

HILLSBOROUGH, SS
NORTHERN DISTRICT

SUPERIOR COURT

DICK ANAGNOST,
H. ANDREW CREWS and
WILLIAM GREINER

v.

THE MORTGAGE SPECIALISTS, INC.
MICHAEL GILL and
AARON DAY

and

JOHN DOE TRUSTEE PROCESS DEFENDANTS

Docket No.: _____

**VERIFIED COMPLAINT
FOR DEFAMATION PER SE**

(Jury trial demanded)

1. Plaintiffs Dick Anagnost ("Mr. Anagnost"), H. Andrew Crews ("Mr. Crews") and William Greiner ("Mr. Greiner") (collectively, "Plaintiffs") complain against defendants The Mortgage Specialists, Inc. ("Mortgage Specialists"), Michael Gill ("Gill") and Aaron Day ("Day") (collectively, "Defendants").

2. Gill, Mortgage Specialists and Day wantonly and maliciously defamed Mr. Anagnost, Mr. Crews and Mr. Greiner by falsely accusing them of crimes including selling drugs and guns, killing children as a result of their drug dealing, laundering money and extortion.

PARTIES

3. Mr. Anagnost is a New Hampshire resident who lives in Bedford.

4. Mr. Crews is a New Hampshire resident who lives in Bedford.

5. Mr. Greiner is a New Hampshire resident who lives in Bedford.
6. Mortgage Specialists (www.themortgagespecialists.com) is a New Hampshire corporation with a principal office address of 2 Main Street, Plaistow, New Hampshire.
7. Gill is a New Hampshire resident with a home address of 69 Conleys Grove Road, Derry, New Hampshire.
8. Day is a New Hampshire resident with a home address of 53 Riddle Drive, Bedford, New Hampshire.

TRUSTEE PROCESS DEFENDANTS

9. John Doe represents unknown individuals and entities named solely in their capacity as trustee process defendants. Discovering their identity will be necessary if the Court grants Plaintiffs' contemporaneously filed Motion for Ex Parte Attachment and Trustee Process.

JURISDICTION AND VENUE

10. The Court has jurisdiction pursuant to RSA 491:7.
11. Venue is proper in Hillsborough County pursuant to RSA 507:9.

FACTS

Messrs. Anagnost, Crews and Greiner

12. Mr. Anagnost is a private citizen, prominent local businessman and contributor to charitable causes. Over the years, Mr. Anagnost has been repeatedly recognized for his long term commitment to the community, including: in 2016, being named Business Leader of the Year by Business NH Magazine; in 2015, being named Empire Builder by Business NH Magazine and a Moore Center Services Garden Party Honoree; in 2014, being named one of New Hampshire's Top Developers by Business NH Magazine and receiving a Spirit of New Hampshire Volunteer Service Award; in 2012, being named one of NH's Most Influential People

by NH Business Magazine; in 2011, receiving Building New Hampshire Awards for Commercial Building – Healthcare Facility and Build New England Awards Program’s Performance Award; in 2011, receiving NH Business Review’s Business Excellence Award – Real Estate and a Best of Business Award for Best Commercial Real Estate Developer; in 2009, being named Greater Manchester Chamber of Commerce, Citizen of the Year and receiving a Best of Business Award – Best Commercial Real Estate Developer by NH Business Review, a James “Red” Hayes Award, National Football Foundation and College Hall of Fame and a HBRANH Community Service Award; in 2007, receiving a Small Business Person of the Year Award – Greater Manchester Chamber of Commerce, a Greater Manchester Outstanding Business CareGiver of the Year award from The CareGivers Inc., a Manchester Magnifique Award for Outstanding Commercial Property from Intown Manchester and a 150th Anniversary Year Community Builders Award; in 2005, being named Executive of the Year, Manchester Wolves, Arena Football League; and in 2004, being a Recipient of Thumbs Up Award, For Manchester. Mr. Anagnost is also: First V.P. St. George Greek Orthodox Church; a Director of Orpheon Incorporated; Chairman of Workforce Opportunity Council; Vice Chair, Business Finance Authority; Chair, Board of Directors, Families in Transition; Associate Member, Marine Corps League – Granite State Detachment; Chairman of Job Corp Task Force, Concord, NH; Vice Chair, Trustee Board for the Office of Youth Services, Manchester, NH; a Board Member, Friends of Valley Cemetery, Friends of Stark Park and Veterans Count.

