IN THE SIXTEENTH JUDICIAL CIRCUIT COURT OF MISSOURI AT KANSAS CITY

Cindy McKeon
a/k/a Cindy Mckean
1922 NW 70 th St.
Kansas City, MO 64151

Case No.:

Plaintiff, Division:

v.

Julia Purdy 8026 Summit St. Kansas City, MO 64114,

and

The Aquarian Organization of Astrologers, Inc.

Registered Agent: Elizabeth Cutting 403 Palomino Circle Raymore, MO 64083

Defendants.

PETITION FOR DAMAGES FOR DEFAMATION:

LIBEL AND SLANDER

COMES NOW Plaintiff, Cindy McKeon, by and through counsel, and for her causes of action states as follows:

- 1. Plaintiff is a resident of Kansas City, Missouri, who engages in the lawful business pursuit of psychic readings, astrology, tarot, pendulum and palmistry. Plaintiff does business online and in person as Kansas City Astrology and Tarot, and she prominently identifies herself by name as the owner and proprietor of the website and the business.
- 2. Defendant Julia Purdy is an adult resident of Kansas City, Missouri, who holds herself out as being the "Technology Chair of the Aquarian Organization of Astrologers," and who has been publishing defamatory statements about plaintiff in written online posts (libel) and defaming plaintiff in spoken conversations with individuals (slander) as more fully set forth below.
- 3. The Aquarian Organization of Astrologers, Inc., is ostensibly a non-profit corporation organized in the State of Missouri. The Aquarian Organization of Astrologers ("AOA") is liable for the defamatory statements made by Julia Purdy while acting in her capacity as a board member of the AOA and as the Technology Chair of the AOA.
- 4. For purposes of this pleading, and because Julia Purdy was acting in her representative capacity as Technology Chair of the AOA, plaintiff uses the singular term "defendant" to reference both named defendants in this petition.

COUNT I

On September 15, 2015, defendant did cause to be published on plaintiff's business FACEBOOK page the following defamatory statement:

Cindy you need to return all of the AOA property you stole immediately. Also, mailing

list, and domain registration and checkbooks and AV equipment. You are apparently a thief. If you do not respond in full, the entire world will soon know that you are a thief.

(Ex. 1 - attached – "Julia Purdy post on "Kansas City Astrology & Tarot" Facebook Page

COUNT II

On September 16, 2015, defendant did cause to be published on defendant's personal FACEBOOK page (Julia Purdy's Facebook page) the following defamatory statement:

An interesting bit of drama. The local astrology organization, Aquarian Organization of Astrologers (AOA) has had their online presence, along with their email and property including AV equipment and checkbook stolen. Ex board member Cindy McKean got access and then took it and is trying to leverage it to start her own business. Some really bad karma there. I took on putting up a new website for them and the addy is astrologykc.com or kcastrology.com . . .We will have to rebuild the the (sic) email list and everything so more on that later, but can you imagine how someone would even think they could pull that off successfully? Reputations are built and ruined online in a moment in today's world.

(Ex. 2 - attached - "Julia Purdy Facebook Page Screenshot" (09-16-2015))

COUNT III

On September 29, 2015, defendant did cause to be published ON DEFENDANT'S WEBSITES (www.kcastrology.com and www.astrologykc.com) the following defamatory statement:

Hello world!

Screenshot" (09-15-2015))

This is the new online home for the Aquarian Organization of Astrology, the center for all things astrology in Kansas City. The previous domain names for the AOA, AstrologyKansasCity and KansasCityAstrology were stolen by a previous board member who obtained access and took them, along with the organization's equipment and checkbook, to launch her personal businesses. The AOA is no longer represented on those domains. It does not endorse and cannot recommend any of the services now being sold there. If you are receiving unsolicited emails from Kansas City Astrology and Tarot, those are also from the AOA's stolen email list.

(Ex. 3 - attached - "Aquarian Organization of Astrologers <u>www.kcastrology.com</u> Screenshot" (09-29-2015))

COUNT IV

On September 29, 2015, defendant did cause to be published on a Google review of plaintiff's business the following defamatory statement:

"unethical and a thief. Check out..." – Julia Purdy. 1-Star Rating.

