

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

-----X  
ROY DEN HOLLANDER,

Plaintiff,

Index: **08113595**

-against-

JAMES JOSEPH NORTON,

Defendant.

**SUMMONS**

Plaintiff's residence:  
545 East 14 St., 10D  
NY, NY 10009  
Basis of venue:  
Plaintiff's residence

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To the person named as defendant above:

PLEASE TAKE NOTICE THAT YOU ARE HERBY SUMMONED to answer the complaint of the plaintiff and to serve a copy of your answer on the plaintiff at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: New York, N.Y.  
September 30, 2008

*Roy Den Hollander*  
By: Roy Den Hollander,  
Attorney and *Pro Se* Plaintiff  
545 East 14 Street, 10D.  
New York, N.Y. 10009

Defendant:  
James Joseph Norton  
220 Riverside Boulevard, Apt. 10D  
New York, N.Y. 10069

Plaintiff designates New York County as the place of trial based on the parties being residents of New York County.

**FILED**  
OCT 08 2008  
COUNTY CLERK'S OFFICE  
NEW YORK

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Index No.

Plaintiff,

-against-

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**DEFAMATION  
COMPLAINT**

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**NATURE OF THE ACTION**

1. This is a defamation action against James Joseph Norton (a.k.a. Jimmy Norton) who is a well known radio talk-show host, comedian, and a white person who is bigoted against African-Americans.
2. On August 20, 2008, while guest-hosting the XM Satellite radio show "Opie and Anthony," Mr. Norton, with actual malice motivated by his ill will toward any person who advocates affirmative action for African-Americans, and any person who does not subscribe to his hypocritical beliefs, defamed the plaintiff, which defamations were broadcast live to a large audience.
3. In New York, the *per se* standard for libel rather than slander applies to verbal defamations that are broadcast.
4. A section of the libelous part of the show was an interview with the plaintiff about a case the plaintiff, an attorney, had brought in the U.S. Southern District Court of New York challenging the constitutionality of the Women's Studies program at Columbia University for violating equal protection and receiving government assistance for furthering a religion.

5. Mr. Norton's broadcast libel began during the interview and continued well after the interview ended.
6. Mr. Norton began his hour-long tirade against the plaintiff when the plaintiff advocated affirmative action for African-Americans but not for white females.
7. The plaintiff said:

"When was the last time a white female was lynched, shot dead on the front stoop of her home, or on the balcony of the motel she was staying in. There's no comparison between blacks and females. For the past four centuries, the institutions of this nation have had their boot heels on the back of the necks of blacks. Over that same period white females have received largely preferential treatment."

8. From that moment until the show ended, Mr. Norton, driven by his prejudice toward African Americans and anyone who advocates affirmative action for redressing past wrongs to African Americans, did his intentional best to libel, insult, ridicule, demean, and falsely characterize the plaintiff in accordance with Mr. Norton's usual pattern and habit of verbally trying to destroy those who disagree with his fatuous beliefs.
9. Mr. Norton even admitted his motivation:

"If he [plaintiff] just wouldn't have been a pussy with the racial issue we would have got along fine.... [he's] a phony ... white dude hypocrite, who's a guilt ridden white person."

10. Mr. Norton also admitted actual malice toward the plaintiff in Mr. Norton's intentional and reckless disregard for the truth by using invidious and irresponsibly false statements to hold the plaintiff up to ridicule, contempt and induce an evil opinion of the plaintiff in the minds of the audience:

"Yes, I do want to engage in personal attacks because I don't like you [plaintiff] .... I'll explain to [plaintiff] why I was doing personal attacks; why I went there. This is why I started going after you [plaintiff] on a personal level.... I'll call you a lot of names.... I'm calling you a name!!!"

