

STATE OF INDIANA)	MARION CIRCUIT/SUPERIOR COURT
) SS:	
COUNTY OF MARION)	CAUSE NO.
Steven Geske,)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
Jusuf Nurkić,)	
Trail Blazers, Inc.,)	
Chris Haynes, and)	
Yahoo Inc.,)	
<i>Defendants.</i>)	

COMPLAINT FOR DAMAGES

Plaintiff Steven Geske (“Geske”), by counsel, files his Complaint for Damages, and in support hereof, states as follows:

Parties

1. Geske is a resident of Hamilton County, Indiana.
2. Defendant Jusuf Nurkić (“Nurkić”) is a resident of the State of Oregon.
3. Defendant Trail Blazers, Inc. is a domestic for-profit corporation that regularly conducts business in the State of Indiana with its principal place of Indiana business, for purposes of Trial Rule 75, located in Marion County, Indiana.
4. Trail Blazers, Inc. owns and operates the Portland Trail Blazers, a basketball team in the National Basketball Association (“NBA”).
5. Defendant Chris Haynes (“Haynes”) is, upon information and belief, a resident of the State of California.
6. Defendant Yahoo Inc. (“Yahoo”) is a domestic for-profit corporation that regularly conducts business in the State of Indiana with its principal place of Indiana business, for purposes

of Trial Rule 75, located in Marion County Indiana.

7. At all relevant times, Nurkić was an employee of Trail Blazers, Inc. and a member of the Trail Blazers basketball team.

8. At all relevant times, Haynes was a reporter for Yahoo.

9. Haynes is Yahoo's "Senior NBA Insider."

Facts

10. On March 20, 2022, Geske attended an NBA basketball game at Gainbridge Fieldhouse in Indianapolis, Marion County, Indiana.

11. The game was played between the Indiana Pacers and the Portland Trail Blazers.

12. The Pacers dominated the game.

13. The Pacers never trailed and eventually won the game by thirty-one points, 129 to 98.

14. Pacers legend Lance Stephenson had eleven rebounds and six assists in the win.

15. Nurkić did not play in the game due to injury, but he was present on or near the Trail Blazers bench, in his capacity as a member of the Trail Blazers, during the game.

16. Geske, a high school lacrosse coach, had been fortunate enough to have a friend donate a courtside seat to him to attend the game.

17. Geske's seat was across the court from the Trail Blazers bench.

18. During the game, several fans, including Geske, interacted with the Trail Blazers players as the fans cheered on their hometown Pacers team.

19. Sitting near Geske was a family with two young daughters.

20. The interaction of Geske with the Trail Blazers players has been described by witnesses as "G-Rated," "light-hearted," and "humorous."

21. At one point, Geske pointed to the scoreboard, indicating that the Trail Blazers were losing the game.

22. At no time did Geske ever insult, comment on, or mention Nurkić's mother or grandmother.

23. At no time did Geske, nor anyone in his party, use profanity or any other derogatory language.

24. Geske did not do or say anything inappropriate during or after the game.

25. Nevertheless, after the game ended, Nurkić crossed the court and approached Geske.

26. Nurkić grabbed Geske's phone out of Geske's hand and threw the phone into the stands.

27. Following the game, video of Nurkić throwing Geske's phone was widely circulated on the internet and social media applications.

28. The NBA fined Nurkić \$40,000.00 for the incident.

29. In an effort to combat negative publicity related to Nurkić's conduct, and to minimize or justify Nurkić's conduct, Trail Blazers, Inc. personnel, including but not limited to Nurkić, concocted a lie that Geske had called Nurkić's mother "trash" and Nurkić's deceased grandmother a "bitch."

30. On March 22, 2022, Haynes reported via Twitter and Instagram:

The fan who Portland Trail Blazers center Jusuf Nurkić confronted in Indiana allegedly shouted 'your mom is trash' and said his 'grandma's a b**tch,' league sources tell @YahooSports. Nurkić's grandma passed away of COVID-19 in 2020.

