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ORIGINAL

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VENTURA
SUPERIOR COURT
FILED

FEB 02 2010

MICHAEL D. PLANET
Executive Officer and Clerk

BY: JESSICA BROWN, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

PAUL ANKA,
Plaintiff,

vs.

ANNA ANKA,
Defendant.

CASE NO. 56-2010-00366854-CU-PO-VTA

COMPLAINT FOR DAMAGES FOR:

- (1) LIBEL *PER SE* [CIV. CODE § 45];
- (2) SLANDER *PER SE* [CIV. CODE § 46];
- (3) BATTERY; and
- (4) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

- D.C.M./TRACK ASSIGNMENT
- UNLAWFUL DETAINER
 - ECONOMIC
 - STANDARD
 - UNINSURED MOTORIST
 - TRACT COORD TO NOTIFY

READ THE VENTURA COUNTY
LOCAL RULES THAT GOVERN
COMPLIANCE WITH FAST TRACT
ASSIGNED COURT 42

1 Plaintiff Paul Anka for his complaint against Defendant Anna Anka, and Does 1 through
2 10, inclusive, alleges as follows:

3 **INTRODUCTION**

4 1. Plaintiff Paul Anka ("Paul" or "Plaintiff") is a highly successful singer, songwriter,
5 and music publisher. Paul has been forced to file this proceeding in an effort to vindicate his good
6 name after his wife, Anna Anka ("Anna" or "Defendant"), whom Paul is concurrently seeking to
7 divorce, deliberately and maliciously spread false and defamatory statements regarding Paul to the
8 Swedish press. Paul is informed and believes that these statements have been read by hundreds of
9 thousands of readers and have damaged his good reputation. In addition, Paul seeks justice for a
10 pattern of emotional violence and abuse by Anna, including a battery she committed against Paul
11 on November 28, 2008.

12 **JURISDICTION AND VENUE**

13 2. Jurisdiction is proper in the Superior Court of the State of California for the County
14 of Ventura pursuant to section 410.10 of the Code of Civil Procedure.

15 3. Venue is proper in Ventura County, California pursuant to sections 392 *et seq.* of
16 the Code of Civil Procedure because Ventura County is where the Defendant resides.

17 **PARTIES**

18 4. Plaintiff Paul Anka ("Paul") is an individual residing in Ventura County,
19 California.

20 5. Defendant Anna Anka ("Anna") is an individual residing in Ventura County,
21 California.

22 6. The true names and capacities of Does 1 through 10 are unknown to Plaintiff who
23 therefore sues said Defendants by such fictitious names. Plaintiff will ask leave of this court to
24 amend this Complaint to show their true names and capacities when the same have been
25 ascertained. Plaintiff is informed and believes, and based thereon allege, that Does 1 through 10
26 were responsible in some manner for the acts and transactions hereinafter alleged and are liable to
27 Plaintiff therefor.

28

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GENERAL ALLEGATIONS

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2 7. In or around 2004, Paul began a romantic relationship with Defendant Anna (nee
3 Aberg), a former model and personal trainer. The couple had a child together, Ethan Paul Anka,
4 in 2005, and began living together in 2006. In 2007, Paul and Anna moved to a new residence
5 together in Thousand Oaks, California.

6 8. In 2008, Paul and Anna began contemplating marriage. Each retained separate
7 counsel (Paul retained Leeds, Wender & Rosenfeld, LLP and Anna separately retained Feinberg,
8 Mindel, Brandt & Klien, LLP) for the purposes of negotiating and drafting a prenuptial agreement.
9 In July 2008, following execution of a prenuptial agreement, the couple got married in Italy.