(Ex. 4 - attached - "You just got a 1-star review" Screenshot" (09-29-2015))

COUNT V

On September 30, 2015, defendant did cause to be published on YELP the following defamatory statement:

This is a stolen domain name. For more information about this astrologer, see the Aquarius Organization of Astrologer's website on their new domain: kcastrology.com. The astrologykansascity and kansascityastrology domain names were stolen along with

computers and AV equipment by the proprietor of this website. 1-Star Rating.

(Ex. 5 - attached - "Julia Purdy Yelp Review Screenshot" (09-30-2015))

COUNT VI

On September 30, 2015, defendant did cause to be published on YAHOO the following defamatory statement:

This domain name is stolen from the Aquarian Organization of Astrologers in Kansas City. See KCastrology.com for more information on the assets stolen from the organization by the proprietor of this business. 1-Star Rating.

(Ex. 6 - attached - "Julia Purdy Yahoo Review Screenshot" (09-30-2015))

COUNT VII

On October 3, 2015, defendant did cause to be published on defendant's personal FACEBOOK page (Julia Purdy) the following defamatory statement:

Redoing all of the AOA online identity that the New York dumbshit Cindy McKean decided she could get by with stealing. Follow us on twitter #KansasCityAOA and we'll follow back so we can rebuild. Also, if you have the AOA web addy linked on your org websites, please update it to our new one. Kcastrology.com No offense intended to New York. It's a lovely city.

(Ex. 7 - attached - "Julia Purdy Facebook Screenshot" (10-03-2015))

COUNT VIII

On October 3, 2015, defendant did cause to be published on YELLOW PAGES the following

defamatory statement:

Cindy stole property from the Kansas City Astrology organization to use in starting her personal business. Computers, software, and online identity. If you aren't good enough to build a business on your own reputation, you shouldn't steal someone's (sic) elses.

1-Star Rating.

(Ex. 8 - attached - "Julia Purdy Yellow Pages Review Screenshot" (10-03-2015))

COUNT IX

On October 4, 2015, defendant did cause to be published on YELLOW PAGES the following defamatory statement:

Cindy stole property from the Kansas City Astrology organization to use in starting her personal business. Computers, software, and online identity. If you aren't good enough to build a business on your own reputation, you shouldn't steal someone's (sic) elses.

1-Star Rating.

(Ex. 9 - attached - "Julia Purdy Yellow Pages Review Screenshot" (10-04-2015))

COUNT X

On October 9, 2015, defendant did cause to be published on defendant's personal FACEBOOK page (Julia Purdy) the following defamatory statement:

So apparently the AOA has a building fund it wasn't aware of. Cindy McKean was seen collecting money for it. I suppose if that is proven to be true it goes into the AOAs complaint against her. But really—a building fund? Who would even think of that as a scam that would work. I wonder how much she got people to give her? Surely not much.

Here ya go a fiver for your building fund? A very small building for sure. (Laughing emoji with tear.)

(Ex. 10 - attached - "Julia Purdy Facebook Screenshot" (10-09-2015))

COUNT XI

On October 9, 2015, defendant did cause to be published on defendant's business website (www.kansascityastro.com) the following defamatory statement:

All of the AOA's property, physical and digital assets as well as internet domains were stolen by a previous board member and used to set up her personal business.

You know what they say: "If you don't have what it takes to build your own, steal someone else's".

The biggest difficulty is that she has placed her personal website, on the well-established AOA DBA and domain name kansascityastrology.com so it looks like she represents the astrological community in our fair city. Kansas City Astrology and Tarot does not represent the astrological community in Kansas City. It is the kind of site that professional astrologers are trying to eradicate from their midst.

We're pleased to once again have a professional-looking and functioning website. We are working to ensure that the amateur appearance that the website using our domain name does not reflect on the level of professionalism in the Kansas City astrological community that the AOA represents.

Legal proceedings have been initiated against her, but it will take time to repair the damage and get web domains back. Replacing stolen computer equipment is a minor problem compared with the expensive headaches caused by the website issues."

(Ex. 11 - attached - "Aquarian Organization of Astrologers www.kansascityastro.com Screenshot" (10-09-2015))

COUNT XII

On October 9, 2015, defendant did cause to be published on defendant's business website footer on each page (www.kansascityastro.com) the following defamatory statement:

The Aquarian Organizational of Astrologers (AOA) has been a staple in Kansas City since 1973. The organization has recently changed its online identity and address due to the theft of its digital assets, domain names, and computer equipment. A newcomer to the area with something of a transient past apparently wants to build her business by destroying the AOA. She served on the board just long enough to get access to the AOA's assets and is using them to launch a personal business.