11. Mr. Norton's malice drove him to use cursing, uncontrolled yelling and libel during the broadcast rather than cogent arguments. Simply put, he was unable to argue on the merits, so he resorted to *ad hominem*s.
12. Such vitriol, however, did not quench Mr. Norton's malice. He also encouraged his audience and others to harass the plaintiff by sending numerous emails threatening and cursing the plaintiff to the plaintiff's email address, which Mr. Norton provided to the audience.
13. While still broadcasting, he and others on their computers in the studio also engaged in sending such libelous and harassing emails to the plaintiff that were copied to others.
14. Mr. Norton read on the air two such emails sent to the plaintiff: "You're a f\*\*king fag," and "Take an electric slide into another man's [rear]." Strange insults repeated by Mr. Norton who has written about his gay escapades.
15. Mr. Norton continued to encourage his studio and email associates and the audience to keep sending similar emails to the plaintiff. One of the people in the studio than said, "Let's ask [the plaintiff] if he's getting a lot of emails [laughter]. I'll bet he is. Something tells me he's going to get a lot [laughter]."
16. Mr. Norton then went to the plaintiff's My Space page. Mr. Norton exclaimed, "Of course it's a gay find." He then proceeded to vehemently ridicule one of the persons on the plaintiff's My Space page. Someone Mr. Norton had never met, never talked with, knew nothing about, but based solely on the person's photograph, Mr. Norton's innate mean spiritedness incited him into a hate-filled, dishonest rant against that individual in order to demean and denigrate a stranger who's mere appearance Mr. Norton's subjective sensitivities found objectionable.

17. For about a week after the show, Mr. Norton continued to harass the plaintiff by sending or having others send libelous, threatening and harassing emails over the internet to the plaintiff's email address and copying such emails to others.

#### **THE PARTIES**

18. Plaintiff Roy Den Hollander is a resident of New York County and a practicing attorney in New York.

19. James J. Norton is a talk show host and small-time comedian who uses cursing, yelling, bigotry, and high-school boys-room humor to entertain immature and insecure audiences. He lives at 220 Riverside Boulevard, Apt. 10D, New York, N.Y. 10069 (West 70<sup>th</sup> Street) and operates a company called Eat-A-Bullet, Inc.

20. His alleged humor focuses on perversion and in 2000 he was arrested for having to pay teenage girls to expose themselves in public and admits to having to pay top dollar for sexual massages.

21. Mr. Norton played a role, apparently biographical, in the TV show Lucky Louie as a rich foul-mouthed, perverted, ill-informed, character that lives with his mother and deals pot to high schoolers.

22. He often uses the pseudonym "Steve from Yellowstone" to call radio talk shows to scream and defame guests he disagrees with from the safety of his pseudonym and his apartment.

23. Mr. Norton fosters a visage of toughness yet cringes behind the microphone and internet from where he spews his obsessive vindictiveness toward people who disagree with him.

24. Mr. Norton is admittedly self-hating, self-indulgent and delights in demeaning and defaming people to compensate for his own insecurities.

25. He was selected as one of the final contestants in "Last Comic Standing" but got cold feet and backed out before competing.
26. He wastes much of his empty life trying to revolt people, being an alcoholic and drug addict, and spends much of his time in the bizarre capacity of smelling people's stomachs.
27. He pretends to be a man of the people, yet lives in a million dollar apartment over-looking the Hudson River and drives a 2006 Cadillac STS, 4-door Sedan, but not in a very safe manner given his list of traffic violations.
28. Mr. Norton worships certain celebrities and is an avid autograph and photograph collector of such famous persons. But when his idols turn down his requests for signatures and pictures, he immediately turns into a real-life "Gollum," cursing them for their imagined snubs. For instance, New York Yankees baseball player Derek Jeter wouldn't autograph a picture, and Yankees Ron Guidry and Jimmy Leyritz acted in a way unacceptable to Mr. Norton's belief in his own self-importance, so he did what he always does—vented verbal vituperation at them over the air-waves. Or when Gene Simmons refused to give Mr. Norton an autograph, Mr. Norton went into an on-the-air tirade against Mr. Simmons.
29. Mr. Norton has a history of defaming people who disagree with him and bigotry toward African Americans that he often expresses on stage.
30. He has made clear that he does not care about the harm his unbridled, mone-making libel causes, "Tough ... I really do not care if they are offended," and he intentionally shows a "complete lack of regard for [people's] morality."
31. He claims he's just an honest comic, but will use any dishonest tactic, such as lies, curses and shouting, to rule over those who do not kowtow to his self-righteous, sanctimonious and

bigoted beliefs and, of course, to make money under the disguise of sincerity. He pretends to be what he is not, so people will pay to listen and will like him.

