Cox, I've been on the receiving end of her special brand of reputation management as well.)

In an organized effort, bloggers have been filling the air (and Google searches) with supportive posts about Mr. Randazza, so his reputation probably won't suffer a similar fate as Mr. Padrick's. For the time being, the only reputation that seems to be taking a beating is Ms. Cox's.



“INVESTIGATIVE JOURNALIST” CRYSTAL COX ATTACKS ATTORNEY KEVIN D. PADRICK

I am no stranger to defamation

lawsuits for writings on a blog. I have

been threatened multiple times for

writing my opinions and the facts as I

know them about various companies. I

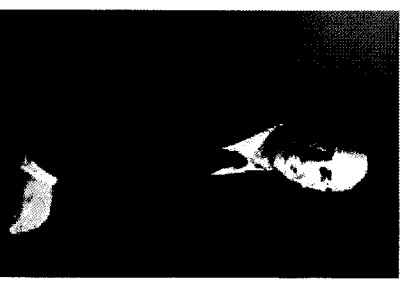
have even been wrongly sued, with a

judge dismissing me from the case,

but not until after substantial legal

fees were incurred to defend my good

name.



Attorney Kevin
Padrick

SERVICES

BLOG HOME

VIDEOS

BOOKS

CONTACT

So when it comes to allegations of defamation launched against bloggers, I take the matters seriously. Crystal Cox bills herself as an “investigative journalist,” but has done a whole lot of things that don’t have anything to do with investigation or journalism.

You see, the story starts with Attorney Kevin D. Padrick, one of the founders of Obsidian Finance Group, LLC. Mr. Padrick was appointed as trustee in the bankruptcy case of Summit Accommodators Inc., a company that he eventually reported was a Ponzi scheme. He further

Exhibit 10

Exhibit 60

Search ...



ABOUT THE AUTHOR

Tracy Coenen is a forensic accountant and fraud investigator with Sequence Inc. in Chicago and Milwaukee. She investigates cases of white collar crime, divorce, embezzlement, tax fraud, insurance fraud, and financial statement fraud nationwide. [Fraud Files RSS Feed](#)



TOP POSTS & PAGES

[Primerica Financial Services: The Fake Job Interview](#)
[Isagenix Scam: Questionable Medical Claims, No Science Behind](#)

reported that executives at Umpqua Bank knew what Summit was doing, but didn't do anything to stop it.

Three principals of Summit Accommodators, Mark

Neuman, Timothy Larkin, and Lane Lyons, were

eventually indicted on charges of conspiracy to commit

fraud, misusing over \$44 million of customer money.

Brian Stevens, co-founder of Summit with Neuman, pleaded guilty to charges of conspiring to commit wire fraud and conspiring to launder money. I can only assume that these criminal charges were brought in large part thanks to the good work of Kevin Padrick.

Martindale Hubbell AV Rated attorney Kevin Padrick is
one of the good guys, right? Not in the eyes of Crystal
Cox, so-called investigative blogger.

At some point Crystal Cox decided Kevin D. Patrick was one of the bad guys. And with that, she launched an internet campaign against him, accusing him of corruption, fraud, tax fraud, stealing money, money laundering, and more. She bought domain names featuring the names of Kevin and Obsidian, posting rants and cross-linking between multiple sites to move her rants up in search engine rankings. Crystal Cox essentially decimated Padrick in front of anyone who might Google his name. This had its intended effect: Padrick's business suffered. Kevin Padrick and Obsidian Finance sued Crystal Cox for defamation, alleging

Them

Xyngular: Starve, Binge.

Purge. Repeat!

Roca Labs Weight Loss
Scam

Mary Kay Cosmetics:

Destroying Half a Million
Women a Year

World Ventures Called A
Scam by Blogger and

Others

RECENT COMMENTS

Spammer on Are Your

Employees Committing

Fraud? It's true; most of the
companies are suffering
from fraud due to...

alfredo on Primerica

Financial Services: The Fake
Job Interview! went 3 days
ago and I had to give my
info...

Tracy Coenen on Why I

Hate Intuit and Quickbooks!
don't think they drop the
price.

avanny on Why I Hate
Intuit and Quickbooks! Do
you know if the prices drop

damage to his reputation and earnings.