The AOA is no longer represented on the domains Kansas City Astrology and Astrology Kansas City. The AOA does not endorse and cannot recommend any of the services now being sold there. If you are receiving unsolicited emails from Kansas City Astrology and Tarot, those are also from the AOA's stolen email list. Feel free to unsubscribe there and rejoin us by resubmitting your email here.

(Ex. 12 - attached - attached - "Aquarian Organization of Astrologers www.kansascityastro.com footer Screenshot" (10-09-2015))

COUNT XIII

On October 12, 2015, defendant did cause to be published on defendant's business website (www.kcastrology.com) the following defamatory statement:

All of the AOA's property, physical and digital assets as well as internet domains were stolen by a previous board member and used to set up her personal business.

You know what they say: "If you don't have what it takes to build your own, steal someone else's".

The biggest difficulty is that she has placed her personal website, on the well-established AOA DBA and domain name kansascityastrology.com so it looks like she represents the astrological community in our fair city. Kansas City Astrology and Tarot does not represent the astrological community in Kansas City. It is the kind of site that professional astrologers are trying to eradicate from their midst.

Legal proceedings have been initiated against her, but it will take time to repair the damage and get web domains back. Replacing stolen computer equipment is a minor problem compared with the expensive headaches caused by the website issues."

(Ex. 13 - attached - "Aquarian Organization of Astrologers www.kcastrology.com Screenshot" (10-12-2015))

COUNT XIV

On December 16, 2015, defendant did cause to be published on defendant's business website (www.astrologykansascity-aoa.com) the following defamatory statement:

2015 was quite a year for the AOA. Thieves and liars and bullies, Oh My!

Please bookmark this new URL as the new AOA website. One of the items that the AOA ended up losing was its legacy domain name. The AOA is not affiliated in any way with the website Kansas City Astrology and Tarot that is now hosted on KansasCityAstrology.com. The website AstrologyKansasCity.com is also no longer owned or accessible to the AOA.

(Ex. 14 - attached - "Aquarian Organization of Astrologers www.astrologykansascityaoa.com Screenshot" (12-16-2015))

COUNT XV

On or about December 9, 2015, plaintiff made a false police report to the Kansas City Police Department alleging theft against the plaintiff to Det. James Agnew of the Economic Crimes Unit. Det. Agnew investigated the theft complaint and determined that the case did not merit transference for prosecution and closed the file. Defendant's action constitute slander and is defamatory in that the statement to police identifies the plaintiff, it is false, it has impaired plaintiff's reputation, it has caused loss of standing in the community, personal humiliation, mental anguish, suffering and diminution of plaintiff's business.

COUNT XVI – INTENTIONAL SLANDER

On or around October 6, 2015, in spoken phone conversation with Roberta Nachbar Hustead, coordinator for the Psychical Research Society in Kansas City, the defendant repeated the false accusations of plaintiff being a thief and having stolen more than \$1,000 of property of the AOA.

(Ex. 15 - attached - "Testimony from Roberta Nachbar Hustead" (10-06-2015))

COUNT XVII – INJURIOUS FALSEHOOD

The stated intent by defendants to ruin the plaintiff's good name in the business community of astrologers constitutes injurious falsehood, demonstrating knowledge that the statements were false or with reckless disregard as to their falsity. The defendants caused harm to plaintiff's financial interests and the plaintiff did in fact suffer financial loss.

Defendant's actions as set forth in each count of this petition constitute defamation through libel and slander by identifying the plaintiff, making false accusations of theft about the

plaintiff, by impairing the reputation of plaintiff, by causing loss of standing in the community,

causing personal humiliation, mental anguish and diminution in value of plaintiff's business.

WHEREFORE, based on the foregoing, plaintiff prays for general and compensatory

damages in excess of \$75,000 for injury sustained, punitive damages based on the intentional

and systematic writings and spoken communications of defendant designed to ruin plaintiff's

reputation and destroy her character, for attorneys' fees, court costs and for such other damages

as are fair and reasonable and as the court deems just in the premises.

