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IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

COLLECTIVE INTELLIGENCE, INC.)
a Delaware corporation,)
)
Plaintiff,)
)
v.)
)
STRAIGHTLINE INTERNATIONAL, INC.,)
a Delaware corporation,)
)
Defendant.)

Case No.
(Plaintiff Demands Trial by Jury)

2009L012568
CALENDAR/ROOM U
TIME 00:00
Breach of Contract

COMPLAINT

Plaintiff Collective Intelligence, Inc. ("CI"), for its Complaint against Defendant
Straightline International, Inc. ("Straightline"), alleges as follows:

Nature of Action

1. This is an action for breach of contract (Count I), for unjust enrichment (Count II), for negligent misrepresentation (Count III), for fraud (Count IV), and for tortious interference with prospective economic advantage (Count V). This action arises from Defendant's illegal conduct regarding misrepresentations to CI regarding the background check it purportedly performed on reality show star and alleged murderer Ryan Jenkins ("Jenkins"). Jenkins is alleged to have murdered and dismembered his wife in August 2009 and he was the subject of intense international media coverage until he committed suicide in a Canadian hotel room.

The Parties

2. CI is a Delaware corporation with its principal place of business located in Vancouver, Washington. CI is a premier, full-service investigative agency with a reputation for performing accurate and reliable criminal background checks. CI's services have been used for approximately five years by production companies in the entertainment industry, who seek to

avoid the negative publicity and legal liability that results from casting individuals with criminal backgrounds.

3. Straightline is a Delaware corporation with its principal place of business located in Saipan, Northern Mariana Islands. Straightline is in the business of providing information regarding criminal backgrounds. Steven Brownstein is the principal of Straightline.

Jurisdiction and Venue

4. Upon information and belief, Straightline transacts business in and around Cook County, Illinois. Jurisdiction and venue are proper in this Court pursuant to 735 ILCS 5/2-209(a)(1) and 735 ILCS 5/2-101.

Facts Common to All Claims

5. For over eight years, CI has enjoyed a reputation as a leading investigative agency that consistently provides comprehensive, accurate and reliable results on criminal background checks. CI has cultivated a strong presence in the entertainment industry as a premier service provider for production companies seeking to screen potential cast members for television programs. CI has provided hundreds of thousands of comprehensive background searches for nearly 100 production companies and major television networks without incident.

6. On February 13, 2009, CI was hired by the production company 51 Minds Entertainment ("51 Minds") to screen potential cast members for a reality series called *Megan Wants a Millionaire*, scheduled to air on the VH1 television network. The premise of *Megan Wants a Millionaire* was that cast members -- which CI was hired to screen -- were to contend to marry an eligible bachelorette. Jenkins was a potential cast member for this series. The series was one of many dating series and shows produced by 51 Minds for VH1 since the debut of another 51 Minds production, *Celebreality*, in 2004.

Straightline Retained to Perform Criminal Background Check on Ryan Jenkins

7. Because CI does not perform criminal background checks outside the United States, CI entered into an oral agreement with Straightline to perform a comprehensive criminal background check on Jenkins, a Canadian national.

8. CI contacted Straightline to perform the criminal background check on Jenkins because Straightline holds itself out as the leading provider of international investigative searches.

9. On February 27, 2009, Straightline reported to CI that Jenkins had no criminal record. A true and correct copy of the result sent by Straightline to CI is attached hereto as **Exhibit A.**

10. On the same day, CI conveyed to 51 Minds that Jenkins had no criminal record. However, as discussed below, this information was incorrect based on an improper and fraudulent background check provided by Straightline.

The Jenkins Incident

11. On or about August 18, 2009, Jenkins received international media attention when his wife, model Jasmine Fiore, was found brutally murdered and dismembered. Jenkins was identified as a key suspect in the case and later charged with Fiore's murder. After fleeing to Canada, Jenkins committed suicide in a hotel room on August 24, 2009.

12. The murder and suicide drew a wave of international media attention towards 51 Minds and CI after it was learned that Jenkins served probation and was ordered to complete domestic violence counseling in 2007 for assaulting a former girlfriend.