13. Mr. Crews is a private citizen, prominent local businessman, Marine Corps veteran and contributor to charitable causes. He sits on the board of several non-profit groups including Palace Theatre’s Board of Trustees and Granite State Children’s Alliance. Mr. Crews also has served on multiple business associated boards including as the Past Chair of the New

Hampshire Automotive Dealers Association, Past Chair of the Greater Manchester Chamber of Commerce and is a Founding Member and sits on the Board of Directors of the Live Free or Die Alliance. In 2009, Mr. Crews was honored as one of the Union Leader's "40 Under Forty" and was named one of New Hampshire's most influential people in 2012, 2013 and 2014 by Business New Hampshire Magazine. Mr. Crews was named the 2015 Time National Dealer of the Year, which is a national award given to an automotive dealer who displays not only exceptional performance in their dealership but also heroic community service. Most recently, Mr. Crews was named Citizen of the Year by the Greater Manchester Chamber of Commerce.

14. Mr. Greiner is a private citizen, prominent local businessman and, like Mr. Anagnost and Mr. Crews, is a contributor to charitable causes. From 2000 through 2006, he served as a Town Councilor in Bedford, New Hampshire, and he was the Chairman in 2004. He has been an active board member for numerous non-profits and community boards, and currently serves as a member of the Bedford Men's Club, President of Bedford Friends of Recreation and Chairman of the Granite State Baseball Dinner.

Hope for NH Recovery

15. Hope for NH Recovery ("Hope") is a 501(c)(3) non-profit organization whose mission is to increase the prevalence and quality of long term recovery from alcohol and drug abuse. Hope's goal is for the New Hampshire recovery community to become a powerful voice in the substance abuse disorder conversation. Hope advocates for improving the public perception about those in recovery from substance use disorders. Hope supports all pathways to addiction recovery for individuals and families. It collaborates with local resources to provide recovery support services such as telephone support, recovery coaching, and community based trainings.

16. Hope will be co-located with other similarly focused organizations so that people in need can go to a single location that provides numerous forms of assistance ("Hope Center").

17. Mr. Anagnost and Mr. Crews have committed significant financial and human resources to purchase and develop a building in Manchester. Once completed, that building will be donated, and it will become the Hope Center.

18. When being honored at the Greater Manchester Chamber of Commerce's 2015 Citizen of the Year Award, United States Senator Kelly Ayotte and Manchester Mayor Ted Gatsas highlighted Mr. Crew's efforts to help those suffering from drug addiction. As reported, Senator Ayotte stated at the ceremony: "One of the strongest challenges facing our state is the horrific heroin and opioid problem. ... Your citizen of the year is really stepping up. Andy is not content to sit on the sidelines."

Gill, Mortgage Specialists and "State of Corruption"

19. Mortgage Specialists is a company that is wholly owned and controlled by Gill, who is its President, Vice President, Treasurer, Secretary and Director.

20. Gill and Mortgage Specialists own electronic billboards located throughout New Hampshire including one in Manchester ("Manchester Billboard"). Other electronic billboards are located at Mortgage Specialists' Nashua, Plaistow and Somersworth locations. Gill and Mortgage Specialists publish defamatory statements about Plaintiffs on their Manchester Billboard. The Manchester Billboard is located on South Willow Street, in a heavily trafficked area adjacent to the Mall of New Hampshire. Mortgage Specialists logo and Gill's photo are displayed prominently on the Manchester Billboard. The Manchester Billboard is designed to garner attention and is a highly effective marketing tool. By using inflammatory and profane language, Gill has admitted that he uses his electronic billboards, including the Manchester

Billboard, to "make news" and that has statements are designed to garner public attention. Gill and Mortgage Specialists benefit from this marketing effort as it is designed to create public controversy.

21. The defamatory statements published the electronic billboards are readable from the street. The travelling public is literally forced to view Gill and Mortgage Specialists defamatory statements. Children, driving in their parents' cars, are also confronted with profane and defamatory statements. There is no choice; eyes that are open on the public way are attracted to the profane and defamatory statements.

22. Gill and Mortgage Specialists produce, sponsor and publish a weekly talk radio show known as State of Corruption ("SOC Radio"). This is another marketing effort that benefits Gill and Mortgage Specialists and is part of their marketing effort. Gill and Mortgage Specialists publish defamatory statements about Plaintiffs during their SOC Radio broadcasts.