Respectfully Submitted,

Terence M. O'Malley, Bar # 47354

The O'Malley Law Firm 1050 West Blue Ridge Blvd

Kansas City, MO 64145

816-714-4962

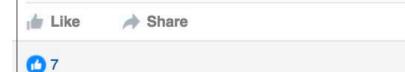
Terence@OMalleyLawKC.com

(Ex. 1 – "Julia Purdy post on "Kansas City Astrology & Tarot" Facebook Page Screenshot" (09-15-2015))





An interesting bit of drama. The local astrology organization, Aquarian Organization of Astrologers (AOA) has had their online presence, along with their email list and property including AV equipment and checkbook stolen. Ex board member Cindy McKean got access and then took it and is trying to leverage it to start her own business. Some really bad karma there. I took on putting up a new website for them and the addy is astrologykc.com, or kcastrology.com. My wonderful Cancer friend and artist Heather McKenzie is going to help me get some good pictures of the Celestial Flyways public art astrolabe in downtown KC for the front. I am expecting that it will be gorgeous. We will have to rebuild the the email list and everything so more on that later, but can you imagine how someone would even think they could pull that off successfully? Reputations are built and ruined online in a moment in today's world?

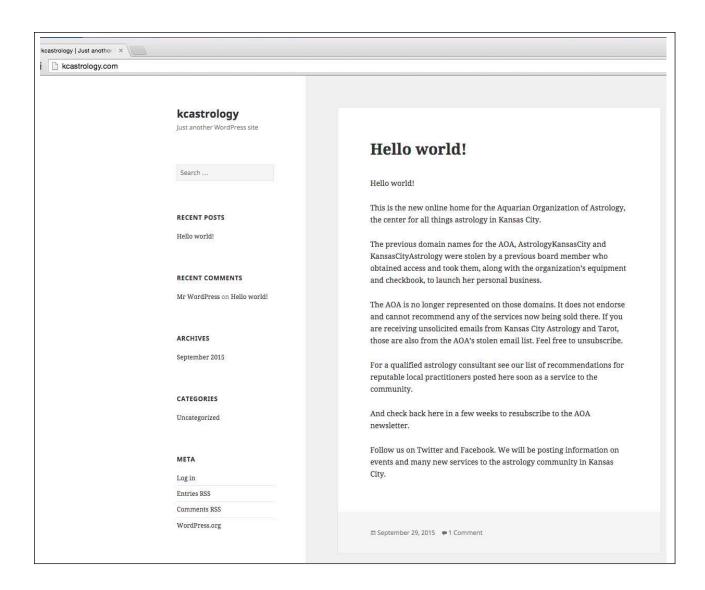




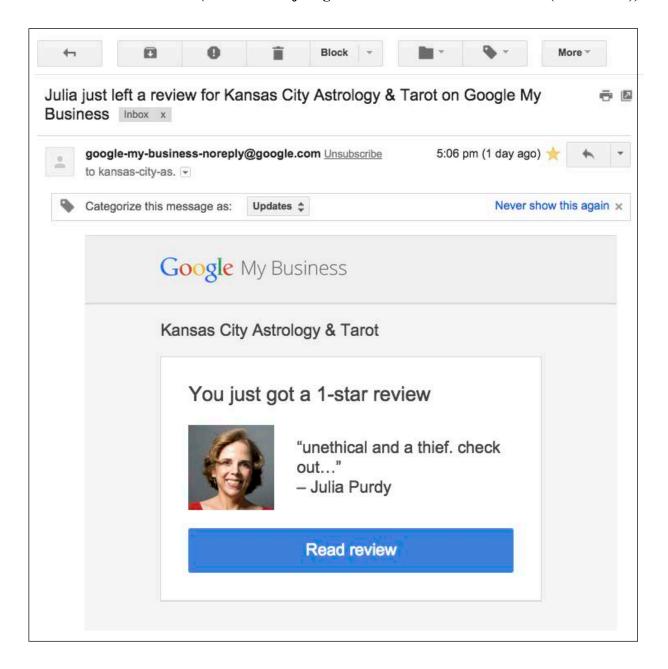
Debra Keil-Leavitt Thanks for all that you're doing, Julia Purdy!

