

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF PORTSMOUTH

STERLING H. WEAVER, SR.,
Plaintiff

v.

Case No.: CL14001880-00

LIN Television Corporation
Transacting business under the
assumed name or business
name WAVY-TV

Serve: Registered Agent
Corporation Service Company
Bank of America Center, 16th Floor
1111 East Main Street
Richmond, Virginia 23219

AMENDED COMPLAINT

Comes now Plaintiff, Sterling H. Weaver, Sr., and moves for judgment against defendant, LIN Television Corporation (hereinafter referred to as WAVY-TV), on the grounds and in the amount set forth below:

1. That in February 2014, and at all times mentioned herein you, the Defendant, WAVY-TV, did own and operate a television station known as WAVY-TV, in the Hampton Roads area of Virginia, under license from the Federal Communication Commission.

2. As such you, the Defendant, WAVY-TV, did broadcast your television programming throughout the Hampton Roads area which includes the cities of Norfolk, Portsmouth, Virginia Beach, Chesapeake, Newport News, Hampton, Williamsburg and Suffolk. In addition, your broadcast reached areas as far as Franklin, Virginia, Emporia, Virginia, Southampton County, Virginia, portions of North Carolina and the Eastern Shore

of Virginia. Further, with social media and other media, your broadcast now reaches all parts of the United states and the world.

3. That in February 2014, and at all times mentioned herein, the Defendant, WAVY-TV, did broadcast and produce a news program for its viewers.

4. That the aforesaid program was written, produced and presented for broadcast by your employees, and that you, the Defendant, WAVY-TV, is responsible for the content.

5. That on February 6 and 7, 2014, or thereabouts, you, the Defendant, WAVY-TV did make, write, produce and broadcast as part of your news program a segment pertaining to the Plaintiff.

6. That prior to February 2014, the Plaintiff, had not been convicted of any criminal violation.

7. That the Plaintiff was indicted for assault on a law enforcement officer and sexual battery of that officer for an incident that happened in the courtroom with other deputies, the court personnel, and other individuals present and under camera observation.

8. That the Plaintiff turned himself into police authority shortly after being advised of the Indictment.

9. That, for reasons unknown to the Plaintiff and especially since the special prosecutor had recommended that the Plaintiff should be released on an unsecured bond, the Magistrate, nonetheless, held the Plaintiff without bail.

10. As the Plaintiff, was lying on the floor in the Portsmouth City Jail, Plaintiff heard from the television part of a news broadcast about his arrest stating that 10 on your side did some digging into Weaver's past, that in 2006, a Chesapeake judge sentenced him to 30 days in jail for grabbing a prosecutor by the throat after she asked to postpone a case.

11. Upon his release from custody the next day, many family, friends and clients called his office, called him, and told him that they had heard the broadcast wherein WAVY-TV, advised its viewing audiences that he had previously been convicted in 2006 of assault on a prosecutor by a Chesapeake judge and sentenced to 30 days in jail.

12. That WAVY-TV, by one of its employees, did willfully, maliciously, falsely, wantonly and recklessly broadcast on February 6 and 7, 2014, or thereabouts, that 10 on your side did some digging into Weaver's past, that in 2006, a Chesapeake judge sentenced him to 30 days in jail for grabbing a prosecutor by the throat after she asked to postpone a case.

13. That such broadcast falsely portrayed the Plaintiff as being a previously convicted criminal.

14. That such portrayal of the Plaintiff by the Defendant, WAVY-TV, was made and produced with a reckless disregard of the truth.

15. That the Defendant, WAVY-TV, knew or should have known that their news segment falsely portrayed the Plaintiff as set forth above.

16. That the scandalous, malicious and defamatory statements made by the

Defendant, WAVY-TV, about the Plaintiff, as shown on its news segment, were broadcast by the said Defendant with the knowledge and intent that same would be widely published within the viewing area of your television station.

17. That such news segment was broadcasted and did reach and was viewed by numerous persons, including clients, friends and acquaintances of the Plaintiff.

18. That the broadcast that the Plaintiff was a convicted of the criminal act which was dismissed was slanderous.

19. That, since the Defendant said that it had done some digging onto Weaver's past, information was readily available to the Defendant to show that the 2006 charge of assault was dismissed as well as the bar complaint of the prosecutor alleging the assault.

20. The Defendant acted in a manner that was clearly wanton and reckless disregard for the truth of the information that it published.

21. By reason of the aforesaid actions of the Defendant, WAVY-TV, the Plaintiff has been injured in his good name and standing in the community, and has been held up to scorn, ridicule and disgrace among his neighbors, business acquaintances, friends and other good citizens causing the Plaintiff to suffer in his business, reputation, business repute and her feelings and peace of mind.

22. Plaintiff has been forced to suffer trouble, inconvenience, loss of time and economic hardship in attempting to seek redress and overcome damages caused by the Defendant, WAVY-TV, and has suffered great mental anguish, all to his financial loss and damage.

WHEREFORE, Plaintiff moves the Circuit Court of the City of Portsmouth for a judgment and award of execution against you, WAVY-TV, in the amount of One Million Dollars in compensatory damages and Four Million Dollars (\$4,000,000.00) together with interest from the date the news segment was aired and his costs herein expended.

Plaintiff demands trial by jury.



STERLING H. WEAVER, SR.

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