

VIRGINIA:

IN THE CIRCUIT COURT OF HENRICO COUNTY

USHA RAJAGOPAL,

Plaintiff,

v.

Case No. CL 10-3014

JOHN DOES 1-10,

Defendants.

COMES NOW Plaintiff USHA RAJAGOPAL (hereinafter "Dr. Rajagopal"), and for her Complaint, respectfully represents as follows:

1. Dr. Rajagopal is a citizen of the State of California with a business address at 490 Post Street, Suite 430, San Francisco, CA 94102.

2. Defendants John Does 1 through 10 are unknown persons, firms, entities or corporations that have engaged in various illegal, unauthorized, and wrongful actions against Dr. Rajagopal as hereinafter described. Defendants' identities, locations, and residences are currently unknown to Dr. Rajagopal because Defendants, in perpetrating their illegal, unauthorized, and wrongful actions, have intentionally hidden their identities to evade detection.

3. Upon information and belief, some of the Defendants may be located within the Commonwealth of Virginia. Additionally, to perpetrate their unlawful actions, the Defendants utilized "www.google.com" and other Internet websites that are widely accessible and utilized throughout the Commonwealth of Virginia. The contents of some of these websites are routed through an Internet Service Provider (ISP) located in Sterling, Virginia.

4. Dr. Rajagopal received her Medical Degree from the University of Texas Southwestern Medical School, where she was inducted into Alpha Omega Alpha, a national medical honor

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society. She completed her surgical residency at Parkland Hospital in Dallas Texas and went on to complete a fellowship in plastic surgery at the University of California. Dr. Rajagopal has been a Board Certified Plastic Surgeon for 15 years and is an active member of the American Board of Plastic Surgery, the American Society for Aesthetic Plastic Surgery, the American Society of Plastic Surgery, and the California Society of Plastic Surgeons.

5. Defendants have engaged in a malicious campaign of unlawfully defaming and spreading lies about Dr. Rajagopal and have utilized the aforementioned Internet websites to advance their campaign against her.

6. As part of their campaign, Defendants have directly and indirectly contacted Dr. Rajagopal's patients and potential future patients to spread false and defamatory information about her.

7. Defendants' actions have damaged Dr. Rajagopal in her good name and reputation.

8. Defendants have conspired together, acted as an agent for each other, and joined together in this misconduct through a meeting of the minds in an agreement, understanding, and effort to carry out the acts alleged herein.

9. Defendants' conduct is negligent, reckless, intentional, malicious, wanton, and represents a conscious and total disregard for Dr. Rajagopal's rights. Defendants' conduct caused, and continues to cause, Dr. Rajagopal to be seriously damaged.

10. Defendants have utilized the Internet website "www.google.com," specifically "http://maps.google.com," to post false statements regarding Dr. Rajagopal and her business practices. These false statements include, but are not limited to: "See the Sept 15-21 SF Weekly for a story about how this doctor hired a consultant to create lots of fake reviews. The article also discloses that the medical board put this physician on probation for making mistakes that put one

of her patients in a vegetative comatose state, and the patient later died.”, “After reading the article in SF Weekly re : Dr. Rajagopal, have to wonder about all of the glowing five star reviews. According to the article, this Dr. is on probation for failure to use proper medical procedures, and has also caused the death of a patient due to her complete mishandling of the case. Read on : <http://www.sfweekly.com/2010-09-15/news/doctoring-the-web>” A true and correct copy of these false statements is attached hereto and made a part hereof as Exhibit A.

11. Defendants are working under an agenda to cause irreparable harm to Dr. Rajagopal, her business, and her reputation.

COUNT I
DEFAMATION

12. The allegations contained in paragraphs 1 through 11 and all subsequent allegations are adopted and incorporated by reference as if set forth fully in this paragraph.

13. As described herein, Defendants have authored, published, and distributed materially false and defamatory statements about Dr. Rajagopal.

14. Defendants knew that said statements were false or acted negligently in failing to determine the facts on which the statements were based.

15. Dr. Rajagopal has been seriously damaged as a direct and proximate cause of this defamation by Defendants.

COUNT II
TORTIOUS INTERFERENCE WITH CONTRACT RIGHTS

16. The allegations contained in paragraphs 1 through 15 and all subsequent allegations are adopted and incorporated by reference as if set forth fully in this paragraph.

17. Defendants knew of the existence of many valid contractual relationships between Dr. Rajagopal and her patients.

18. Defendants, through the misconduct alleged herein, intentionally and materially induced Dr. Rajagopal's patients to end their contractual relationships with her.

19. Dr. Rajagopal has been seriously damaged as a direct and proximate cause of this tortious interference with contract by Defendants.