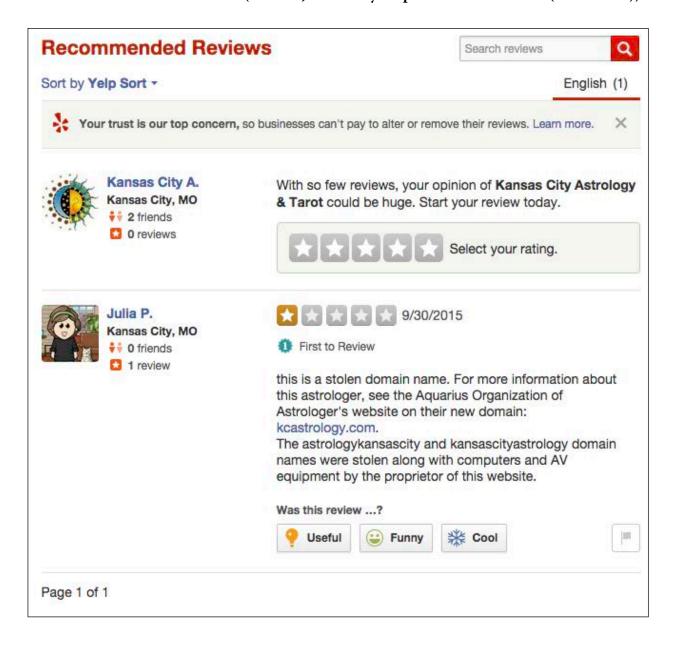
Like · 1 · September 29, 2015 at 3:17pm

(Ex. 3 - "Aquarian Organization of Astrologers <u>www.kcastrology.com</u> Screenshot" (09-29-2015))

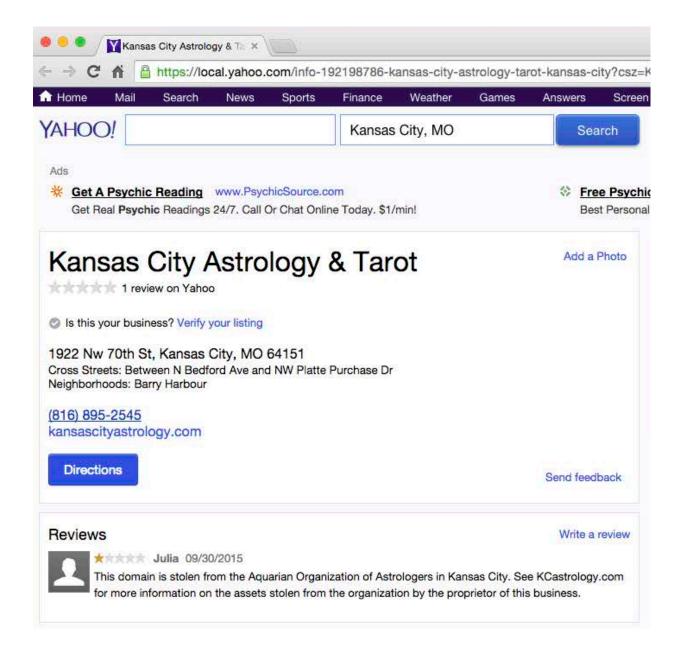


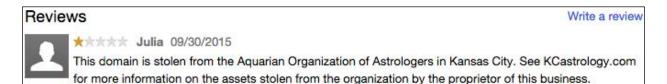
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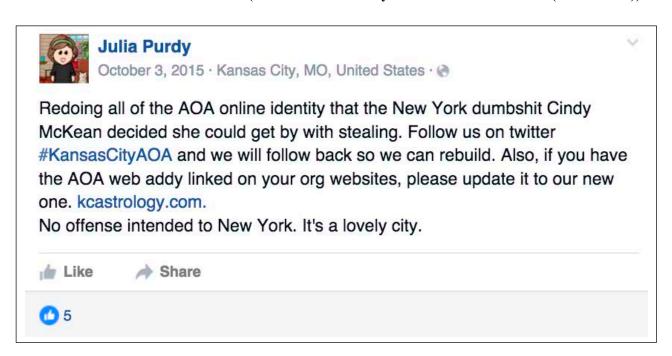