13. Media outlets reported that 51 Minds failed to take adequate measures to ensure that Jenkins did not have a criminal record prior to casting him on *Megan Wants a Millionaire*. In particular, reporters emphasized the nature of Jenkins' prior conviction – for domestic battery

– given the fact that he was cast on a dating/match-making series. An article which appeared in the L.A. Times, titled *How Did Model's Accused Killer Get on TV Show?* is attached as **Exhibit B**.

14. VH1 immediately cancelled *Megan Wants a Millionaire*, and *I Love Money 3*, another show involving Jenkins, and subsequently sought to distance itself from media scrutiny. In late August, VH1 president Tom Calderone issued a statement that “[t]his is not what I signed up for.” An article pertaining to VH1’s reaction to the murder and suicide, titled *VH1 Rethinking Reality Dating Shows and ‘Megan’ Production Company* is attached as **Exhibit C**.

15. 51 Minds, and CI’s biggest client, Viacom, responded to the negative attention by terminating its relationship with CI. Viacom owns VH1, CBS and MTV. On August 21, 51 Minds issued a statement identifying CI as the screening agency responsible for conducting background checks on potential cast members for *Megan Wants a Millionaire*.

CI Learns of Straightline’s Illegal Conduct and Its Effect on CI

16. Immediately after CI learned that Jenkins had a criminal record in Canada, CI began to investigate whether Straightline provided it with correct information with regard to Jenkins.

17. After repeated, unreturned phone calls by CI to Straightline, CI sent an email correspondence to Straightline requesting information regarding the methods used by Straightline to conduct the criminal background check on Jenkins. CI sought the information because VH1 offered to mend its relationship with CI if CI presented documents relating to Straightline’s failure to perform a proper search.

18. After making several attempts to contact Straightline regarding the search, CI spoke with Steven Brownstein’s brother, Dennis Brownstein, who informed CI via email that Straightline conducted a background check on Jenkins by requesting information from a court

clerk in Calgary, Alberta, Canada. A true and correct copy of the email sent by Dennis Brownstein to CI is attached hereto as **Exhibit D**.

19. CI and its attorneys have attempted to contact Straightline for additional documentation regarding the search, so that it could present the documentation to VH1. However, Straightline refuses to respond to CI's requests.

20. On information and belief, Straightline's method for conducting a background check on Jenkins was improper and illegal based on commonly available information on how to conduct a criminal background check in Canada. Indeed, Straightline understood that it was required to make a request for information regarding Jenkins' criminal history to the Royal Canadian Mounted Police ("RCMP"), which maintains a centralized computer-based system containing provincial and local criminal records. Straightline understood this based on an article linked to the front page of its own website. A copy of that linked article, entitled Understanding Canadian Criminal Records, is attached as **Exhibit E**.

21. In addition, Straightline acted maliciously to injure the reputation of CI by refusing to provide documentation to CI regarding its background check on Jenkins so that CI could clear its name and reputation from any wrongdoing associated with the Jenkins matter.

22. CI's reputation in the entertainment industry, where it has over 90 clients, has been tarnished. Most recently, Viacom networks, including MTV and VH1, American Broadcasting Company (ABC) and National Broadcasting Corporation (NBC) refuse to approve CI as the screening agency for its shows. As a result, CI lost the business of a company that is producing a series for ABC. CI is likely to lose the business of other production companies and major television networks because of Straightline's improper and fraudulent background check.

23. The effects of Straightline's improper and illegal background check to CI is not fully known. CI continues to lose business and contracts as a result of the negative publicity surrounding the Jenkins matter. Among other damages suffered by CI, it has been forced to lay-off a number of long-time employees in a very difficult employment market.

COUNT I – BREACH OF CONTRACT

24. CI hereby repeats and realleges and incorporates by reference the allegations which are contained in paragraphs 1 through 23.

25. CI's agreement with Straightline is a valid and enforceable contract which obligated Straightline to perform a reliable, comprehensive and accurate background screening of Jenkins.

