

STATE OF LOUISIANA

NO. 703-414

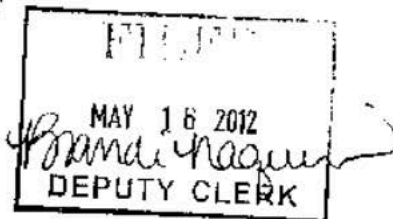
DIVISION "H"

[REDACTED] ET AL.

CODED

VERSUS

GREGORY LIRETTE



FILED _____

DEPUTY CLERKREASONS FOR JUDGMENT

Plaintiffs, a father [REDACTED] and daughter [REDACTED], filed suit against Gregory Lirette, a former boyfriend of [REDACTED]. After [REDACTED] ended what had become an abusive relationship with defendant and her father had evicted him from the apartment where they lived (and which was owned by [REDACTED]), the petition alleges that defendant, an IT professional with extensive training and experience in computer security, hacked into and hijacked [REDACTED] AOL and Facebook accounts. While in control of [REDACTED] accounts, defendant allegedly downloaded numerous private e-mails of hers and ultimately transmitted them via attachment to various parties, including the U.S. Department of Health and Human Services, the Louisiana Division of Administration, Connecticut governmental agencies, and [REDACTED]s employer, [REDACTED]. These e-mails were attached to an e-mail composed by defendant, which falsely stated that both [REDACTED] and [REDACTED] had committed various acts of fraud and wrongdoing, and that they had hired "the Mafia or at least members of or 'high end thugs' who are well connected in New Orleans via his

agencies, and [REDACTED]'s employer, [REDACTED]. These e-mails were attached to an e-mail composed by defendant, which falsely stated that both [REDACTED] and [REDACTED] had committed various acts of fraud and wrongdoing, and that they had hired "the Mafia or at least members of or 'high end thugs' who are well connected in New Orleans via his attorneys to physical[ly] threaten" him. Defendant also transmitted an e-mail to the FBI in which he stated that [REDACTED] had threatened his life and/or arranged for assault, battery, and intimidation of him. Finally, the petition alleges, defendant entered [REDACTED]'s home at 6:00 a.m. on May 7, 2011, without her permission, and confronted her. During this confrontation, defendant admitted to [REDACTED] that he had hacked into her accounts, and despite being told to leave, refused to do so for over an hour.

As a result of defendant having transmitted embarrassing personal e-mails to her employer, [REDACTED] was forced to resign from a \$100,000 a year job in lieu of termination.

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Gregory Lirette was served personally with this petition on November 9, 2011. He never answered. Preliminary default was taken on January 23, 2012. This Court heard testimony and received evidence at the hearing to confirm the default on March 27, 2012, which supported the allegations of the petition outlined above, and was sufficient to confirm the default. The Court granted injunctive relief requested in the petition, but took the issue of damages to plaintiffs under advisement.

Under Section 2707 of the Stored Communications Act, a private cause of action is provided for any person aggrieved when a defendant intentionally accesses without authorization a facility through which an electronic communication service is provided, or intentionally exceeds an authorization to access that facility, and by doing so obtains access to a wire or electronic communication while it is in electronic storage in such system. The testimony heard by the court in support of the allegations of plaintiffs' petition establishes that [REDACTED] has such a cause of action against defendant. The statute goes on to provide that a district court may award attorney's fees and costs, and damages under "subsection c." That subsection provides that the court may assess as damages the sum of the actual damages suffered by the plaintiff as a result of the violation, but in no case shall a person entitled to recover receive less than the sum of \$1000.00. If the violation is shown to have been, as it was in this case, wilful or intentional, the court may assess punitive damages.

In the instant matter, defendant defamed both [REDACTED] and [REDACTED] accusing them of a conspiracy to commit murder and fraud. For this, the Court awards each plaintiff \$50,000.00 in damages. Furthermore, in [REDACTED]'s case, defendant invaded her privacy, violated the Stored Communications Act, and caused her to lose her job. For these, the Court awards [REDACTED] an additional \$35,000.00 in damages. Finally, the Court awards costs and attorney's fees, which were proven via written evidence and affidavit, in the amount of \$55,999.24, for a total judgment against defendant of \$191,099.24.

SIGNED at Gretna, Louisiana, on this 16th day of January, 2012.

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JUDGE

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