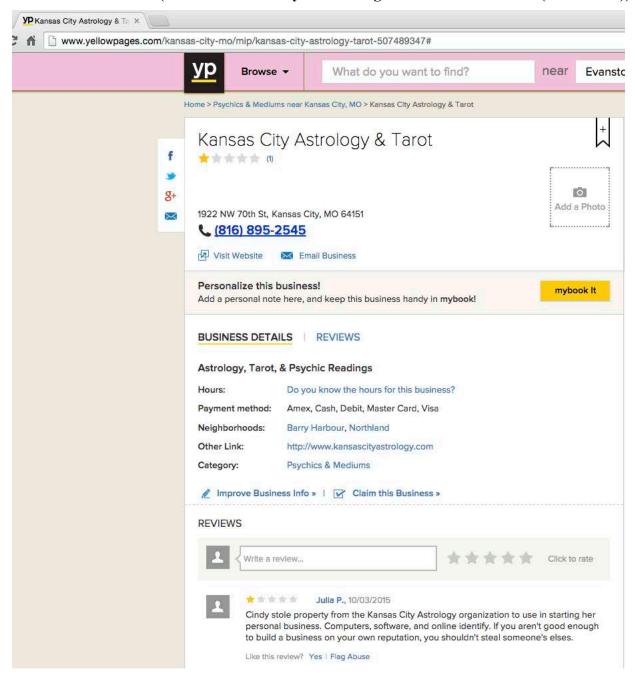
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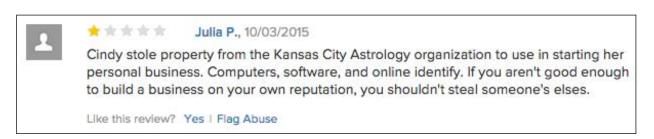




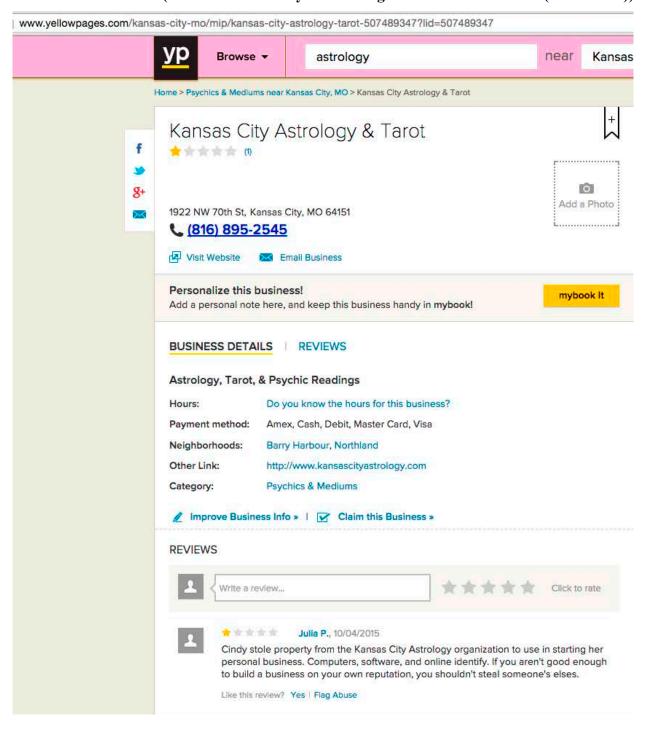


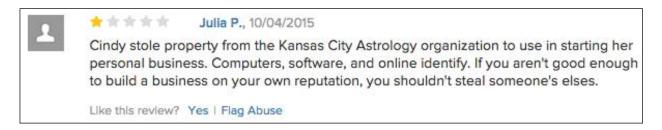
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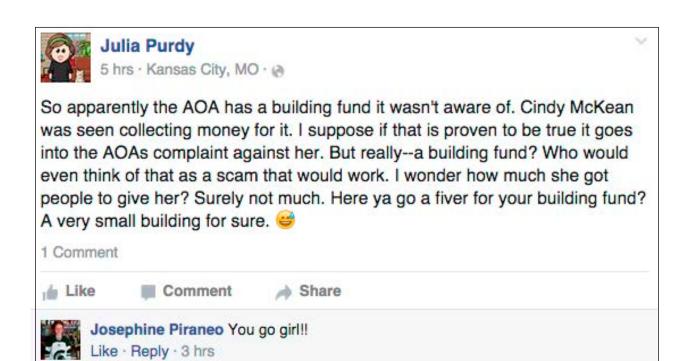