10 9. Although the couple had gotten into occasional arguments prior to the marriage,
11 after they were married, Anna began acting increasingly angry and emotionally violent both
12 towards Paul and their child, Ethan, causing both to suffer severe stress and anxiety. These
13 episodes of extreme anger towards both Paul and Ethan escalated over the next several months and
14 on November 28, 2008, Anna and Paul got into a heated argument because Anna would not let
15 Paul kiss Ethan goodnight. During the argument, a bucket of ice hit the ground and Anna picked
16 up a large piece of ice which she hurled at Paul. The piece of ice struck Paul in the head and
17 caused him to suffer a deep cut, which required him to go to the hospital and receive stitches to
18 close the wound. Anna was arrested for felony domestic battery after the police viewed Paul's
19 injuries, but the charges were dropped at Paul's insistence for the sake of their child and because
20 he wanted to try to resolve his problems with Anna.

21 10. Paul worked hard to try to save the marriage, but Anna's volatile behavior
22 increased over the ensuing year. During this time, others witnessed Anna erupt into extreme anger
23 and rage. For example, on October 25, 2009, Anna and Susanne Erianosson visited the Equinox
24 Fitness Club on 63rd Street in New York City. Anna was observed providing personal training
25 services to Susanne and was requested to stop by the Assistant General Manager, Adin Alai,
26 because only Equinox employees are permitted to provide personal training at the gym. Anna
27 erupted into a fit of anger, using profanity against Mr. Alai and other employees until Mr. Alai had
28 no choice but to escort Anna and Susanne from the gym.

1 11. Anna's explosive anger was also evident in November 2009, when she went on a
2 verbal tirade against the staff of Canyon View Training Ranch for Dogs, a company that had been
3 hired to train Anna's dog. The company was so offended by Anna's behavior that they sent Paul a
4 letter stating that Anna had "interrupted, belittled, and yelled at" their staff and they were
5 terminating her as client.

6 12. Likewise, Eric Brooks, the owner of L.A. Car Connection, a company specializing
7 in securing car leases for high net worth individuals, wrote Paul a letter describing Anna's abuse
8 of his staff, stating that he had "never heard so much vulgar words and profanity come out of
9 someone's mouth within a 30 second episode." Mr. Brooks described Anna's unreasonable
10 demands and her penchant for telling the staff that they must drop everything to attend to her
11 needs. Anna would also attempt to blame the staff and her car for problems she had created, such
12 as when the battery on her car died because she had left the lights on and she tried to claim it was
13 because of "the piece of shit car." Or when Anna tried to claim that the tires were worn because it
14 was a "piece of shit car."

15 13. During Paul's concert tour in Europe and the Middle East in November 2009, Anna
16 was repeatedly observed acting out of control. She would yell at both Ethan and Paul for no
17 apparent reason, used profanities towards both, and use severe physical coercion towards Ethan.
18 Anna would also make bizarre accusations that had no basis in reality. For example, while in
19 Israel, Anna kept repeating that Ethan would be "kidnapped and sold into slavery" if they went to
20 Israel, that "there was a major child porn industry in Israel and Ethan will be put into it." On or
21 about November 19, 2009, Anna, Paul, Ethan, Paul's makeup and wardrobe assistant, Jackie Cruz,
22 and Jason Stone from Live Nation (the concert promoter), were having lunch at a restaurant in Tel
23 Aviv near the beach. Paul and Ethan went outside to play and a photographer started taking
24 pictures of them. When Anna noticed the photographer, she became very angry and quickly ran
25 outside. Anna ran up to the photographer, got into his face, and appeared to be making threatening
26 gestures at him. One of the bodyguards that was accompanying the group tried to stop her. Anna
27 kept yelling that the photographer was taking pictures of Paul and Ethan for "use in a porno,"
28 which was ludicrous.