COUNT III
TORTIOUS INTERFERENCE WITH BUSINESS EXPECTANCIES

20. The allegations contained in paragraphs 1 through 19 and all subsequent allegations are adopted and incorporated by reference as if set forth fully in this paragraph.

21. Defendants knew that Dr. Rajagopal had a reasonable expectation of entering into valid business relationships with many additional patients, with the probability of future economic benefit to her.

22. Defendants intentionally and materially interfered with Dr. Rajagopal's prospective business relationships by acting as alleged herein.

23. Dr. Rajagopal has been seriously damaged as a direct and proximate cause of this tortious interference with prospective business relationships by Defendants.

COUNT IV
CONSPIRACY TO INJURE IN TRADE, BUSINESS AND REPUTATION
UNDER VA. CODE § 18.2-499

24. The allegations contained in paragraphs 1 through 23 and all subsequent allegations are adopted and incorporated by reference as if set forth fully in this paragraph.

25. Defendants have combined, associated, agreed, mutually undertook, or concerted together, and with others not presently known to Dr. Rajagopal, and acted as agents of each other, for the purpose of willfully and maliciously injuring Dr. Rajagopal in her reputation, trade, business, and profession by committing the tortious acts alleged herein.

26. Defendants' actions have such a relation to the profession or occupation of Dr. Rajagopal that they directly touch Dr. Rajagopal in her profession in a different way than they would touch a person in any other trade or profession.

27. Defendants' defamatory actions tend to injure Dr. Rajagopal with respect to her trade and impair confidence in her character or ability. Because of the nature of Dr. Rajagopal's business, great confidence must necessarily be reposed.

28. Dr. Rajagopal has been seriously damaged as a direct and proximate cause of this conspiracy of Defendants and those with whom they are acting in concert.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, USHA RAJAGOPAL, moves for judgment against Defendants:

(a) Granting preliminary and permanent injunctive relief against Defendants, and their agents, servants, and employees, and against any and all persons, firms, or corporations with whom Defendants have acted in concert who receive actual notice of the order by personal service or otherwise, enjoining them from directly or indirectly engaging in any of the illegal, unauthorized, and wrongful acts complained of herein and granting such other injunctive relief which the circumstances may require in order to protect Dr. Rajagopal's interests;

(b) An award of compensatory damages in the amount of Forty-Nine Thousand Dollars (\$49,000.00);

(c) An award of exemplary and punitive damages;

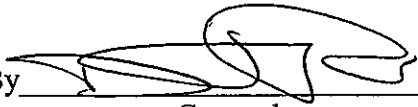
(d) An award of attorneys' fees and court costs expended; and

(e) Such other and further relief as this Court deems proper and just.

JURY DEMAND

Dr. Rajagopal hereby demands trial by jury.

USHA RAJAGOPAL

By  _____
Counsel

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Domingo J. Rivera, Attorney at Law, PLC
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Fax: (866) 651-2004

Exhibit A

Google maps

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Overview

Reviews (3)

Maps (1)

Recent Reviews

Rajagopal Usha MD Ste 430, 490 Post St, San Francisco, CA 94102-1411
Beware! - Sep 17, 2010

After reading the article in SF Weekly re : Dr. Rajagopal, have to wonder about all of the glowing five star reviews. According to the article, this Dr. is on probation for failure to use proper medical procedures, and has also caused the death of a patient due to her complete mishandling of the case.

Read on :

<http://www.sfweekly.com/2010-09-15/news/doctoring-the-web>

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Security Public Storage 1101 Carter Street, Daly City, CA 94014
Couldn't be happier - Sep 9, 2010

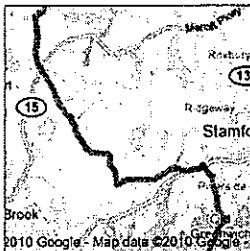
This facility is tops - every aspect is handled in a professional and exemplary manner. It is scrupulously clean, well lit, secure and every aspect has been thought out to make leaving your worldly possessions an anxiety free experience. If you need storage, this is the best place imaginable. Plus the rates are extremely reasonable.

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Updated Apr 9

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From: 21 Topping Rd, Greenwich, CT 06831

To: Greenwich PT, Old Greenwich, CT 06870 (Town Of Greenwich Greenwich Pt Old Grmwch)

Directions to Greenwich PT, Old Greenwich, CT 06870 (Town Of Greenwich Greenwich Pt Old Grmwch)

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Reviews (1)

Reviews

Dr. Rajagopal, MD, Plastic Surgeon 490 Post St, Suite 430, San Francisco, CA 94102
warning about this MD & these postings - Sep 19, 2010

See the Sept 15-21 SF Weekly for a story about how this doctor hired a consultant to create lots of fake reviews. The article also discloses that the medical board put this physician on probation for making mistakes that put one of her patients in a vegetative comatose state, and the patient later died.

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