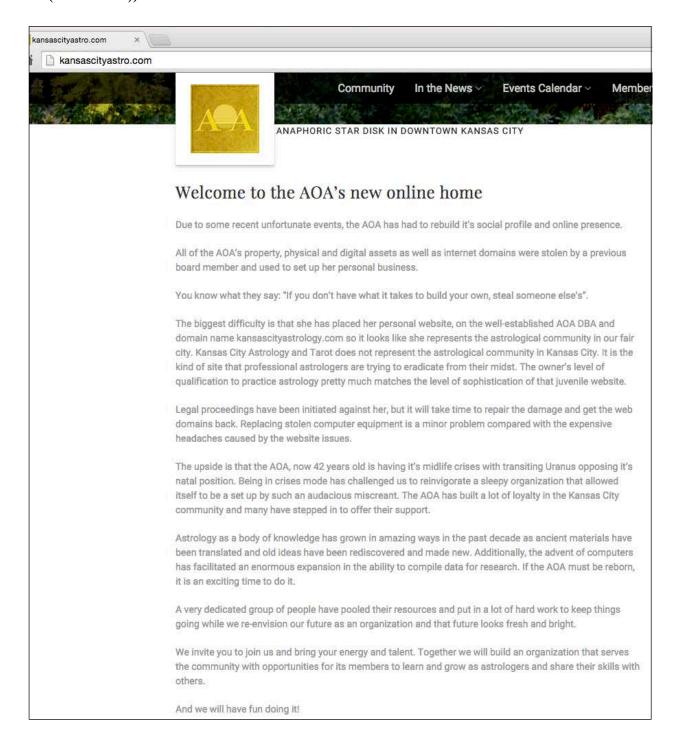
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ABOUT THE AOA



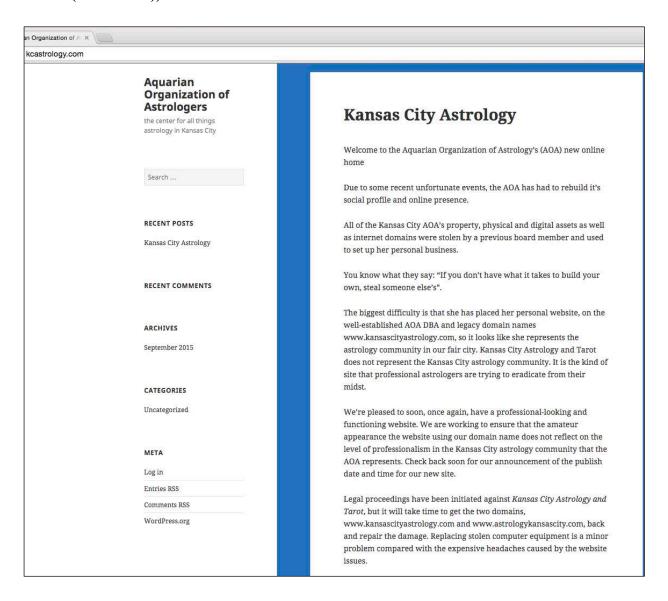
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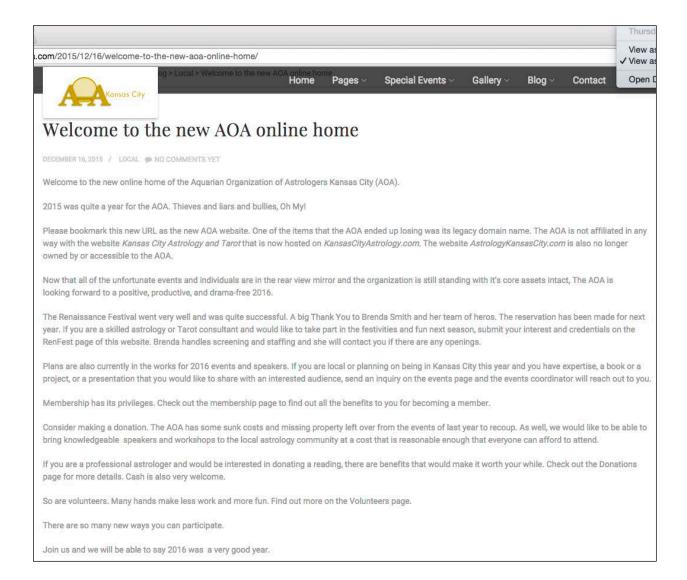
If you are looking for a qualified astrology consultant, check our list of recommended local practitioners.

If you or your organization has a a web link to or from the previous AOA website domains, AstrologyKansasCity.com or KansasCityAstrology.com, please update them to point to our new home: kcastrology.com.

(Ex. 13 - "Aquarian Organization of Astrologers www.kcastrology.com Screenshot" (10-12-2015))



(Ex. 14 - "Aquarian Organization of Astrologers www.astrologykansascity-aoa.com Screenshot" (12-16-2015))



(Ex. 15 - "Testimony from Roberta Nachbar Hustead" (10-06-2015))