1 14. In the last week of November 2009, Paul was eventually forced to temporarily
2 move out of his own home because of Anna's increasingly volatile behavior. On December 2,
3 2009, Paul learned that Anna had decided to fire his housekeeper, Cecilia Orozco, because she had
4 refused to take the nanny, Emma Singhoffer (hired by Anna), to the gym because the housekeeper
5 was busy with her other duties and because there was a large amount of traffic in the area from the
6 Tiger Woods' golf tournament at Sherwood Country Club. Paul called Ms. Orozco because he
7 found the house was totally empty when he arrived later in the morning. Ms. Orozco was deeply
8 upset over her termination and the verbal abuse she had received from Anna. She explained her
9 difficult economic circumstances and stated that she could not lose her job. Ms. Orozco had
10 performed her job well and Paul believed it was totally inappropriate to terminate her for refusing
11 to take the nanny to the gym. Paul also believed his consent was required for her termination.
12 Thus, Paul told Ms. Orozco to come to work the next day.

13 15. Given Anna's recent behavior, Paul was concerned that she might erupt when Ms.
14 Orozco arrived at his home. Thus, Paul requested that his security team (comprised of Craig
15 Martin, Jack Strubel, and former police officers) be present the next day, December 3, 2009, to
16 prevent a physical altercation with Anna and independently witness any violent or abusive
17 behavior by Anna. Paul and his security team decided that the security team would stay in Paul's
18 business office to watch the security system monitors in the office and stay in contact with Paul
19 through walkie-talkie.

20 16. In the early morning on December 3, 2009, Ms. Orozco arrived at Paul's home.
21 When Ms. Orozco came into the kitchen and walked down to the laundry room closet, Anna
22 started screaming that "I want her out of here" and hurled multiple obscenities at Paul, despite the
23 fact that she was in front of Ethan and Elli (Anna's child from a previous marriage). Paul kept
24 calm and asked that the nanny, Ms. Singhoffer, be allowed to take the children to another room
25 but Anna refused to allow Ms. Singhoffer to take the children out of the room and completely lost
26 control. She grabbed Ms. Orozco and pulled her forcibly into the laundry closet, where she kept
27 Ms. Orozco against her will for approximately the next ten minutes. While in the closet, Anna
28 kept telling Ms. Orozco to "jump out the window" and "go to your own house." She told Ms.

1 Orozco that Paul would make her do whatever he wanted and the FBI would arrest her if she
2 continued to work for him. Anna yelled at Paul through the door to “go fuck your mother” and
3 “go get a 19 year old pussy.” Paul attempted to calm Anna down and reason with her. Paul kept
4 in contact with his security team who advised him to tell Ms. Orozco to tell Anna that she was
5 being held against her will and to let her go.

6 17. Finally, Anna came out of the closet and Paul requested that Ms. Orozco come
7 stand beside him. Anna screamed “no” at Paul and said “you should die, go die!” Anna then
8 pushed Paul in the shoulder. At this point, Paul requested that his security team come into the
9 room. When the security team entered, Anna was still in physical contact with Ms. Orozco and
10 started yelling at the security team to get out of her house. She began yelling obscenities again at
11 Paul. At this point, both Paul and Anna contacted 911 and four police cars arrived at Paul’s home.
12 Anna told the police that Paul had put a gun to her head during an argument the night before. This
13 was an outright lie to the police. Thankfully, the entire residence is under video surveillance for
14 security purposes and when the police viewed the prior night’s security tapes they saw that Anna
15 had been lying about the entire episode. Anna could have been criminally charged for lying to the
16 police, but she was not charged. However, Paul had been pushed too far by Anna’s behavior and
17 knew the marriage could not be saved. The very next day, December 4, 2009, Paul filed a Petition
18 for Dissolution of Marriage in the Superior Court of California, County of Ventura, citing
19 irreconcilable differences.

20 18. Anna’s behavior became even worse after Paul filed for divorce. Upset that Paul
21 had used video footage to disprove her lie about being threatened with a gun, Anna began
22 regularly altering, interfering with, and disabling the security cameras in Paul’s Thousand Oaks
23 home (Paul was now living in a hotel because of Anna’s behavior). Anna would place tape over
24 the security cameras and she even went so far as to force the nanny to tamper with the security
25 system on her behalf.