23. Gill and Mortgage Specialists produce, sponsor and publish a website accessible at www.stateofcorruption.org ("SOC Website"). This is yet another marketing effort that benefits Gill and Mortgage Specialists and is part of their marketing effort. Gill and Mortgage Specialists publish defamatory statements about Plaintiffs on their SOC Website. Gill and Mortgage Specialists also use SOC Website to re-publish defamatory statements from their Manchester Billboard and SOC Radio broadcasts.

24. Gill and Mortgage Specialists produce, sponsor and publish a Facebook page accessible at <https://www.facebook.com/State-of-Corruption-NH-636522656419318/> ("SOC Facebook"). This is still another marketing effort that benefits Gill and Mortgage Specialists and is part of their marketing effort. Gill and Mortgage Specialists use SOC Facebook to publish defamatory statements about Plaintiffs. Gill and Mortgage Specialists also use SOC Facebook to

re-publish defamatory statements from their Manchester Billboard, SOC Radio broadcasts and SOC Website.

25. Gill and Mortgage Specialists' publication and re-publication technique magnifies the effect of their defamatory statements of and concerning Plaintiffs by disseminating them through multiple forms of media to reach a broader audience. Ultimately, Gill and Mortgage Specialists' defamatory statements about Plaintiffs are published to and received by third parties visually, on the radio, on the internet and through social media. For instance, listeners "call in" on SOC Radio, SOC Website reports 5,559,841 "visitors" and SOC Facebook has 27,989 "likes."

Gill and Mortgage Specialists' statements about Plaintiffs

26. In and about March 2016, Gill and Mortgage Specialists published the following statement and photograph on the Manchester Billboard, which accuses Mr. Anagnost of being a drug dealer:



27. In and about March 2016, Gill and Mortgage Specialists published the following statement and photograph on the Manchester Billboard, which accuses Mr. Crews of being a drug dealer:



28. In and about March 2016, Gill and Mortgage Specialists published the following statement and photograph on the Manchester Billboard, which accuses Mr. Greiner of extortion:



29. At or around the time that Gill and Mortgage Specialists published their defamatory statements about Plaintiffs on the Manchester Billboard:

A. Gill stated in a television interview, and re-published on SOC Website and SOC Facebook, that Mr. Anagnost and Mr. Crews are “major drug dealers. I’ve given their names up: Anagnost and Crews. They only own the New Hope Treatment Center. Funny deal. Let’s get our children addicted to heroin and then own the treatment centers. Beautiful.”

B. Gill stated on SOC Website, and re-published on SOC Facebook: “Anagnost. Well, let me see what you’re guilty of. Oh, only selling drugs to our children. And owning the treatment center, the one, you know, to treat them and make

more money on the kids that don't die. And let's not forget Crews. You know, your buddy. Crews turned around and he's a drug dealer. And then we've got Bill Greiner. You know who Bill is? He only sits as the director of Premier Bank. You know who he sits right between? Anagnost and Crews. Now how's that, Bill? And you're guilty of extortion, money laundering."

C. Gill stated on The Ed & Joe Show, and republished on SOC Website and SOC Facebook: "Dick Anagnost, that's right, I name names. And Crews. They are your heroin dealers in this state. Been for twenty years. And listen, if I'm wrong, you get to sue me. No one's suing me still. Twenty years. They own the treatment center. Hope Treatment Center. So they're selling you drugs, killing your children and the ones who don't die, you own the treatment center. ... They are not only going to have the heroin business, they're going to have the pot business."

D. During the "Week 6" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "The major drug dealers, two in particular, are Andy Crews and Dick Anagnost."

E. During the "Week 7" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "Ok, New Hampshire, now, you remember the last couple of weeks, I've been talking to you about heroin. More than just talking to you, I'm telling you who the biggest dealer in New Hampshire is. He probably also is the wealthiest man, along with his partner. That's right. Anagnost and Crews. ... So, we have Anagnost and Crews distributing heroin throughout the state, in quantity. ... So I find out through witnesses inside this warehouse that they're selling heroin. Remember, they're entrepreneurs, so they're also selling guns. ... Anagnost and Crews

owns the Hope Recovery Treatment Center. ... You might have been seeing it on the television, been reading about it, you know, to give our children hope. Except for they're selling them drugs. That's right."

F. During the "Week 8" broadcast of SOC Radio, Gill stated on SOC Radio, and republished on SOC Website and SOC Facebook: "Now I told you, and I've been telling you, the heroin dealers are in this state are Anagnost and Crews. Now who are these people? Well a couple of the wealthiest men in your state. That's how they got wealthy, ok. They have a warehouse. I brought this up. We had witnesses, distributing and unloading drugs and machine guns from trucks. Maybe you know Anagnost. He and Crews are putting together and own the Hope Treatment Center."

