

**IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JEMAL AHMED)
)
)
Plaintiff,)
)
v.) Civil Action No. _____
)
ELIAS KIFLE, AND)
ETHIOPIAN REVIEW, INC.)
)
Defendants.)

COMPLAINT

Plaintiff Jemal Ahmed, by and through his undersigned counsel, files this Complaint against Defendants Elias Kifle and the Ethiopian Review, Inc. (“Ethiopian Review”), and alleges as follows:

NATURE OF THE ACTION

1. Plaintiff Ahmed brings this action seeking damages for defamatory statements by Defendants Elias Kifle and the Ethiopian Review asserting that, through his business relationship with Sheikh Mohammed Al Amoudi, Plaintiff Ahmed is “in charge of,” participates in, and/or is involved in “human trafficking” of Ethiopian women serving as household maids in Saudi Arabia who are held in “slave-like conditions” and subjected to beatings and other abuses. Defendants’ defamatory statements are demonstrably false.

2. Plaintiff Ahmed's business relies on his personal reputation in the global marketplace, and Plaintiff Ahmed has suffered and will continue to suffer harm to his personal and business reputation and interests as a result of Defendants' false and defamatory statements. Plaintiff Ahmed seeks damages to compensate him for injury to his personal and business reputation and for financial losses caused by the publication of the defamatory statements.

PARTIES

3. Plaintiff Ahmed is a citizen and resident of the country of Ethiopia, and has business interests around the world in Africa, Europe and North America, including in the United States. Plaintiff Ahmed owns a company called AHFA Pvt. Ltd. Co., which produces pasta and sauces for the Ethiopian economy. In addition, he is the general manager of Horizon Plantations PLC ("Horizon"). Horizon is a joint venture formed in 2008 between Plaintiff Ahmed and Sheikh Mohammed Al Amoudi. Horizon holds two companies, Bebeka Coffee Estate Co. ("Bebeka") and Horizon Addis Tyre Co. Plaintiff Ahmed is the Chairman of the Board of Directors of both these companies. Bebeka grows coffee beans in the Bebeka region of Ethiopia for export to foreign markets, including the United States.

4. Plaintiff Ahmed lived in the Atlanta, Georgia, area approximately 20 years ago, and members of his family currently live there.

5. Defendant Kifle, on information and belief, is an alien admitted to the United States for permanent residence. Defendant Kifle is domiciled in metropolitan Atlanta, Georgia, which has a large Ethiopian diaspora community. Defendant Kifle also is the publisher and editor of the Defendant Ethiopian Review.

6. Kifle may be served with process at 1500 Herrington Road, NW, Apt. 10207, Lawrenceville, GA 30044.

7. Defendant Ethiopian Review purports to be an English/Amharic language on-line “news and opinion journal” available at www.ethiopianreview.com and at www.ethiopianreview.net. According to its own website, the Ethiopian Review journal has existed for over two decades.

8. In May 2011, Defendant Ethiopian Review was organized as a § 501(c)(3) non-profit corporation under the laws of the State of Florida. Defendant Ethiopian Review’s Articles of Incorporation list its principal office as 6412 Brandon Avenue # 252, Springfield, Virginia, 22150, which is the address for a UPS Store providing, *inter alia*, mailbox services. Upon information and belief, Defendant Ethiopian Review is not registered to do business in the State of Virginia and it has not obtained a certificate of registration or authority from Virginia’s State Corporation Commission.

9. On information and belief, Defendant Ethiopian Review has not been granted federal tax-exempt status, and it is not registered as a charitable organization in Florida, Virginia or Georgia.

10. On information and belief, Defendant Kifle conducts the operations of Defendant Ethiopian Review and publishes “articles” on its website from his domicile in Georgia. Defendant Ethiopian Review also has hosted and/or participated in gatherings and forums in Georgia.

11. On information and belief, Defendant Ethiopian Review may be served with process either by serving Kifle at the address for serving him or by serving its registered agent, Spiegel & Ulrere, P.A., at 1840 S.W. 22nd Street, 4th Floor, Miami, FL 33145.

JURISDICTION

12. This Court has jurisdiction over the subject matter of the action pursuant to 28 U.S.C. § 1332(a) because there is diversity of citizenship and the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

13. Defendant Kifle resides in Georgia and regularly does and/or solicits the business of Defendant Ethiopian Review and its website, and engages in persistent courses of conduct involving Defendant Ethiopian Review, in Georgia. Both Defendants have continuous and systematic contacts with the State of

Georgia.

14. This Court also has jurisdiction over Defendants Kifle and Ethiopian Review pursuant to OCGA § 9-10-91, as both transact business in the State and committed a tortious act without the state.

VENUE

15. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2), as a substantial portion of the events giving rise to the claim asserted herein occurred in this District.

FACTS

16. On March 15, 2012, the *Saudi Gazette* published an article titled, “45K maids to arrive every month from Ethiopia” (the “Saudi Gazette Article”), attached as Exhibit A. Citing an unidentified source in the Ethiopian Embassy in Saudi Arabia, this article stated that, “Ethiopia is facilitating procedures to send 45,000 maids to [Saudi Arabia] every month.”

