

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

JOSEPH ALLAHAM,

Plaintiff,

against-

THE JEWISH WEEK, INC.,

Defendants.

Index No.

SUMMONS

Plaintiff designates New York
County as the place of trial.

The basis of the venue
is residence of parties

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
March 6, 2018

GARVEY SCHUBERT BARER

By: 

Andrew J. Goodman, Esq.
Attorneys for Plaintiff
100 Wall Street, 20th Floor
New York, New York 10005
(212) 965-4534
agoodman@gsblaw.com

To: The Jewish Week, Inc., *Defendant*
1501 Broadway, Suite 505
New York, New York 10036

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

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JOSEPH ALLAHAM,	:	Index No.
	:	VERIFIED COMPLAINT
Plaintiff,	:	
	:	
-against-	:	
	:	
THE JEWISH WEEK, INC.,	:	
	:	
Defendant.	:	
-----X	:	

Plaintiff Joseph Allaham, by his attorneys Garvey Schubert Barer, complains of the Defendant and alleges:

1. At all times hereinafter mentioned, Plaintiff was, and is, a private businessman residing in the City, County and State of New York, previously owning and operating high scale kosher restaurants in the New York metropolitan area including a restaurant known as The Prime Grill. Plaintiff is not a public figure, and has never thrust himself into the public eye for any purpose.

2. Upon information and belief, at all times hereinafter mentioned, Defendant The Jewish Week, Inc. was, and is, a corporation organized and existing under the laws of the State of New York, with its principal place of business in the City, County and State of New York, and is the publisher of the newspaper The Jewish Week, circulating primarily in the New York City Orthodox Jewish community.

3. On or about April 7, 2017, the Jewish Week published an article of and concerning cancellation of a Passover program in San Diego sponsored by Plaintiff that resulted in litigation between Plaintiff and the host hotel. That article referred to Plaintiff as "Joseph Allaham of The Prime Grill." The April 7, 2017 article also reported on Plaintiff's successful litigation arising

from the 2015 Passover program he sponsored, as well as making unfounded charges regarding certain alleged investigations and disputes.

4. On or about February 27, 2018, Plaintiff's counsel wrote (by email and certified mail) to Defendant and requested that Defendant provide the facts upon which certain statements in the April 7, 2017 article were based. Defendant did not respond.

5. Rather, on or about March 2, 2018, the Jewish Week printed an article headlined "Prime Shill To Open High-Price Passover Program in Qatar," identifying the sponsor of a Passover program in Qatar as "Joseph Allscam, the once legendary restaurateur of the New York kosher food scene. . ."

5. Any reasonable person in the New York City Orthodox Jewish community would know and understand that the March 2, 2018 article is of and concerning Plaintiff because, among other things, of the play on his name ("Allaham" compared to "Allscam"), the reference to a restaurateur of the New York kosher food scene, the reference to Prime as echoing the name of one of the restaurants owned and operated by Plaintiff, and the reference to sponsorship of a Passover program.

6. The March 2, 2018 article defames and libels Plaintiff, in (among other things) using the name "Allscam" and referring to a kosher Passover program in an Arab country hostile to Israel sponsored by Plaintiff. The March 2, 2018 article accuses Plaintiff of being dishonest and a fraud in his trade and business by referring to him as "Allscam", and by impugning his good faith in sponsoring Passover programs.

7. The March 2, 2018 article therefore defames Plaintiff in his trade and business, and is therefore libel *per se*.

8. While presented in purported jest, in reality the March 2, 2018 article assaults Plaintiff's reputation in a public newspaper, and is an actionable obvious and clear cruel and vicious derision of Plaintiff's reputation and business. Unquestionably, the March 2, 2018 article was intended to injure Plaintiff and not merely amuse, and gives rise to the unmistakable libel that Plaintiff was, and is, dishonest in his business practices.

9. As a result of the March 2, 2018 article, Plaintiff and his family have been subjected to ongoing obloquy and ridicule within the New York Orthodox Jewish community, forever tarnishing Plaintiff's name and reputation in that close-knit community in which he lives and works, and where his children attend Orthodox Jewish schools, thereby subjecting Plaintiff to severe and ongoing emotional distress.

10. Upon information and belief, the March 2, 2018 article was published intentionally and willfully, with actual malice, to injure and damage Plaintiff within the close-knit New York City Orthodox Jewish community. The basis for Plaintiff's information and belief is that given the timing, it appears that the March 2, 2018 article was in blatant retaliation for the February 27, 2018 request for the facts upon which Defendant had based its April 7, 2017 article, thereby outrageously retaliating simply for Plaintiff attempting to inquire in possible pursuit of his legal rights.

11. In addition to publication with actual malice, Defendant published the March 2, 2018 article knowing it to convey a false impression, and in reckless disregard of Plaintiff's actual and honorable business practices and conduct.

FIRST CAUSE OF ACTION
(Libel)

12. Plaintiff repeats and realleges paragraphs 1 through 11 above as if fully set forth at length herein.

13. Plaintiff has been damaged by Defendant's intentional, willful and malicious libel in an amount which cannot presently be determined but is estimated to be no less than \$5,000,000 and is entitled to punitive damages of \$10,000,000.

SECOND CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)

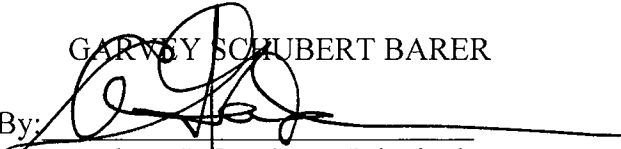
14. Plaintiff repeats and realleges paragraphs 1 through 11 above as if fully set forth at length herein.

15. Defendant has acted intentionally for the sole purpose of inflicting harm on Plaintiff and his family, without excuse or justification, thereby entitling Plaintiff to actual damages. in an amount which cannot presently be determined but is estimated to be no less than \$5,000,000 and is entitled to punitive damages of \$10,000,000.

WHEREFORE Plaintiff Joseph Allaham respectfully requests that judgment be entered against Defendant The Jewish Week, Inc. for actual damages in an amount which cannot presently be determined but is estimated to be no less than \$5,000,000, with appropriate interest, for punitive damages of \$10,000,000, for the costs and disbursements of this action, and for such other, further and different relief as the Court deems just and proper.

Dated: New York, New York
March 6, 2018

GARVEY SCHUBERT BARER

By: 

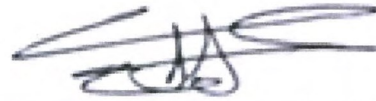
Andrew J. Goodman, Principal
Attorneys for Plaintiff
100 Wall Street
New York, New York 10005
(212) 965-4534
agoodman@gsblaw.com

VERIFICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

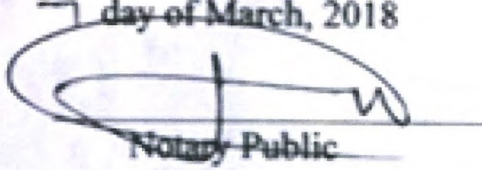
Joseph Allaham, being duly sworn, deposes and says:

I am the Plaintiff in this action. I have read the foregoing complaint, and know the contents thereof which is true to my own knowledge, except for matters therein stated to be on information and belief, and as to those matters I believe it to be true.



JOSEPH ALLAHAM

Sworn to before me this
7 day of March, 2018


Notary Public

058-9912271.1

JACQUELYN LEE MARTINEZ
Notary Public - State of New York
NO. 01MAG298954
Qualified in Bronx County
My Commission Expires Mar 17, 2018