It gets even better. Crystal Cox then attempted to extort Kevin D. Padrick and Obsidian Finance by offering to provide services to "protect online reputations" for a fee of \$2,500 per month. Translation: "*Pay me to take down the defamatory material.*"

The clear problem here is that I can't find any proof behind Cox's allegations against Padrick. But that doesn't help Kevin D. Padrick when it comes to Google. The postings by Cox appear prominently, and her repeated allegations on multiple URLs might make it appear to an outsider that there is really a story here. What user of the internet is going to take the time to slog through Crystal's many websites and incoherent rants to come to the conclusion that the sites were all created by the same person, who never proved any bad acts by Padrick? Probably no one.

Kevin Padrick and Obsidian Finance won their case against Crystal Cox, being awarded \$2.5 million in damages. Crystal Cox was found guilty of defamation by a jury for one particular posted about Kevin Padrick. (The rest of her writings were deemed by the judge to be nutting rantings that no sane person would ever accept as statements of fact.) In the course of the case, Cox was deemed to be not a journalist. Essentially, the "shield law" in Oregon didn't apply to Crystal Cox

Exhibit 10

on QuickBooks once tax season...

MDKR on Primerica
Financial Services: The Fake
Job Interview! see this
company hasn't changed
much since my friend's
husband tried...

J Q on Timothy Sykes:
Millionaire Trading
Challenge Tim's program
itself is not a scam. But
given its price of...

Angie on Roca Labs
Weight Loss Scam! was one
click away. Thank goodness
I decided to do research...

maile jones on Why I Hate
Intuit and Quickbooks Yes,
every quickbooks company
file I have ever had simply
quits working...

because she didn't work for a traditional news outlet,
and was "just" a blogger. The thing is, whether a
journalist or not, the defamation claim was clear cut to
the jury. Chrystal Cox doesn't need a new trial, and that's
exactly what the judge ruled, because regardless of the
applicability of the shield law, the jury found that Cox
said untruthful things about Padrick and Obsidian.

Crystal Cox is hell-bent on destroying people who don't
give in to her wishes. She has now gone after Marc
Randazza, an attorney she begged to help her with an
appeal in the Obsidian case, even going after Marc's wife
and three year old daughter. When things didn't work
out with Marc, Crystal went ahead and registered the
domain name marcrandazza.com (along with several
others) and told Marc she was just doing so to "control
the search, and pr" on her case. He smelled a shakedown
immediately.

This tells you what kind of woman we are dealing with:
Crystal Cox attacked Marc's innocent wife and three
year old daughter.

It is important to stand up to people like Crystal Cox.
Companies are frequently playing the part of the big
bullies on the playground - - threatening and suing
anyone who might criticize them - - and we need to
stand up to them and protect our right to speak our
opinions freely about them.

Exhibit 10

But we also need to stand up against those who pretend to be like us - - those of us who want to advance free speech and legitimately criticize the bad acts of bad actors - - but who are really NOT like us. People like Crystal Cox cannot and should not be allowed to lie about people like Kevin Padrick. Cox must be held accountable to keep the rest of us - - who are not defaming - - protected under the First Amendment.

Read more about investigative blogger Crystal Cox's extortion attempts:

- The Salty Droid: Crystal Cox :: is not a BLOGGER
- Philly Law Blog: Crystal Cox - Investigative Blogger?
- No, More Like a Scammer and Extortionist
- Scott Greenfield: A Blogger Not Like Us
- Legal Satyricon: Judge rules, again, that blogger Crystal Cox is not a journalist. You know why?
- Because she ISN'T a journalist.
- Popehat: "Investigative Journalist" Crystal Cox's Latest Target: An Enemy's Three-Year-Old Daughter
- New York Personal Injury Law Blog: Blawg Review is Back! (With some incredible, but true, stories)
- Defending People: Crystal Cox
- Trial Theory: Crystal Cox
- Siouxsie Law: Crystal Cox is Not a Member of the Media
- Carlos Miller: Blogger Must Act Like Journalist To Be Treated Like One

- New York Times: Judge Rules That Bloggers Can Be Journalists (Just Not One in Particular)
- Forbes Kashmir Hill: Ugly New Reputation-Smearing Tactic: Going After A Toddler's Internet Footprint

Similar Posts:

- The Golden Era of White Collar Crime
- Creating an Investigative Policy
- The Case for Anti-SLAPP Legislation
- Expert Testimony for Non-Accountants
- Ridiculing Roca Labs

+

📅 31 MARCH 2012

🔍 CRYSTAL COX, DEFAMATION, INVESTIGATIVE BLOGGER, INVESTIGATIVE JOURNALIST, KEVIN D PADRICK, KEVIN PADRICK, MARC RANDAZZA, OBSIDIAN FINANCE, SUMMIT ACCOMMODATORS

💬 17 COMMENTS

◀ WHY DIDN'T THE AUDITORS FIND THE FRAUD?

GROUPON'S LATEST ACCOUNTING PROBLEM ▶

17 THOUGHTS ON ““INVESTIGATIVE JOURNALIST” CRYSTAL COX ATTACKS

Exhibit 10

ATTORNEY KEVIN D. PADRICK"

Pingback: [Crystal Cox - Investigative Blogger? No, More Like A Scammer and Extortionist « Philly Law Blog](#)

Pingback: [How Crystal Cox is helping to prove the strength of the First Amendment « The Legal Satyricon](#)

Pingback: ["Investigative Journalist" Crystal Cox's Latest Target: An Enemy's Three-Year-Old Daughter | Popehat](#)

Pingback: [Defending People » Crystal Cox](#)

Pingback: [Blawg Review is Back! \(With some incredible, but true, stories\) - New York Personal Injury Law Blog](#)

Pingback: [Blawg Review is Back! \(With some incredible, but true, stories\) - The Low Down](#)

Pingback: [Crystal Cox - Trial Theory](#)

Pingback: [New York Times chimes in on the Crystal Cox Story « The Legal Satyricon](#)

Pingback: [The Evolution of Crystal Cox: Anatomy of a Scammer « Philly Law Blog](#)

Pingback: [Fraud Files Blog](#)

Pingback: [Fraud Files Blog](#)

Exhibit 10

Pingback: [Fraud Files Blog](#)

Pingback: [Fraud Files Forensic Accounting Blog » mArc RaNdazza takes back His nAmE](#)

EXH. 10

Pingback: [Fraud Files Forensic Accounting Blog » Crystal Cox v. The Internet Dismissed in Eastern District of Wisconsin](#)

Pingback: [Fraud Files Forensic Accounting Blog » Extortionate Investigative Blogger Crystal Cox: Summary By a Federal Judge](#)

Pingback: [Fraud Files Forensic Accounting Blog » Crystal Cox Has a History of Seeking Payoffs in Exchange For Retraction](#)

Pingback: [Fraud Files Forensic Accounting Blog » Alleged Extortion of Pastor John Collins by Crystal Cox](#)

LEAVE A REPLY

Enter your comment here...



FRAUD FILES FORENSIC ACCOUNTING BLOG

COMMENTARY ON FRAUD, SCAMS,
SCANDALS, AND COURT CASES.

HOME (MAIN SITE)

ABOUT

SERVICES

BLOG HOME

VIDEOS

BOOKS

CONTACT

MARC RANDAZZA, FIRST AMENDMENT LAWYER

Marc J. Randazza is a truly amazing First Amendment Attorney. His firm, Randazza Legal Group is based in Las Vegas, but they handle cases across the country. It is impossible to appreciate how brilliant Marc is unless you have actually worked with him, and I have had that honor.



Marc and his team blog at The Legal Satyricon, a no-holds-barred publication where the lawyers speak their minds on all sorts of current events. He is an amazing writer, not just on the blog. I have had the pleasure of reading several of Marc's briefs, and they are engaging, entertaining, and compelling.

Randazza has beaten copyright troll Righthaven to a bloody pulp. Marc told incompetent (according to a judge, anyway) and misguided "lawyer" Joseph Rakofsky (of the infamous Rakofsky v. Internet case) to shut the fuck up. And then Marc Randazza smacked Rakofsky down:

Rakofsky set the wheels of his own reputation's demise in motion by exercising poor judgment. The

EXHIBIT 10

EXHIBIT 10

Search ...

Q

ABOUT THE AUTHOR

Tracy Coenen is a forensic accountant and fraud investigator with Sequence Inc. in Chicago and Milwaukee. She investigates cases of white collar crime, divorce, embezzlement, tax fraud, insurance fraud, and financial statement fraud nationwide. [Fraud Files RSS Feed](#)



TOP POSTS & PAGES

[Primerica Financial Services: The Fake Job Interview](#)
[Isagenix Scam: Questionable Medical Claims, No Science Behind](#)

wheels gained momentum due to Rakofsky's unwillingness to take responsibility for his actions. Rakofsky now lashes out at others for his errors and omissions, and as unfortunate as it is that this suit has been filed at all, it will be a constitutional travesty if this case survived a Motion to Dismiss.

[Randazza defends the free speech](#)

[rights of people he despises](#), because he believes so strongly in the right. He offends people - - [one such writing was the infamous Fuck Brief](#) - - and he defends the right of everyone to offend others with their words.



Thank you, [Marc J. Randazza](#), for defending the Constitution. And for being an excellent lawyer, a wonderful writer, a committed advocate for his clients, and most of all.... an amazing human being. I am honored to know you. And I now call you a friend.

Other sites with opinions on Marc Randazza:

[The Time I Unleashed Marc Randazza On The ABA](#)

[Marc Randazza, Hero](#)

[Marc Randazza Would Support Me, Right?](#)

[Righthaven, Liquified](#)

[Marc Randazza: The Mark of Excellence](#)

[Marc Randazza: 1st Amendment Lawyer Exemplar](#)

Exhibit 10

Exhibit 10

Them

Xyngular: Starve, Binge.

Purge. Repeat!

Roca Labs Weight Loss

Scam

Mary Kay Cosmetics:

Destroying Half a Million

Women a Year

World Ventures Called A

Scam by Blogger and

Others

RECENT COMMENTS

Spammer on Are Your

Employees Committing

Fraud? It's true: most of the
companies are suffering

from fraud due to...

alfredo on Primerica

Financial Services: The Fake
Job Interview! went 3 days

ago and I had to give my
info...

Tracy Coenen on Why I

Hate Intuit and Quickbooks!

don't think they drop the
price.

avannoy on Why I Hate

Intuit and Quickbooks! Do

you know if the prices drop

Marc Randazza: Super Lawyer, Super Blogger?

Marc Randazza, First Amendment Lawyer, on the Rush

Limbaugh Fiasco

Marc Randazza: A Sentinel For Free Speech

Marc Randazza – First Amendment Badass

Marc Randazza: Why I Went To Law School

Marc Randazza

Marc Randazza, The First Amendment's Finest Friend

Rick Santorum v. Marc Randazza: A Dichotomy of

Zealotry

Praised Be Marc Randazza

Marc Randazza - lawyer, blogger, free speech advocate

Marc Randazza, Among Other Sources of Inspiration

Marc Randazza, and some thoughts about the First

Amendment

Marc Randazza, Floridian But Not Weird, First

Amendment Defender, Vietnam Hero

In Praise of Marc Randazza

Marc Randazza: Lawyer Role Model

Marc Randazza's Entertaining – And Effective – Legal

Writing

Marc Randazza: Super Cool Attorney

Marc Randazza

"It's Un-American To Silence Limbaugh"

Similar Posts:

- [The Case for Anti-SLAPP Legislation](#)

EXHIBIT 10

on QuickBooks once tax season...

MDKR on Primerica Financial Services: The Fake Job Interview! see this company hasn't changed much since my friend's husband tried...

J Q on Timothy Sykes: Millionaire Trading ChallengeTim's program itself is not a scam. But given its price of...

Angie on Roca Labs

Weight Loss Scam! was one click away. Thank goodness I decided to do research... maile Jones on Why I Hate Intuit and QuickbooksYes, every quickbooks company file I have ever had simply quits working...

+

- [Roca Labs Must Be Mocked](#)
- [Ridiculing Roca Labs](#)
- [World Ventures Called A Scam by Blogger and Others](#)
- [Roca Labs and the Alfonso Ribeiro Endorsement](#)

📅 23 MARCH 2012

✦ FIRST AMENDMENT, LEGAL SATYRICON, MARC J RANDAZZA, MARC RANDAZZA, RANDAZZA LEGAL GROUP

👉 4 COMMENTS

◀ AUDITOR ROTATION WON'T IDENTIFYING RED FLAGS OF MAKE AUDITS BETTER FRAUD

4 THOUGHTS ON "MARC RANDAZZA, FIRST AMENDMENT LAWYER"

Pingback: [Fraud Files Blog](#)

Pingback: [Fraud Files Blog](#)

Pingback: [Fraud Files Forensic Accounting Blog »](#) [mArc RaNdazZa takes back His name](#)

MJR