17. The *Saudi Gazette* Article did not include any references to Plaintiff Ahmed, Sheikh Mohammed Al Amoudi, Horizon, Bebeka, Horizon Addis Tyre, or the business relationship between Plaintiff Ahmed and Sheikh Mohammed Al Amoudi. Thus, the *Saudi Gazette* Article did not state that Sheikh Al Amoudi was involved in any way in plans or procedures for Ethiopian women to be sent to Saudi Arabia to serve as maids. Similarly, the *Saudi Gazette* Article did not state

that Sheikh Al Amoudi had placed Plaintiff Ahmed in charge of plans or procedures to send Ethiopian women to Saudi Arabia to serve as maids.

18. On March 16, 2012, Defendants Kifle and the Ethiopian Review reprinted the *Saudi Gazette* Article on the Ethiopian Review's website and added the following text:

This news is so shocking it is hard to believe. If it is true, it must be stopped at any cost. This is a wholesale enslavement of Ethiopian women, particularly those from the Amhara and Oromo ethnic groups.

A printout of this article from the Ethiopian Review website is attached as Exhibit B.

19. On March 29, 2012, Defendants Kifle and Ethiopian Review wrote and published an article on the Ethiopian Review's website "ethiopianreview.com" entitled "Al Amoudi's Human Trafficker in Ethiopia Identified" (the "Ethiopian Review Article"), attached as Exhibit C. The Ethiopian Review Article contained, *inter alia*, the following statements:

It's been suspected that ~~Sheik~~ Saudi agent Mohammed Al Amoudi is behind the planned 'export' of 45,000 Ethiopian women per month from the Amhara and Oromo regions of Ethiopia to Saudi Arabia. The women, most of whom are teenage girls, will be working in slave-like conditions, often subjected to beatings and other kinds of abuses. Ethiopian Review Intelligence Unit has now confirmed Al Amoudi's involvement in this massive human trafficking and also we have been able to identified [sic] the person whom he has put in charge of the operation. His name is Jemal Ahmed.

20. The Ethiopian Review Article goes on to state:

Jemal and other partners of Al Amoudi ... are pillaging and plundering Ethiopia, and selling our women as slaves to Arab countries...

21. On information and belief, Defendants Kifle and Ethiopian Review did not have any sources with verified, first-hand or direct knowledge of the allegations in the Ethiopian Review Article prior to publishing it, nor did he have multiple sources for those allegations.

22. The Ethiopian Review Article does not identify the name of any individual(s) who served as a source for the allegations made in it.

23. On information and belief, Defendants Kifle and Ethiopian Review did not have any documents supporting and/or confirming the allegations in the Ethiopian Review Article prior to publishing it on the Ethiopian Review's website.

24. Plaintiff Ahmed learned of the Ethiopian Review Article on March 29, 2012, when a copy of it was forwarded to him via e-mail by the editor of the *Addis Fortune* magazine.

25. Plaintiff Ahmed is not "in charge" of, associated with, or involved in an alleged plan to "'export' ... 45,000 Ethiopian women per month from the Amhara and Oromo regions of Ethiopia to Saudi Arabia" as discussed in the Ethiopian Review Article through his business relationship with Sheikh Al Amoudi or otherwise.

26. Plaintiff Ahmed is not “in charge” of, associated with, or involved in operations related to “human trafficking” and/or slavery through his business relationship with Sheikh Al Amoudi or otherwise.

27. Plaintiff Ahmed is not “in charge” of, associated with, or involved in Ethiopian women being held in “slave-like conditions” in Saudi Arabia through his business relationship with Sheikh Al Amoudi or otherwise.

28. Defendants Kifle and Ethiopian Review did not contact Plaintiff Ahmed prior to publishing the Ethiopian Review Article to determine if its allegations were true or to allow him to comment on them.

29. Had Defendants Kifle and Ethiopian Review contacted Plaintiff Ahmed prior to publishing the Ethiopian Review Article regarding the allegations made in it, Plaintiff Ahmed would have informed them that the allegations are false.

30. On March 30, 2012, Plaintiff Ahmed posted a comment on the Ethiopian Review Article stating that he is not involved in foreign employment or human trafficking, and that the story is false.

31. On April 4, 2012, Plaintiff Ahmed, through counsel, sent Defendants Kifle and Ethiopian Review a letter, advising that the allegations in the Ethiopian Review Article were entirely false, defamatory, and damaging. Plaintiff Ahmed

demanded that Defendants immediately remove the Ethiopian Review Article and issue a full apology within seven days.

32. Defendants Kifle and the Ethiopian Review did not seriously consider Plaintiff Ahmed's April 4 letter requesting a retraction.

33. On information and belief, Defendants Kifle and Ethiopian Review did not conduct any investigation regarding the allegations in the Ethiopian Review Article after receiving Plaintiff Ahmed's April 4 letter.

34. Defendants Kifle and Ethiopian Review did not respond directly to Plaintiff Ahmed's April 4 letter.

35. On the same day they received the April 4 letter, Defendants Kifle and Ethiopian Review re-printed portions of it on the Ethiopian Review website, included a link by which the full letter could be viewed, and wrote the following response:

Where are you going to sue me this time? In Timbuktu? Bring it on please.