31. Yahoo posted Haynes's report on its Yahoo Sports Instagram page and Yahoo Sports Twitter account.

32. As of the drafting of this complaint, Hayne’s tweet has approximately 11,200 likes, 3,375 retweets, and 550 comments.

33. By comparison, many of Hayne’s other tweets have less than 1,000 likes, and some fewer than 100.

34. The Yahoo Sports Instagram post has approximately 2,300 likes and 160 comments.

35. Following Haynes’s report, multiple media outlets—including the New York Post, NBC Sports, and MSN—posted online articles based on Haynes’s report.

36. For example, the NBC Sports article was titled, “Report: Fan called Jusuf Nurkić’s mom ‘trash,’ grandma ‘b*****’ before Trail Blazers center threw phone.”

37. Following Haynes’s report and the ensuing articles based on Haynes’s report, Geske has received multiple harassing messages, including death threats.

38. In fact, law enforcement was required to attend one of Geske’s lacrosse practices due to the threats received.

39. As a result of Haynes’s report (the basis for which was provided by Nurkić), Geske was also the subject of an investigation at his place of employment and almost lost his job.

Count 1: Defamation against Nurkić and Trail Blazers, Inc.

40. Geske incorporates by reference the preceding paragraphs as though set forth below.

41. While Nurkić grabbing Geske’s phone seems to be another manifestation of a collective celebrity mindset that laws prohibiting battery don’t apply to them, it’s not the battery that occurred for which Geske seeks legal redress: it’s the lies.

42. In alleging that Geske insulted Nurkić’s family by calling Nurkić’s mother “trash”

and Nurkić's deceased grandmother a "bitch," Trail Blazers, Inc. personnel, including but not limited to Nurkić, negligently made false statements concerning Geske.

43. In alleging that Geske insulted Nurkić's family by calling Nurkić's mother "trash" and Nurkić's deceased grandmother a "bitch," Trail Blazers, Inc. personnel, including but not limited to Nurkić, knowingly made false statements concerning Geske.

44. Trail Blazers, Inc. personnel, including but not limited to Nurkić, published these false statements.

45. These false statements were defamatory and sought to elevate Nurkić's standing at the expense of Geske's reputation.

46. As a result of the defamatory statements, Geske has suffered fear, damage to his reputation, and other damages.

47. Geske's image in his community has been debased.

48. Nurkić is responsible for his own actions.

49. Trail Blazers, Inc. is legally responsible for the actions of its employees and agents done in the course and scope of their employment.

Count 2: Defamation against Haynes and Yahoo

50. Geske incorporates by reference the preceding paragraphs as though set forth below.

51. Haynes negligently published false statements.

52. Haynes published false statements with knowledge that the statements were false or with reckless disregard of whether they were false or not.

53. These false statements were defamatory.

54. As a result of the defamatory statements, Geske has suffered fear, damage to his

reputation, and other damages.

55. Haynes is responsible for his own actions.

56. Yahoo is legally responsible for the actions of its employees and agents, including Haynes, done in the course and the scope of their employment.

Count 3: Invasion of Privacy by False Light

57. Geske incorporates by reference the preceding paragraphs as though set forth below.

58. In disseminating the lie that Geske had called Nurkić's mother "trash" and Nurkić's deceased grandmother a "bitch," the Defendants gave publicity to a matter concerning Geske that put Geske before the public in a false light.

59. The false light cast upon Geske would be highly offensive to a reasonable person and indeed was.

60. As noted above, those on the internet widely disapproved of the conduct Defendants falsely attributed to Geske.

61. The Defendants had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which Geske would be placed.

62. As a result of being cast in a false light, Geske has suffered damages.

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WHEREFORE, Plaintiff Steven Geske respectfully requests a judgment against Defendants in an amount that will fully and fairly compensate him for his damages, for the costs of this action, and for all other relief just and appropriate in the premises.

Respectfully submitted,

/s/ Robert D. King, Jr.

Robert D. King, Jr. (#20963-49)

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