32. For example, Mr. Norton hypocritically advocates free speech, but in practice he means only for himself, not others, especially when others disagree with him, which drives him to intentionally use the tactics of ranting epithets and curses so as to yell them down until they do agree with him.

33. Mr. Norton even has a website that reflects his preoccupation with not only libeling but threatening people. The site is belligerently and menacingly titled "Eat-A-Bullet".com, which is operated by his own New York State corporation called "Eat-A-Bullet, Inc."

34. While the media portrays Mr. Norton as a harmless flake, his on-air ravings and "Eat-A-Bullet" website and corporation reveal he is not only potentially dangerous, but is becoming more so with time as his temper tantrums increase. There is a realistic concern that Mr. Norton's vehemence against the plaintiff may escalate from internet harassment to encouraging or arranging for his fans to physically attack the plaintiff.

35. From the most powerful leaders in the country, to the ne'er do well down the block, those who aim to exploit, control and silence others predictably turn to personal attacks, lies, yelling and deception. Mr. Norton fits right in.

#### **MR. NORTON'S LIBELOUS STATEMENTS**

36. Mr. Norton, with wrongful and willful intent or reckless disregard to injure the plaintiff in his profession as an attorney and business consultant and to reflect adversely on the plaintiff's professional integrity, competence and trustworthiness, made the following false statements about the plaintiff asserting moral discredit over the air to a large audience. The statements are alleged to be *per se* libelous:

- a. "You're being dishonest with yourself and everybody else!"
- b. "There's such a dishonesty in him [plaintiff]!"
- c. "You're a phony," you're a f\*\*king phony!" "Phony" repeated at least ten times in reference to the plaintiff during the broadcast.
- d. "I know you are a hypocrite."
- e. "You can't even f\*\*king learn how to be a lawyer!"
- f. "Stupid lawyer!"
- g. "He's [plaintiff] a f\*\*king whore!"
- h. "Stupid, you're probably as bad a lawyer as you are an audience members!"

37. Mr. Norton, with wrongful and willful intent or reckless disregard to injure the plaintiff's reputation with false statements about sexual misconduct by the plaintiff were made over the air to a large audience. The statements are alleged to be *per se* libelous:

- a. "The chicken crossed the road because it thought that [plaintiff] would try to f\*\*k it!" Repeated twice.

38. Mr. Norton, with wrongful and willful intent or reckless disregard to injure the plaintiff's reputation with false statements about the plaintiff's heterosexual persuasion were made over the air to a large audience. The statements are alleged to be *per se* libelous:

- a. "[Plaintiff] has a fake wife to make like he's heterosexual."
- b. Plaintiff's My Space "is a gay find."
- c. "You fag!"

39. Mr. Norton, with wrongful and willful intent or reckless disregard to injure the plaintiff's reputation with false statements that were made over the air to a large audience in order to hold the plaintiff up to public contempt, ridicule, aversion, disgrace and induce an evil

opinion of him in the minds of the average person. The statements are alleged to be *per se* libelous:

- a. "F\*\*king s\*\*t!"
- b. "You've got to put your tampon in you f\*\*king woman!"
- c. "You dumb asshole!"
- d. "[You're] a lawyer who nobody wants to f\*\*k!"
- e. "What's wrong with the [plaintiff] with s\*\*t up to his neck? Not enough s\*\*t!"

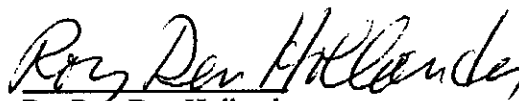
#### DAMAGES

40. The above cited *per se* defamatory statements by the defendant impaired the plaintiff's reputation and standing in the community, ridiculed and harassed him, held him up to public contempt and disgrace and caused him personal humiliation, mental anguish and suffering for which he requests compensation in the amount of \$500,000 plus attorneys fees and costs for bringing this suit and for such other relief as this Court may find appropriate and just, including punitive damages.

#### JURY DEMAND

41. The plaintiff demands a jury to try this action.

Dated: New York, NY  
October 7, 2008



By: Roy Den Hollander  
Attorney and plaintiff  
545 East 14<sup>th</sup> St.  
New York, NY 10009

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ROY DEN HOLLANDER,

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Plaintiff,

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JAMES LYLE NORTON,

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**DEFAMATION COMPLAINT**

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Attorney and plaintiff  
545 East 14 St.  
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