G. During the "Week 9" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "The people behind this are the drug dealers. Anagnost, Andy Crews. Here we go again. They own the New Hope Treatment Center."

H. During the "Week 10" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "Anagnost, Crews are selling heroin. Did you just hear that? They have a warehouse that we've had witnesses in with the distribution of this heroin. There's no question about that. Who are the people who own ... New Hope Treatment Center. It's Anagnost and Crews. ... I told you about Anagnost and Crews. Heroin. Drug dealers that own these treatment centers."

I. During the "Week 11" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "Anagnost. 2009 Citizen of the Year. You see what they do. The first thing they buy is credibility. Right. How about

this. Andy Crews. You'll love this. You know, the other drug dealer. AutoFair owner. Named dealer of the year last year. I wonder if they know what they said. I'm sure its referring to car dealer, but you see the analogy? Right, so our two buddies here, they go into business. Not just the heroin business, but the health business. Right, you know, the treatment centers. How about, they own them. They're partners in them. You know, the dealer of the year, the businessman of the year. Yeah. They own your treatment center so your heroin dealers own these treatment centers."

J. During the "Week 12" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "We talked about the heroin dealers. I named them by name. I named Crews. Oh, I heard you don't like me on the radio, there Andy. Well, we're still here. And you're still a drug dealer. In fact, you're the dealer of the year, I heard."

K. During the "Week 13" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and/or SOC Facebook: "Now I told you the major drug dealers in this state was Dick Anagnost and Andy Crews. ... The worst drug problem in the United States. Crews and Anagnost are your key drug dealers. They own the Hope Treatment Center. So let's not forget. They've heard me say it. So your drug dealers. You know, your dealer of the year, with Crews, your citizen of the year, with Anagnost. See, that's how they hide. They hide in plain sight. They hide as reputable citizens. They'll be on numerous boards. Don't be fooled. Who is saying I'm wrong. Nobody."

L. During the "Week 14" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "Hello New Hampshire. Mike Gill with State of Corruption. I want to remind you we're brought to you by The

Mortgage Specialists. That's right. We're still here. Our signs aren't. They took out Plaistow. I told you they would. They got a serious problem with those signs. You know what that problem is? Well we're putting up drug dealers on there. Even Anagnost, Crews, and their faces."

M. During the "Week 15" broadcast of SOC Radio, Gill stated on SOC Radio, and re-published on SOC Website and SOC Facebook: "I accused Anagnost and Crews, and Greiner by the way, of being drug dealers. ... They're fine citizens, you know, Anagnost and Crews, right. You didn't hear Anagnost and Crews one time saying they weren't drug dealers now did you? Because I didn't hear that. In fact, if you go on to read it, they both say they don't want to sue me. Really. I'd sue you. And you'd sue me back, wouldn't you. Buy why aren't they. Because it is the truth, and you know it's the truth."

30. On March 15, 2016, Gill stated on SOC Facebook: "The drug dealers are being protected by law enforcement and your politicians and your courts anagnost, crews greiner they own the treatment center and they are the drug dealers." Attached hereto as **Exhibit A** is a true and accurate copy of Gill's defamatory Facebook post on March 15 at 4:43 p.m.

Day's defamatory statement about Mr. Greiner

31. On March 5, 2016, Day stated on Facebook: "Greiner tried to extort Andy Sanborn in front of Andy Crews and Dick Anagnost to write a public statement against me." Attached hereto as **Exhibit B** is a true and accurate copy of Day's defamatory Facebook post on March 5 at 9:14 p.m.

CAUSES OF ACTION

Count I Defamation per se

Mr. Anagnost versus Gill and/or Mortgage Specialists

32. Mr. Anagnost incorporates all of the preceding paragraphs.

33. By the conduct alleged herein, Gill and Mortgage Specialists published statements about Mr. Anagnost that are defamatory per se.

34. By the conduct alleged herein, Mr. Anagnost has been damaged within the jurisdictional limits of this Court.

Count II

Defamation per se

Mr. Crews versus Gill and/or Mortgage Specialists

35. Mr. Crews incorporates all of the preceding paragraphs.

36. By the conduct alleged herein, Gill and Mortgage Specialists published statements about Mr. Crews that are defamatory per se.