26. Straightline breached its obligation to CI by providing CI with an inaccurate background check of Jenkins.

27. CI has fully performed its obligations under the agreement.

28. As a result of Straightline's breach of the contract, CI has been injured and has suffered damages through the loss of existing and prospective business relationships.

COUNT II – UNJUST ENRICHMENT
(pled as an alternative to COUNT I)

29. CI hereby repeats and realleges and incorporates by reference the allegations which are contained in paragraphs 1 through 23.

30. Straightline failed to perform services for CI, but nonetheless retained payments from CI for those services.

31. CI, to its detriment, paid Straightline for services that it did not receive. In fact, CI paid Straightline for false information that was ultimately damaging to CI's reputation.

32. Straightline's retention of payments received from CI violates principles of equity, justice and good conscience.

33. CI has been damaged by Straightline and should be compensated by Straightline.

COUNT III – NEGLIGENT MISREPRESENTATION

34. CI hereby repeats and realleges and incorporates by reference the allegations which are contained in paragraphs 1 through 23.

35. Straightline is in the business of supplying information for the guidance of others in the business, and is therefore under a duty to communicate accurate information.

36. Straightline breached that duty by providing false information to CI.

37. CI reasonably relied on the false information provided by Straightline and conveyed that false information to 51 Minds and VH1.

38. As a result of the false information that CI and VH1 received from Straightline, which was conveyed to 51 Minds, CI suffered injuries in the form of lost business and revenue and damage to its goodwill and reputation.

COUNT IV – FRAUD

39. CI hereby repeats and realleges and incorporates by reference the allegations which are contained in paragraphs 1 through 23.

40. On February 27, 2009, Straightline sent a notice to CI's office in Washington falsely stating that Straightline conducted a comprehensive criminal background check on Jenkins, and that Jenkins had no criminal history.

41. Straightline sent the notice knowing that its contents were false, and that Straightline had not conducted a full, comprehensive and accurate background check.

42. Straightline made those representations for the purpose of inducing CI to convey false information to 51 Minds and VH1.

43. CI acted in justifiable reliance on the false information provided by Straightline and conveyed the false information to 51 Minds and VH1.

44. As a result of the false information that CI received from Straightline, which was conveyed to 51 Minds and VH1, CI suffered injuries in the form of lost business and revenue and damage to its goodwill and reputation.

**COUNT V – TORTIOUS INTERFERENCE WITH PROSPECTIVE ECONOMIC
ADVANTAGE**

45. CI hereby repeats and realleges and incorporates by reference the allegations which are contained in paragraphs 1 through 23.

46. Prior to its dealings with Straightline, CI had a reasonable expectation of maintaining or entering into business relationships with 51 Minds, VH1, Viacom and other production companies.

47. Straightline purposefully interfered and defeated this legitimate expectancy by providing CI with false information regarding its criminal background investigation of Jenkins, and by refusing to provide documentation relating to its search despite repeated requests for the same by CI.

48. As a result, CI has suffered injuries in the form of lost business and revenue and damage to its goodwill and reputation.

CI seeks damages in excess of Fifty Thousand Dollars (\$50,000.00).

Pursuant to 735 ILCS 5/2-1105, CI demands trial by jury.

Prayer for Relief

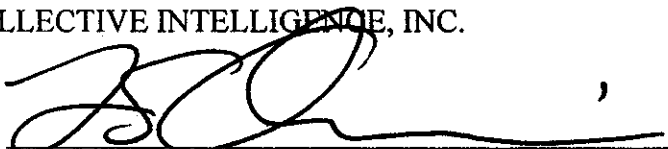
WHEREFORE, COLLECTIVE INTELLIGENCE, INC. asks this Court to:

- A. Award all monetary damages incurred by CI;
- B. Award punitive damages to CI;
- C. Award attorneys' fees, pre and post judgment interest and costs; and
- D. Such other relief as the Court deems necessary

Respectfully submitted,

COLLECTIVE INTELLIGENCE, INC.

By:



One of Its Attorneys

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