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**CALIFORNIA DEFAMATION LAW BLOG**

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES—CENTRAL DISTRICT**

**JOHN GROGAN,**

**CASE NO.: BC 391778**

**Plaintiff,**

**COMPLAINT FOR:**

**v.**

- 1. DEFAMATION;**
- 2. INVASION OF PRIVACY (FALSE LIGHT); AND**
- 3. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

**JOSEPH PAOLLELA, an individual;  
JOHN TRIMARCO A.K.A JACK TRIMARCO, an individual; JACK TRIMARCO & ASSOCIATES POLYGRAPH/INVESTIGATIONS, INC., a corporation; RALPH HILLIARD, an individual; WORDNET SOLUTIONS, INC., a corporation and DOES 1 through 20, inclusive,**

**[UNLIMITED JURISDICTION]**

**Defendants.**

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1 Plaintiff JOHN GROGAN alleges as follows:

2 **GENERAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION AGAINST ALL**  
3 **DEFENDANTS**

4 1. Does 1 through 20 are liable to the Plaintiff, in the below transactions. When the  
5 true names and capacities of the Defendants sued herein as Does 1 through 20, inclusive, are  
6 ascertained, Plaintiff will amend this complaint to incorporate such Does as Defendants.

7 2. Plaintiff JOHN GROGAN (“Plaintiff”), is an individual doing business in the  
8 County of Los Angeles. Plaintiff is an experienced polygraph examiner and has administered  
9 numerous lie detection tests in the last 20 years. He received a diploma from the American  
10 Academy of Forensic Science for having “successfully completed the academic course in  
11 polygraph Instrumentation & Testing Techniques for the Polygraph Examiner program,” on June  
12 11, 2004. A copy of said Diploma is attached hereto as **Exhibit 1**.

13 3. Plaintiff has never been convicted of a crime.

14 4. Defendant JOSEPH PAOLLELLA (“PAOLLELLA”), is an individual doing business in Los  
15 Angeles County. PAOLLELLA was the former President of the American Academy of Forensic  
16 Science. PAOLLELLA administers polygraph exams.

17 5. Defendant JACK TRIMARCO (“TRIMARCO”), is an individual doing business in Los  
18 Angeles County. TRIMARCO administers polygraph exams.

19 6. Defendant JACK TRIMARCO & ASSOCIATES  
20 POLYGRAPH/INVESTIGATIONS, INC., (“TRIMARCO & ASSOCIATES”) is a corporation  
21 doing business in Los Angeles County. At all times mentioned herein, on information and belief,  
22 TRIMARCO was an employee or agent of JACK TRIMARCO & ASSOCIATES  
23 POLYGRAPH/INVESTIGATIONS, INC., and was acting within the course and scope of said  
24 employment or agency.

25 7. Defendant RALPH HILLIARD (“HILLIARD”) created <http://www.polygraphplace.com>  
26 (“POLYGRAPH PLACE”), a polygraph examiner’s website that provides advertising for  
27 polygraph examiners in Los Angeles County and nationwide. The website also contains general  
28 information and articles about polygraph exams. On or about May 1, 2008, HILLIARD created

1 another website: <http://thetruthaboutgrogan.org> (“TAG”). The stated purpose of TAG is to  
2 “inform so that people can make educated decisions on whether to do business with John Grogan  
3 (or anyone affiliated with him who knows the truth about him).”

4 8. On information and belief, Defendant WORDNET SOLUTIONS, INC. (“WORDNET”),  
5 is a corporation doing business in Canton, Georgia and nationwide. At all times mentioned  
6 herein, on information and belief, HILLIARD was an employee or agent of WORDNET and was  
7 acting within the course and scope of said employment or agency.

8 9. On or about February 12, 2008, PAOLLELA wrote a letter to TRIMARCO that  
9 contained the following false, malicious, and libelous statements:

- 10 a. “After approximately 6-weeks of training, I gave Mr. Grogan an ‘honorary  
11 completion’ certificate. I had no idea that he wanted to be an examiner and go  
12 into the business as an examiner”;
- 13 b. “I had to let Mr. Grogan go because of his ‘unauthorized advances’ towards  
14 female students”; and
- 15 c. “Even though Mr. Grogan has lost his P.I. & P.P.O. license, he is using an  
16 associate Lisa Javoric . . . to front for him on her website to do private  
17 investigations . . .”

18 A copy of said letter is attached hereto as **Exhibit 2**. The above statements written by  
19 PAOLLELA are false, libelous and tremendously damage Plaintiff’s reputation professionally  
20 and personally.

21 10. On or about March 7, 2008, TRIMARCO telephoned the Tom Leykis Radio Talk Show  
22 which airs on 97.1 FM (the “SHOW”). When TRIMARCO telephoned the show as a listener,  
23 the appearing guest of Mr. Leykis was Plaintiff. Plaintiff was invited to appear on the radio and  
24 perform a polygraph examination on a television producer. During this telephone call on a  
25 national broadcast to potentially millions of listeners TRIMARCO made several false, malicious,  
26 and slanderous statements about Plaintiff including but not limited to:

- 27 a. “John Grogan is a fake”;
- 28 b. “He is not a polygraph examiner”;

- c. “He’s been convicted of 26 counts of fraud;
- d. “He’s never graduated from a polygraph school”;
- e. “You’re nothing more than a fraud and you’re about to get burned”;
- f. “I’m going to get you convicted”;
- g. “I’ll bring in my proof to the DA in Ventura County”; and
- h. “You perjured yourself.”

11. Shortly after the SHOW aired, HILLIARD posted an article on POLYGRAPH PLACE entitled: “Issue #142 – 4/18/2008, John Grogan – Part II – Imposter? YES – Swindler? Definitely – Polygraph Examiner? Not by any Stretch of the Imagination.” In that article, HILLIARD republished each of the defamatory statements made by TRIMARCO during the SHOW. In addition, HILLIARD wrote that Plaintiff is a “swindler,” “imposter,” and has “a history of threats, harassment and violence.” Then on TAG, HILLIARD posted the following false, malicious, and libelous statements regarding Plaintiff:

- a. “John snares the unsuspecting public into his web of deceit”; and
- b. “[f]raud being perpetrated on the public by John in California and now across the nation.”

Furthermore, HILLIARD provides two hyperlinks to the false and defamatory articles on POLYGRAPH PLACE. The above articles and statements on both websites are tremendously damaging to Plaintiff’s reputation professionally and personally.

12. Each of the statements posted on POLYGRAPH PLACE and TAG by HILLIARD is false, libelous, and tremendously damaging to Plaintiff, both professionally and personally.

13. Defendants and each of them, intentionally and wrongfully made the false statements above in order to injure Plaintiff both personally and professionally.

14. The statements made above would be highly offensive to the reasonable person.

15. Plaintiff is a private citizen and his reputation is not a matter of public concern.

16. Defendants and each of them, knew the statements were false or had serious doubts about the truth of the statements. Alternatively, Defendants and each of them again, failed to use reasonable care to determine the truth or falsity of the each statement set forth above.

1 17. As a result, Plaintiff has received a number of anonymous death threats.

2 18. As a result of the conduct of the Defendants and each of them, Plaintiff has suffered a  
3 loss of reputation in the community and his profession, personal humiliation, loss of business,  
4 and deep mental anguish and suffering. The defamatory statements described above were made  
5 with the reckless disregard and indifference to causing injury and damage to Plaintiff. The  
6 conduct of the Defendants and each of them, was despicable and subjected Plaintiff to cruel and  
7 unjust hardship all in conscious disregard of Plaintiff's rights, therefore justifying an award of  
8 exemplary and punitive damages against the Defendants and each of them.

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10 **FIRST CAUSE OF ACTION**

11 ON BEHALF OF PLAINTIFF AGAINST  
12 PAOLELLA FOR DEFAMATION  
13 (LIBEL)

14 19. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
15 All Defendants.

16 20. The false statements of PAOLLELA written in his letter to TRIMARCO were  
17 libelous. As a result, Plaintiff has been damaged as set forth in paragraph 18 above.

18 **SECOND CAUSE OF ACTION**

19 ON BEHALF OF PLAINTIFF AGAINST  
20 PAOLLELA FOR INVASION OF PRIVACY  
21 (FALSE LIGHT)

22 21. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
23 All Defendants.

24 22. The statements made above placed Plaintiff in a false light. As a result, Plaintiff has been  
25 damaged as set forth in paragraph 18 above.

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1    **THIRD CAUSE OF ACTION**

2    ON BEHALF OF PLAINTIFF AGAINST

3    PAOLELLA FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

4    23. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
5 All Defendants.

6    24. PAOLLELA's conduct was outrageous and intended to cause Plaintiff emotional  
7 distress. As a result, Plaintiff has suffered severe emotional distress and has been damaged as set  
8 forth in paragraph 18 above.

9    **FOURTH CAUSE OF ACTION**

10    ON BEHALF OF PLAINTIFF AGAINST

11    TRIMARCO AND TRIMARCO & ASSOCIATES FOR DEFAMATION

12    (SLANDER)

13    25. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
14 All Defendants.

15    26. The false statements of TRIMARCO made on the *Tom Leykis Radio Show* were  
16 slanderous. As a result, Plaintiff has been damaged as set forth in paragraph 18 above.

17    **FIFTH CAUSE OF ACTION**

18    ON BEHALF OF PLAINTIFF AGAINST

19    TRIMARCO AND TRIMARCO & ASSOCIATES FOR INVASION OF PRIVACY

20    (FALSE LIGHT)

21    27. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
22 All Defendants.

23    28. The statements made above placed Plaintiff in a false light. As a result, Plaintiff has been  
24 damaged as set forth in paragraph 18 above.

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1                                    **SIXTH CAUSE OF ACTION**

2                                    ON BEHALF OF PLAINTIFF AGAINST  
3                                    TRIMARCO AND TRIMARCO & ASSOCIATES  
4                                    FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

5                                    29. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
6 All Defendants.

7                                    30. TRIMARCO's conduct was outrageous and intended to cause Plaintiff emotional  
8 distress. As a result, Plaintiff has suffered severe emotional distress and has been damaged as set  
9 forth in paragraph 18 above.

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11                                    **SEVENTH CAUSE OF ACTION**

12                                    ON BEHALF OF PLAINTIFF AGAINST  
13                                    HILLIARD AND WORDNET FOR DEFAMATION  
14                                    (LIBEL)

15                                    31. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
16 All Defendants.

17                                    32. The false statements posted on POLYGRAPH PLACE and TAG by HILLIARD are  
18 libelous. As a result, Plaintiff has been damaged as set forth in paragraph 18 above.

19                                    **EIGHTH CAUSE OF ACTION**

20                                    ON BEHALF OF PLAINTIFF AGAINST  
21                                    HILLIARD AND WORDNET FOR INVASION OF PRIVACY  
22                                    (FALSE LIGHT)

23                                    33. Plaintiff incorporates the General Allegations Common to All Causes of Action Against  
24 All Defendants.

25                                    34. The statements made above placed Plaintiff in a false light. As a result, Plaintiff has been  
26 damaged as set forth in paragraph 18 above.

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