37. By the conduct alleged herein, Mr. Crews has been damaged within the jurisdictional limits of this Court.

Count III

Defamation per se

Mr. Greiner versus Gill and/or Mortgage Specialists

38. Mr. Greiner incorporates all of the preceding paragraphs.

39. By the conduct alleged herein, Gill and Mortgage Specialists published statements about Mr. Greiner that are defamatory per se.

40. By the conduct alleged herein, Mr. Greiner has been damaged within the jurisdictional limits of this Court.

Count IV

Defamation per se

Mr. Greiner versus Day

41. Mr. Greiner incorporates all of the preceding paragraphs.

42. By the conduct alleged herein, Day published statements about Mr. Greiner that are defamatory per se.

43. By the conduct alleged herein, Mr. Greiner has been damaged within the jurisdictional limits of this Court.

Count V
Enhanced Compensatory Damages
Plaintiffs versus Defendants

44. Plaintiffs incorporate all of the preceding paragraphs.

45. When an act is wanton, malicious or oppressive, the aggravating conduct giving rise to the damages warrant the imposition of enhanced compensatory damages. *Stewart v. Bader*, 154 N.H. 75, 87 (2006). In an action for defamation per se, enhanced compensatory damages are warranted. *Danboise v. Espinola*, Case No. 2009-0159 (N.H. Oct. 27, 2010).

46. By the conduct alleged herein, Defendants maliciously published taunting and extreme statements, which falsely accuse Plaintiffs of crimes and that are abhorrent to a civilized society, with ill will, evil motive, intent to injure and wanton disregard for Plaintiffs' rights and the consequences that were likely to follow.

47. By the conduct alleged herein, Plaintiffs are entitled to enhanced compensatory damages.

WHEREFORE, Plaintiffs respectfully request that this honorable Court:

- A. Enter judgment against Defendants on all claims;
- B. Enter permanent injunctive relief consistent with the facts of the case;
- C. Award all damages to which Plaintiffs are entitled;
- D. Award Plaintiffs their reasonable attorney's fees and costs; and
- E. Enter such further relief as is just and necessary.

Respectfully submitted,

DICK ANAGNOST,
H. ANDREW CREWS and
WILLIAM GREINER

By their Attorneys,

SHAHEEN & GORDON, P. A.

Dated: April 18, 2016



Timothy J. McLaughlin (NH Bar # 19570)
107 Storrs Street
P. O. Box 2703
Concord, NH 03302
(603) 225-7262
tmclaughlin@shaheengordon.com

PLAINTIFFS' VERIFICATIONS
OF FACTUAL ALLEGATIONS IN COMPLAINT

I, Dick Anagnost, hereby affirm and verify that the facts alleged herein are true and accurate to the best of my knowledge and belief.

Dated:

4/15/16

Dick Anagnost
Dick Anagnost

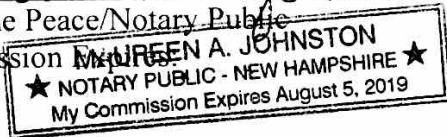
STATE OF NEW HAMPSHIRE
COUNTY OF Herrimack

Subscribed and sworn to before me on

April 15, 2016

Maureen A. Johnston
Justice of the Peace/Notary Public

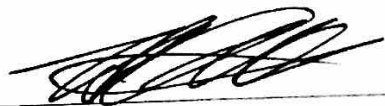
My Commission Expires



I, H. Andrew Crews, hereby affirm and verify that the facts alleged herein are true and accurate to the best of my knowledge and belief.

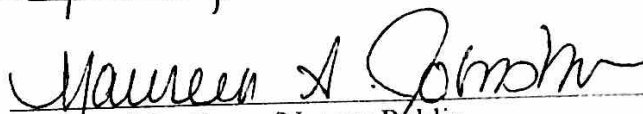
Dated:

4/15/16


H. Andrew Crews

STATE OF NEW HAMPSHIRE
COUNTY OF Merimack

Subscribed and sworn to before me on April 15, 2016


Maureen A. Johnston
Justice of the Peace/Notary Public

My Commission Expires



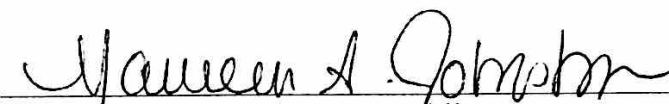
I, William Greiner, hereby affirm and verify that the facts alleged herein are true and accurate to the best of my knowledge and belief.

Dated: 4/15/16


William Greiner

STATE OF NEW HAMPSHIRE
COUNTY OF Merrimack

Subscribed and sworn to before me on April 15, 2016


Justice of the Peace/Notary Public
My Commission Expires:

