

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA CIVIL DIVISION

LARRY KLAYMAN,
2000 Pennsylvania Avenue NW, #345
Washington, DC 20006
Plaintiff,

Civil Action No. _____

v.

MARK ZUCKERBERG AND FACEBOOK, INC.,
1601 S. California Avenue
Palo Alto, CA 94304
Defendants.

COMPLAINT

1. Jurisdiction of this court is founded on D.C. Code Annotated, 2001 edition, as amended, Sec.11-921.
2. Plaintiff, Larry Klayman, is an American citizen of Jewish origin, who at all material times does business at 2000 Pennsylvania Avenue NW, #345, Washington, DC 20006 as the Chairman and General Counsel of Freedom Watch.
3. Defendant, Mark Zuckerberg, is an individual who at all times mentioned herein resides in California.
4. Defendant, Facebook, Inc., is a New York corporation, who at all material times has corporate headquarters in Palo Alto, California, and engages in social networking via the internet. In the recent film "Social Network," Hollywood depicted the questionable business and ethical practices of its alleged founder, Defendant Mark Zuckerberg. While Facebook is innovative and has done much good, it can also be used a vehicle for bad purposes, and that is the case in this instance. Facebook and Zuckerberg have made huge amounts of money based on their success

and the revenues generated by the huge and growing viewership of Facebook. Viewership is growing fast and exponentially, particularly in the Middle East, for obvious reasons dealing with the Islamic revolution there, and efforts by opposition groups to overthrow governments and establish a Palestinian state on the West Bank, and other matters. Palestinians have threatened the destruction of Israel and the Jewish people if they do not get this state on the West Bank. This is coupled with centuries of hatred by radical Palestinians against the Jewish people, manifesting itself in at least three wars – all of which they lost – since Israel was established by the United Nations in 1948.

5. Defendants do business in the District of Columbia (DC) and their Facebook is widely viewed and read here, including by radical Palestinians and other such Muslim and anti-semitic interests residing in DC and the Metropolitan area, as well as around the world.

6. Plaintiff, at all material times, has a Facebook account, titled Larry Klayman.

7. Plaintiff has encountered the Facebook page titled “Third Palestinian Intifada” (Intifada FB Page) through the use of his above-named Facebook page. This Intifada FB Page at all material times calls, and called for an uprising beginning on May 15, 2011, after Muslim prayers are completed, announcing and threatening that “Judgment Day will be brought upon us only once Muslims have killed all the Jews.” This Intifada FB Page has had over 360,000 participants. According to reports, three similar FB Intifada pages have come up with over 7,000 subscribers. In the last days, the Public Diplomacy Minister of Israel, Yuli Edelstein, accurately stated in a letter to Facebook founder Mark Zuckerberg that the Intifada FB Page featured “wild incitement” with call to kill Jews and talk of liberating Jerusalem through violence. He asked that Mark Zuckerberg and Facebook take down the page and similar and related pages, but Defendants refused, obviously to boost Facebook’s circulation and revenues, as this page created

enormous controversy and thus viewership. It also resulted in Facebook adding large amount of additional users to its site, particularly in the Middle East and elsewhere.

8. Thus, the Intifada FB Page, and related and similar pages on Facebook openly advocate an intifada against and thus death to persons of Jewish origin.

9. An Intifada is commonly described as a violent revolt by Muslims against non-Muslims, particularly against Jews.

10. There have been two previous Intifadas against people of Jewish origin by radical Palestinians. The first occurred between 1987 and 1993, and resulted in the civilian death toll of 164 Jews. The second occurred between 2000 and 2005 and resulted in the civilian death toll of 1,115 Jews. The threats and terrorist attacks on Jews have taken place and continue even without regard to formal Intifadas. In the last weeks, there have been two terrorist attacks, killing even Jewish children.

11. Plaintiff, Larry Klayman, is a public interest human, civil and individual rights activist who is “active” in matters concerning the security of Israel and all people, including but not limited to Jews, Christians and Muslims who believe in freedom, and the rights of persons of all races and religions to not be discriminated against, to live in peace, worship as they wish as long as they do not harm others, and the rights of man not to be harmed in any way on the basis of national and religious origins. Under the organization Freedom Watch, Inc., Plaintiff has recently filed suit in the Supreme Court of New York to enjoin the building of a mosque at Ground Zero, which is allegedly a front for terrorist-related interests, and/or would create a nuisance as it would draw more activities relating to terrorism to the Ground Zero neighborhood and New York City. In response, the Imam of this mosque, Imam Feisal Rauf, effectively issued a Fatwah against Mr. Klayman and his client, Vincent Forras, a famous and brave First Responder who was buried

under the rubble at Ground Zero on September 11, 2001. Mr. Forras was nearly killed, and now because of chemical poisoning and other contamination at Ground Zero, is fatally ill and taking over 23 medications. Mr. Klayman and Mr. Forras, who is also Jewish, were branded publicly by Rauf, importantly a Muslim cleric, to the Muslim/Palestinian world an enemy of Islam in the New York Post, all over the internet and in other publications read by Palestinians and other radical Muslims in particular. This was a signal to severely cause bodily harm to, or kill, Mr. Klayman and Mr Forras, and it signals to the Palestinians, many of whom reside in Washington, D.C., and throughout the United States, to do so during a Third Intifada. Plaintiff is a highly visible and well known lawyer, advocate, writer, television and radio commentator, and public figure who is a recognized expert on terrorism and the Middle East. He is widely known in the Muslim/Arabic world for his support of Israel and has been called by it a "Zionist." See www.freedomwatchusa.org and Google.

12. When Mark Zuckerberg and Facebook were initially asked to remove the Intifada FB Page and related pages, they refused for many days, on information and belief to boost their revenues and the net worth of Facebook, which they have been marketing through the "legally challenged" firm of Golman Sachs which has been under federal and state investigation for its unethical and potentially illegal business practices which caused in part the current and on-going economic crisis worldwide. Now – after many days where significant damage has already been done -- they have for the time being begrudgingly done so, but on information and belief only for a short while, given the pressure brought by concerned persons and entities around the world, including Plaintiff. In effect, Defendants, Zuckerberg and Facebook, to further their revenues and the net worth of Facebook, which is traded by Goldman Sachs and other investment firms, are joint tortfeasors and acting in concert in the on-going threats and assaults on Plaintiff and other Jews.

This is so because the threats and damage are continuing and are “out there,” having been published and continuing to be republished on the internet worldwide, and elsewhere. According to the Intifada FB page, and the continuing republication of it, the attacks on Jews and others will commence on or about May 15, 2011 and are imminent. That is why the Defendants must be preliminary and permanently enjoined now, so as not to increase the harm they have already allowed to occur and participated in. Plaintiff believes in free speech, but free speech is not free speech when it is designed and intended to harm others physically and by death, constituting a clear and present danger. Defendants, by furthering this conduct, may increase the viewership, revenues and net worth to Facebook and themselves, but otherwise do harm to Plaintiff and those similarly situated. The Israeli Public Diplomacy Minister Yuli Edelstein has been quoted as saying, “ I welcome that decision although I am sure more cat-and-mouse games (by Defendants and the Palestinians) await us...”

13. Plaintiff reserves his right to amend this complaint and convert it into a class action in the public interest.

COUNT I - ASSAULT

14. Plaintiff incorporates paragraphs 1 to 13 of this Complaint as if fully alleged herein.

15. Given the violent history of Intifadas as described in Paragraph 9, the Facebook page titled “Third Palestinian Intifada,” and other related and similar sites, amount to a threat of the use of force against non-Muslims, and particularly Jews, who are public figures like Plaintiff who, as alleged above, have already had a de facto Fatwah issued against him and who is a target to be harmed and/or killed by radical Muslims, many of whom exist in the Palestinian community.

16. Given the violent history of Intifadas as described in Paragraph 9, the Intifada Facebook Page and other related and similar sites have caused Plaintiff reasonable apprehension of severe bodily harm and/ or death.

17. Defendants, each and every one of them, jointly and severally, have intentionally, violently, and without just cause assaulted Plaintiff for their own financial gain. As depicted in the award winning film “Social Network,” Defendant Zuckerberg in particular lacks strong ethical and moral character, having cheated his partners out of their shares and/or ownership in Facebook early on, for which he was forced to pay large settlements once sued. Now, for financial reasons, he has marketed, used, and allowed to be used, Facebook against the interests of his own people, the Jewish people, and Plaintiff. Plaintiff was damaged thereby, particularly since he is a public figure who is well known and highly visible and has fought against the terrorist and nefarious purposes of these Palestinian and other related Arabic extremists. See www.freedomwatchusa.org and Google.

COUNT II – NEGLIGENCE

18. Plaintiff incorporates paragraphs 1 through 17 of this Complaint as if fully alleged herein.

19. As a subscriber to Facebook and as a member of the public, Defendants owed Plaintiff a duty of care, which they violated and breached by allowing and furthering the death threats by the Third Palestinian Intifada, and related and similar sites. In particular, the refusal by Defendants to remove these postings when they were asked to do so by the Government of Israel, Plaintiff and others who were directly affected, further underscores their negligence, gross negligence and recklessness, which rises to the level of wanton and intentional conduct.

20. Plaintiff was thereby damaged.

WHEREFORE, Plaintiff demands the judgment for preliminary and permanent injunctive relief against each of the Defendants, and respectfully requests this court to enjoin Defendants from allowing the Facebook page titled “Third Palestinian Intifada,” and other related and similar sites, which advocate violence and death to Jews, like Plaintiff and others, from operating on facebook.com, now and in the future. Plaintiff also prays for compensatory and punitive damages in an amount in excess of \$1,000,000,000.00 (One Billion Dollars), plus an award of attorneys fees and costs.

Plaintiff prays for a trial by jury of all claims so triable.

Respectfully submitted,

Larry Klayman
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2000 Pennsylvania Avenue NW, #345
Washington, DC 20006

Pro Se