26 19. In January 2010, Paul discovered that Anna had gone into his closet in the upstairs
27 office and dumped all of his performance clothing into the middle of the closet. Paul asked his
28 assistant, Craig Woods, to use his video camera to capture what Anna had done with his

1 performance clothing. When Mr. Woods attempted to enter the room, Anna pushed him and
2 grabbed the video camera out of his hands. Anna and her nanny, Ms. Singhoffer, then ran into the
3 bathroom with the camera and removed the videotape. Because Anna was so out of control, Paul
4 was forced to call 911 and request the assistance of the police. When the police arrived, Paul
5 informed them of Anna's behavior and asked that Mr. Woods' videotape be returned to him.
6 When questioned by the police, Anna and Ms. Singhoffer denied that they had done anything with
7 the camera or videotape. However, the police searched Ms. Singhoffer's room and discovered the
8 missing videotape of Mr. Woods. Ms. Singhoffer admitted that she been told by Anna to take the
9 videotape and she admitted lying to the police. Because of the physical confrontation with Anna,
10 Paul's assistant, Mr. Woods, is now fearful that he will become embroiled in another confrontation
11 with Anna if he goes to Paul's home and is extremely reluctant to go there, even though it is
12 necessary as part of his job duties.

13 20. It appears that Anna's real intent in marrying Paul may have been to leverage
14 Paul's celebrity status to get herself a television show. Thus, Anna agreed to appear on "Swedish
15 Hollywood Wives," a reality series following the lives of three Swedish women living in Los
16 Angeles with American husbands (the Swedish equivalent of the "Real Housewives of the O.C.").
17 The series became a major hit in Sweden largely because it captured Anna's often idiosyncratic
18 behavior and numerous outbursts. Although the show was popular, Anna received a great deal of
19 criticism from the Swedish media, public, and even the television network because she continually
20 used obscene and abusive language on the show.

21 21. Anna is now attempting to use the Swedish press to destroy Paul's reputation.
22 Anna has repeatedly and falsely told the Swedish press that she does not have a prenuptial
23 agreement with Paul. On January 7, 2010, Anna told the Swedish newspaper, *Expressen*, that
24 "there is no prenuptial agreement and that she has a right to half of the money." Anna was quoted
25 as saying that "You won't believe how much I'll get when this is over." On January 10, 2010,
26 *Expressen* printed a story in which Anna was quoted as saying that "I never signed any prenuptial
27 agreement. He tried to get me to, but I never did. If he claims to have one, it's a fake." These
28

1 factual statements were entirely false. Worse, they falsely implied that Paul had forged Anna's
2 name on the prenuptial agreement that exists, a criminal act under both state and federal law.

3 22. The true facts, as will be shown in this proceeding by overwhelming evidence, is
4 that on July 17, 2008, Paul and Anna entered into a prenuptial agreement. Anna's signature to the
5 prenuptial agreement was notarized by a professional notary who witnessed her signature under
6 penalty of perjury. Paul's signature was likewise notarized under penalty of perjury. Paul and
7 Anna's attorneys (Craig Leeds for Paul and Steven Mindel for Anna) both signed certifications
8 stating, *inter alia*, that they had each been separately retained and separately paid by Paul and
9 Anna for rendering services in connection with the prenuptial agreement, and that they had fully
10 advised their clients as to their rights and the legal effect of the prenuptial agreement. Both Paul
11 and Anna signed declarations under penalty of perjury stating, *inter alia*, that they understood the
12 legal effect of the prenuptial agreement and had no questions about it. Given these facts, it is
13 simply unbelievable that Anna would claim that no prenuptial agreement exists and be willing to
14 imply that Paul had forged her signature on the document. Anna's ludicrous statements indicate
15 that she is willing to say anything to harm Paul.

16 23. On February 1, 2010, Paul discovered that the entire security system at his home
17 had been disabled and that Anna had tampered with the phones for his office by recording her own
18 voicemail message over the existing voicemail message on Paul's office phone (which had been
19 recorded by Paul's assistant, Craig Woods). When Paul asked Anna why the security system had
20 been disabled and the phones tampered with, she claimed that the "FBI had done it" and that "you
21 would be hearing from the FBI." This outlandish claim was entirely false. Anna had disabled
22 with the security system and manipulated the telephone system solely to cause emotional distress
23 to Paul and to interfere with his business.

