

**SUMMONS - CIVIL**

JD-CV-1 Rev. 10-09

C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a,  
52-48, 52-259, P.B. Secs. 3-1 through 3-21, 8-1**STATE OF CONNECTICUT  
SUPERIOR COURT**

www.jud.ct.gov

See page 2 for instructions

TO: Any proper officer; BY AUTHORITY OF THE  
STATE OF CONNECTICUT, you are hereby  
commanded to make due and legal service of  
this Summons and attached Complaint.

- ☐ "X" if amount, legal interest or property in demand, not including interest and costs is less than \$2,500.
- ☒ "X" if amount, legal interest or property in demand, not including interest and costs is \$2,500 or more.
- ☒ "X" if claiming other relief in addition to or in lieu of money or damages.

Address of court clerk where writ and other papers shall be filed (Number, street, town and zip code) (C.G.S. §§ 51-346, 51-350)		Telephone number of clerk (with area code)	Return Date (Must be a Tuesday)
95 WASHINGTON STREET, HARTFORD 06106		(860) 548-2700	DECEMBER 15, 2009 Month Day Year
<input checked="" type="checkbox"/> Judicial District <input type="checkbox"/> Housing Session	<input type="checkbox"/> G.A. Number:	At (Town in which writ is returnable) (C.G.S. §§ 51-346, 51-349) HARTFORD	Case type code (See list on page 2) Major: M Minor: 90

**For the Plaintiff(s) please enter the appearance of:**

Name and address of attorney, law firm or plaintiff if self-represented (Number, street, town and zip code)	Juris number (to be entered by attorney only)
WEINSTEIN & WISSER, P.C., 29 SOUTH MAIN STREET, SUITE 207, WEST HARTFORD 06107	45674
Telephone number (with area code)	Signature of Plaintiff (If self-represented)
(860) 561-2628	

Number of Plaintiffs: 1 Number of Defendants: 1 ☐ Form JD-CV-2 attached for additional parties

Parties	Name (Last, First, Middle Initial) and Address of Each party (Number; Street; P.O. Box; Town; State; Zip; Country, if not USA)	
First Plaintiff	Name: JOURNAL PUBLISHING COMPANY, INC. Address: 306 PROGRESS DRIVE, MANCHESTER, CT 06040	P-01
Additional Plaintiff	Name: Address:	P-02
First Defendant	Name: THE HARTFORD COURANT COMPANY Address: 285 BROAD STREET, HARTFORD, CT 06115 AGENT FOR SERVICE: CORPORATION SERVICE COMPANY, 50 WESTON ST., HARTFORD, CT 06120	D-50
Additional Defendant	Name: Address:	D-51
Additional Defendant	Name: Address:	D-52
Additional Defendant	Name: Address:	D-53

**Notice to Each Defendant**

1. **YOU ARE BEING SUED.** This paper is a Summons in a lawsuit. The complaint attached to these papers states the claims that each plaintiff is making against you in this lawsuit.
2. To be notified of further proceedings, you or your attorney must file a form called an "Appearance" with the clerk of the above-named Court at the above Court address on or before the second day after the above Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to come to court.
3. If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default. The "Appearance" form may be obtained at the Court address above or at [www.jud.ct.gov](http://www.jud.ct.gov) under "Court Forms."
4. If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately contact your insurance representative. Other action you may have to take is described in the Connecticut Practice Book which may be found in a superior court law library or on-line at [www.jud.ct.gov](http://www.jud.ct.gov) under "Court Rules."
5. If you have questions about the Summons and Complaint, you should talk to an attorney quickly. **The Clerk of Court is not allowed to give advice on legal questions.**

Signed (Sign and "X" proper box)	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Name of Person Signing at Left RICHARD P. WEINSTEIN	Date signed 11-18-09
If this Summons is signed by a Clerk: a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts. b. It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law. c. The Clerk is not permitted to give any legal advice in connection with any lawsuit. d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service of the Summons or Complaint.			For Court Use Only File Date
I certify I have read and understand the above:	Signed (Self-Represented Plaintiff)	Date	
Name and address of person recognized to prosecute in the amount of \$250 L. M. VOSBURGH OF WEST HARTFORD, CT			
Signed (Official taking recognizance; "X" proper box)	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Date 11-18-09	Docket Number