Sincerely,
Elias Kifle

A printout of this article from the Ethiopian Review website is attached as Exhibit D.

36. On April 7, 2012, Defendants Kifle and Ethiopian Review re-printed an article from the *Eurasia Review* titled, "Stolen Childhoods: Child Prostitution

And Trafficking In Ethiopia" (the "Eurasia Review Article"). In an "Editor's Note" published with the re-print of the *Eurasia Review Article*, Defendants Kifle and the Ethiopian Review again referenced the alleged "export" of 45,000 women and children from Ethiopia to Saudi Arabia each month, but this time Defendants did not reference Plaintiff Ahmed or Sheikh Mohammed Al Amoudi:

EDITOR'S NOTE: 45,000 children and young women are now being exported every month to Saudi Arabia alone. While Ethiopia's leaders cook up fantastic numbers to show double digit growth, the realities on the ground are more sobering and depressing. The political elite is addicted to foreign handouts and human trafficking. In an economy where unemployment runs as high as 50% and foreign exchange is continuously in short supply, the regime has embarked on a major initiative to export young women for profit. Ethiopia's women in the Middle East are treated as slaves, with many losing their lives as the recent death of Alem Dechasa in Lebanon showed. Within Ethiopia itself, poverty, bad cultural practices and the presence of so many alms givers in a destitute country is exposing poor and vulnerable children to exploitation.

A printout of this article from the Ethiopian Review website is attached as Exhibit E.

37. As of the date of this Complaint, the Ethiopian Review Article published by Defendants Kifle and Ethiopian Review remains on the Ethiopian Review's website.

38. The defamatory Ethiopian Review Article has incited others to make further defamatory and threatening statements in the comments posted on the Ethiopian Review Article. Some of these comments threaten violence against

Plaintiff Ahmed.

COUNT ONE
Defamation and Defamation *Per Se*
O.C.G.A. § 51-5-1 *et seq.*

39. Plaintiff Ahmed incorporates paragraphs 1 through 38 as fully pleaded herein.

40. Defendant Kifle wrote and published the false and defamatory statements about Plaintiff Ahmed on the Ethiopian Review, as set forth above.

41. These statements are patently and demonstrably false and can be proven as such, and constitute defamation.

42. These false and defamatory statements carry the following gravely defamatory meanings: (a) that Plaintiff Ahmed's business involves human trafficking and/or slavery; and (b) Plaintiff Ahmed's business involves the holding of women, most of whom are teenage girls, in "slave-like conditions," including subjecting them to beatings and other kinds of abuses.

43. These false and defamatory statements assert that Plaintiff Ahmed is dishonest, immoral and/or guilty of a crime, and are defamatory and injurious in relation to Plaintiff Ahmed's business and constitute defamation *per se*.

44. There was no factual information to support these false and defamatory statements, and Defendants Kifle and Ethiopian Review failed to publish information about the source and circumstances surrounding these false

and defamatory statements.

45. The conduct of Defendants Kifle and Ethiopian Review in publishing the false and defamatory statements was negligent, malicious, wanton, and/or demonstrated a conscious disregard for the rights and reputation of Plaintiff Ahmed and, further, was accomplished in a reckless and grossly negligent manner with the intent and/or effect of injuring Plaintiff Ahmed in his reputation, integrity, and competency in his business and profession.

46. Defendants Kifle and Ethiopian Review were not privileged to make these statements. In the alternative, any privilege arguably connected to these statements was waived because (a) Defendants Kifle and Ethiopian Review knew the statements were false, made these statements with reckless disregard as to whether the statements were false, and/or (b) the statements were made because of malice, hatred, ill will, or a desire to injure or irreparably injure Plaintiff Ahmed, rather than a fair comment on the subject.

47. When confronted with the false and defamatory nature of the statements set forth above, Defendants Kifle and Ethiopian Review did not retract them, conduct further investigation of their alleged sources and information published, and/or identify the alleged source of the information on which the false and defamatory statements were made. Rather, Defendants Kifle and Ethiopian Review directed Plaintiff Ahmed to “bring it on.”

48. As a direct and proximate result of the defamation by Defendants, Plaintiff Ahmed has suffered, and will continue to suffer in the future, significant damages, including loss of income, lost business opportunities, damage to personal and professional reputation, embarrassment, humiliation, inconvenience, severe mental anguish, stress, and pain and suffering.

49. Due to the severity of Defendants' defamatory conduct, Plaintiff Ahmed is also entitled to punitive damages.

RELIEF REQUESTED

WHEREFORE, Plaintiff Ahmed prays for judgment against Defendants as follows:

- A. A declaration that the statements by Defendants Kifle and the Ethiopian Review set forth in the Ethiopian Review Article and herein are false and defamatory.
- B. Compensatory damages in an amount to be established at trial, but not less than \$75,000;
- C. Punitive damages in an amount to be established at trial;
- D. Prejudgment interest;
- E. Attorney's fees, costs, and disbursements incurred by plaintiffs in prosecution of this action; and
- F. Such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury of all claims so triable.

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