24 **FIRST CAUSE OF ACTION**

25 **Libel Per Se**

26 **(By Paul against Anna and Does 1-10)**

27 24. Plaintiff incorporates herein by reference, as though set forth in full, the allegations
28 in paragraphs 1 through 23, inclusive.

1 25. In early January 2010, Anna provided an interview about Paul to a reporter with the
2 Swedish newspaper *Expressen*. Anna knew that her quotes and statements during the interview
3 would be published in writing in the newspaper. On January 10, 2010, *Expressen* printed a story
4 in which Anna was quoted as saying that “I never signed any prenuptial agreement. He tried to
5 get me to, but I never did. If he claims to have one, it’s a fake.” This quote is false. Anna and
6 Paul both freely and voluntarily entered into an arms-length prenuptial agreement on July 17,
7 2008. Anna was represented by separate and competent counsel who explained the legal
8 ramifications of the prenuptial agreement to her, and her signature was witnessed by a registered
9 notary. Her statement that the prenuptial agreement is a “fake” is simply ludicrous.

10 26. The only reasonable interpretation by readers of Anna’s quotes in the January 10,
11 2010 edition of *Expressen* is that Anna is referring to Paul and claiming that Paul forged her
12 signature to the prenuptial agreement. This is libelous *per se* and clearly exposes Paul to hatred,
13 contempt, ridicule and obloquy because forgery is a criminal offense under both state and federal
14 law.

15 27. *Expressen* has print circulation of 300,000 but it is also available on the Internet
16 and can therefore be accessed anywhere on the globe. Given Paul’s celebrity status and the
17 popularity of Anna’s television show, “Swedish Hollywood Wives,” it is reasonable to estimate
18 that hundreds of thousands of people have read her quotes about the prenuptial agreement and
19 Paul. When she provided her quote to the reporter, Anna knew that it would be published to and
20 read by hundreds of thousands of readers of the paper and on the Internet and quoted in Swedish
21 television news broadcasts.

22 28. As a proximate result of the above-described publication, Paul has suffered loss of
23 his reputation, shame, mortification, and injury to feelings. Paul has suffered damage exceeding
24 the jurisdictional minimum of this Court, in a total amount to be proven at trial.

25 29. The above-described publication was not privileged because Anna provided her
26 false quote with the intent to injure Paul and with malice, hatred and ill will towards Paul.
27 Because of Anna’s malice in providing her false quote knowing it would be published, Paul seeks
28 punitive damages in a total amount to be proven at trial.

SECOND CAUSE OF ACTION

Slander Per Se

(By Paul against Anna and Does 1-10)

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4 30. Plaintiff incorporates herein by reference, as though set forth in full, the allegations
5 in paragraphs 1 through 29, inclusive.

6 31. In early January 2010, Anna provided an interview about Paul to a reporter with the
7 Swedish newspaper *Expressen*. Anna orally told the reporter during the interview that “I never
8 signed any prenuptial agreement. He tried to get me to, but I never did. If he claims to have one,
9 it’s a fake.” This statement is false. Anna and Paul both freely and voluntarily entered into an
10 arms-length prenuptial agreement on July 17, 2008. Anna was represented by separate and
11 competent counsel who explained the legal ramifications of the prenuptial agreement to her, and
12 her signature was witnessed by a registered notary. Her statement that the prenuptial agreement is
13 a “fake” is simply ludicrous.

14 32. The only reasonable interpretation by the reporter and readers of Anna’s quotes is
15 that Anna is referring to Paul and claiming that Paul forged her signature to the prenuptial
16 agreement. This is slanderous *per se* and clearly exposes Paul to hatred, contempt, ridicule and
17 obloquy because forgery is a criminal offense under both state and federal law.