## Instructions

1. Type or print legibly; sign summons.
2. Prepare or photocopy a summons for each defendant.
3. Attach the original summons to the original complaint, and attach a copy of the summons to each copy of the complaint. Also, if there are more than 2 plaintiffs or more than 4 defendants prepare form JD-CV-2 and attach it to the original and all copies of the complaint.
4. After service has been made by a proper officer, file original papers and officer's return with the clerk of court.
5. The party recognized to pay costs must appear personally before the authority taking the recognizance.
6. Do not use this form for the following actions:

- (a) Family matters (for example divorce, child support, custody, paternity, and visitation matters).
- (b) Summary process actions.
- (c) Applications for change of name.

- (d) Probate appeals.
- (e) Administrative appeals.
- (f) Proceedings pertaining to arbitration.
- (g) Any actions or proceedings in which an attachment, garnishment or replevy is sought.

## Case Type Codes

Major Description	Codes Major/ Minor	Minor Description	Major Description	Codes Major/ Minor	Minor Description
Contracts	C 00	Construction - All other	Torts (Other than Vehicular)	T 02	Defective Premises - Private - Snow or Ice
	C 10	Construction - State and Local		T 03	Defective Premises - Private - Other
	C 20	Insurance Policy		T 11	Defective Premises - Public - Snow or Ice
	C 30	Specific Performance		T 12	Defective Premises - Public - Other
	C 40	Collections		T 20	Products Liability - Other than Vehicular
	C 90	All other		T 28	Malpractice - Medical
Eminent Domain	E 00	State Highway Condemnation		T 29	Malpractice - Legal
	E 10	Redevelopment Condemnation		T 30	Malpractice - All other
	E 20	Other State or Municipal Agencies		T 40	Assault and Battery
	E 30	Public Utilities & Gas Transmission Companies		T 50	Defamation
	E 90	All other		T 61	Animals - Dog
Miscellaneous	M 00	Injunction		T 69	Animals - Other
	M 10	Receivership		T 70	False Arrest
	M 20	Mandamus		T 71	Fire Damage
	M 30	Habeas Corpus (extradition, release from Penal Institution)		T 90	All other
	M 40	Arbitration	Vehicular Torts	V 01	Motor Vehicles* - Driver and/or Passenger(s) vs. Driver(s)
	M 50	Declaratory Judgment		V 04	Motor Vehicles* - Pedestrian vs. Driver
	M 63	Bar Discipline		V 05	Motor Vehicles* - Property Damage only
	M 66	Bar Discipline - Reinstatement		V 06	Motor Vehicle* - Products Liability Including Warranty
	M 68	Bar Discipline - Inactive Status		V 09	Motor Vehicle* - All other
	M 80	Foreign Civil Judgments - C.G.S. 52-604 & C.G.S. 50a-30		V 10	Boats
	M 82	Housing Civil Matters		V 20	Airplanes
	M 83	Small Claims Transfer to Regular Docket		V 30	Railroads
	M 84	Foreign Protective Order		V 40	Snowmobiles
	M 90	All other		V 90	All other
Property	P 00	Foreclosure			*Motor Vehicles include cars, trucks, motorcycles, and motor scooters.
	P 10	Partition	Wills, Estates and Trusts	W 10	Construction of Wills and Trusts
	P 20	Quiet Title/Discharge of Mortgage or Lien		W 90	All other
	P 30	Asset Forfeiture			
	P 90	All other			

RETURN DATE: DECEMBER 15, 2009 : SUPERIOR COURT  
JOURNAL PUBLISHING COMPANY, INC. : J.D. OF HARTFORD  
V. : AT HARTFORD  
THE HARTFORD COURANT COMPANY : NOVEMBER 18, 2009

### COMPLAINT

#### FIRST COUNT

1. The plaintiff, Journal Publishing Co. Inc., d/b/a the Journal Inquirer (hereinafter referred to as "JI"), is a Connecticut corporation that has published a daily newspaper in Connecticut since 1968.
2. The JI regularly publishes articles about local news and issues involving 17 towns north and east of Hartford.
3. The JI employs news reporters to cover such local news and devotes considerable resources to such local news coverage.
4. The defendant Hartford Courant is a competing newspaper, much larger in circulation and scope, and is wholly owned by one of the largest news organizations in the country, Tribune Co.
5. Recently the defendant plagiarized local news stories published by the plaintiff, and misattributed those stories as the defendant's own work and that of its reporters. Stories that were plagiarized are attached hereto as

Exhibit A, incorporated herein. This list may not be complete but evidences the abuse.

6. The defendant at first defended its misappropriation of plaintiff's work but then admitted wrongdoing in an open letter from its publisher, although the letter failed to draw to readers' attention the full extent of the improprieties committed by the defendant.

7. Defendant's misappropriation and plagiarizing of plaintiff's work is part of a pattern of improper competition exhibited by the defendant.

8. The conduct aforesaid by the defendant constitutes violations of 17 U.S.C. 101 *et seq.* of the United States Code. Each article constitutes a separate act of wrongdoing in violation of the copyright laws of the United States, which acts were committed willfully by the defendant, for which the plaintiff claims damages pursuant to 17 U.S.C. 504(c)(2) and attorney's fees pursuant to 17 U.S.C. 505.

9. In the event that the Court determines that such copyright infringements were not committed willfully, then the plaintiff seeks damages pursuant to 17 U.S.C. 504(c)(1) and attorney's fees pursuant to 17 U.S.C. 505.

## SECOND COUNT

1-9. Paragraphs 1 through 9 of the First Count are hereby incorporated into this the Second Count as if fully set forth herein.

10. The actions of the defendant constitute conversion of the plaintiff's property, all to the special loss and damage of the plaintiff herein.

## THIRD COUNT

1-9. Paragraphs 1 through 9 of the First Count are hereby incorporated into this the Third Count as if fully set forth herein.

10. The defendant has been unjustly enriched by virtue of its misconduct, particularly in light of the reduction of its overhead for reporters covering local stories and its misappropriating plaintiff's stories and falsely attributing them to the defendant and its own reporters.

## FOURTH COUNT

1-9. Paragraphs 1 through 9 of the First Count are hereby incorporated into this the Fourth Count as if fully set forth herein.

10. Paragraph 10 of the Second Count is hereby incorporated into this the Fourth Count as if fully set forth hererin.

11 Paragraph 10 of the Third Count is hereby incorporated into this the Fourth Count as if fully set forth hererin.

12. Competition among newspapers is intense and becoming more so as the economy weakens. Local news stories are a major draw for newspaper readers.

13. To reduce its costs, in recent years the defendant has greatly reduced its news reporting, particularly staff members assigned to local stories. This has occurred while the plaintiff has maintained its local reporting staff.

14. Larger newspapers have the advantage of economies of scale, and the defendant's pirating of the plaintiff's local news stories substantially diminishes the plaintiff's ability to compete.

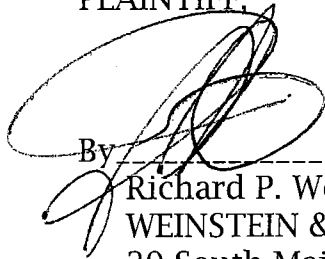
15. At all times relevant hereto, the conduct of the defendant offended public policy; was immoral, oppressive, unethical, and unscrupulous; and caused substantial injury to readers, competitors, and advertisers, thereby violating the Connecticut Unfair Trade Practices Act ("CUTPA") C.G.S. § 42-110a, *et seq.*, as made and provided, resulting in ascertainable losses to the plaintiff as set forth herein.

WHEREFORE, the plaintiff claims:

1. Damages pursuant to 17 U.S.C. 504(c)(1);
2. Damages pursuant to 17 U.S.C. 504(c)(2);
3. Attorney's fees pursuant to 17 U.S.C. 505;
4. Damages pursuant to C.G.S. § 42-110g;
5. Punitive damages pursuant to C.G.S. § 42-110g(a);
6. Attorney's fees pursuant to C.G.S. § 42-110g(d); and
7. Such other legal and equitable relief as the court deems

appropriate.