18 33. *Expressen* has print circulation of 300,000 but it is also available on the Internet
19 and can therefore be accessed anywhere on the globe. Given Paul’s celebrity status and the
20 popularity of Anna’s television show, “Swedish Hollywood Wives,” it is reasonable to estimate
21 that hundreds of thousands of people have read her quotes about the prenuptial agreement and
22 Paul. When she provided her quote to the reporter, Anna knew that it would be published to and
23 read by hundreds of thousands of readers of the paper and on the Internet and quoted in Swedish
24 television news broadcasts.

25 34. As a proximate result of the above-described publication, Paul has suffered loss of
26 his reputation, shame, mortification, and injury to feelings. Paul has suffered damage exceeding
27 the jurisdictional minimum of this Court, in a total amount to be proven at trial.

28

1 35. The above-described publication was not privileged because it was published by
2 Anna with malice, hatred and ill-will towards Paul and with the desire to injure him. Because of
3 Anna's malice in publishing her false statement, Paul seeks punitive damages in a total amount to
4 be proven at trial.

5 **THIRD CAUSE OF ACTION**

6 **Battery**

7 **(By Paul against Anna and Does 1-10)**

8 36. Plaintiff incorporates herein by reference, as though set forth in full, the allegations
9 in paragraphs 1 through 35, inclusive.

10 37. On November 28, 2008, Anna and Paul got into a heated argument because she
11 would not let Paul kiss Ethan goodnight. During the argument, a bucket of ice hit the ground and
12 Anna picked up a large piece of ice which she hurled at Paul. The piece of ice struck Paul in the
13 head and caused him to suffer a deep cut, which required him to go to the hospital and receive
14 stitches to close the wound.

15 38. Paul did not consent to Anna's violent act.

16 39. Anna intended to cause and did cause a harmful and offensive contact with Paul's
17 person. As a proximate result of Anna's conduct, Paul suffered damage exceeding the
18 jurisdictional minimum of this Court, in a total amount to be proven at trial.

19 40. Because of Anna's malice in throwing the piece of ice, Paul seeks punitive
20 damages in a total amount to be proven at trial.

21 **FOURTH CAUSE OF ACTION**

22 **Intentional Infliction of Emotional Distress**

23 **(By Paul against Anna and Does 1-10)**

24 41. Plaintiff incorporates herein by reference, as though set forth in full, the allegations
25 in paragraphs 1 through 40, inclusive.

26 42. During their marriage and after Paul had filed his divorce petition, Anna committed
27 various intentional acts against Paul, including libel, slander, a pattern of emotional abuse, and
28 battery as set forth above, so as to intentionally and maliciously inflict emotional distress upon

1 Paul. These acts were intentional, malicious, unprivileged, and outrageous to a civilized society
2 and were done on the part of Anna with the deliberate intent to hurt the emotional health and
3 welfare of Paul.

4 43. As a direct and proximate result of said intentional wrongful acts of Anna, Paul has
5 suffered humiliation, mental anguish and emotional and physical injuries, including loss of sleep,
6 loss of energy, severe tension, profound shock and anxiety, all to Paul's damage within the
7 jurisdictional requisites of this Court in an amount to be proven at trial.

8 44. Because Anna's actions were willful and malicious, Paul seeks punitive damages in
9 a total amount to be proven at trial.

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff prays for Judgment against Defendants, and each of them, as
12 follows:

- 13 1. For compensatory damages in an amount to be proven at trial;
- 14 2. That Paul be awarded punitive and exemplary damages in an amount to be
15 determined at time of trial;
- 16 3. For an assessment of prejudgment and post-judgment interest at the maximum rate
17 allowed by law;
- 18 4. For all such other relief as the Court deems just and proper.

19
20 DATED: February 2, 2010

KINSELLA WEITZMAN ISER KUMP &
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21
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23 By: 

Dale Kinsella
Jeremiah Reynolds
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