PLAINTIFF.



By

Richard P. Weinstein, Esquire  
WEINSTEIN & WISSER, P.C.  
29 South Main Street, Suite 207  
West Hartford, CT 06107  
Telephone No. (860) 561-2628  
Facsimile No. (860) 521-6150  
Juris No. 45674

RETURN DATE: DECEMBER 15, 2009 : SUPERIOR COURT  
JOURNAL PUBLISHING COMPANY, INC. : J.D. OF HARTFORD  
V. : AT HARTFORD  
THE HARTFORD COURANT COMPANY : NOVEMBER 18, 2009

**STATEMENT OF AMOUNT IN DEMAND**

The amount in demand is greater than Fifteen Thousand and 00/100  
(\$15,000.00) Dollars, exclusive of interest and costs.

PLAINTIFF,

By 

Richard P. Weinstein, Esquire of  
Weinstein & Wissner, P.C.  
29 South Main Street, Suite 207  
West Hartford, CT 06107  
Telephone No. (860) 561-2628  
Facsimile No. (860) 521-6150  
Juris No. 45674



## **EXHIBIT A**

### **Published in Journal Inquirer**

Friday, July 31, 2009  
Bolton Lakes Sewer Project Denied  
Funding for Next Phase of Work  
By Kym Soper

Friday, July 31, 2009  
New Party Gets Place  
On East Hartford Ballot  
By Matthew Engelhardt

Saturday-Sunday, August 1-2, 2009  
Construction of Regional  
Emergency Center Gets Grant  
By Kym Soper

Wednesday, August 5, 2009  
Greenway Trail Plan Gets Green Light  
from East Windsor Selectmen  
By Kory Loucks

Wednesday, August 5, 2009  
Interim Principal Named in Hebron  
By Journal Inquirer Staff

Wednesday, August 12, 2009  
Selectmen Raise Building, Zoning Fees  
By Journal Inquirer Staff

Wednesday, August 12, 2009  
PZC Extends Permit for One Year  
to Allow Completion of Condo Project  
By Kory Loucks

### **Appeared in Hartford Courant**

Tuesday, August 4, 2009  
Sewer Project Funding pulled by USDA  
By Aviv Blasbalg

Tuesday, August 4, 2009  
GOP candidates Form Tea Party Committee  
By Aviv Blasbalg

Thursday, August 6, 2009  
Emergency Center Gets Grant for Equipment  
By Aviv Blasbalg

Friday, August 7, 2009  
Grant Would Fix Bridge, Help Fund Greenway  
By Aviv Blasbalg

Friday, August 7, 2009  
Hebron Hires Principal  
By Aviv Blasbalg

Thursday, August 13, 2009  
Board Changes Fees  
By Aviv Blasbalg

Tuesday, August 18, 2009  
Coleman Farms Condos Get Permit Extension  
By Aviv Blasbalg

**Published in  
Journal Inquirer**

Monday, August 17, 2009  
Board of Education Happy  
With Superintendent  
By Ed Jacovino

Tuesday, August 18, 2009  
Hazardville Water Co.  
Wants 19% Increase  
By Harlan Levy

Wednesday, August 19, 2009  
Dems Walk Out on McCoy  
Over Handling of DPW Director  
By Max Bakke

Wednesday, September 9, 2009  
Council Approves Plan of Development,  
But Rejects Setting It in Motion  
By Max Bakke

**Appeared in  
Hartford Courant**

Friday, August 21, 2009  
Board extends contract  
By Aviv Blasbalg

Thursday, August 20, 2009  
Water Company Seeks 19 Percent Rate Hike  
By Aviv Blasbalg

Friday, August 21, 2009  
DPW Vacancy Prompts Abrupt End to Meeting  
By Aviv Blasbalg

Friday, September 11, 2009  
Council Approves Buying Open Space  
By Larry Smith