IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

JANICE STEIDLEY, and)
DAVID ISKI,)
Plaintiffs,)
)
vs.)
)
WILLIAM "BILL" HIGGINS,)
ERIN O'QUIN,)
CARL WILLIAMS,)
SALLY WILLIAMS, and)
EDITH SINGER,)
Defendants.)

PETITION

COMES NOW the Plaintiffs, and for their Petition asserting claims against Defendants, allege and state as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff Janice Steidley is an individual residing in Rogers County, Oklahoma, and she is currently serving as the District Attorney for the Twelfth District of Oklahoma.
2. Plaintiff David Iski is an individual resident of Tulsa County, Oklahoma, and is an Assistant District Attorney for the Twelfth District.
3. Plaintiffs at all times relevant were acting as dedicated public servants, and have reputations for integrity, truthfulness and assuring the fair administration of justice.
4. Defendants Carl Williams and Sally Williams (a/k/a, Sally Singer), husband and wife, reside in Tulsa County.
5. Defendant William "Bill" Higgins resides in Rogers County, Oklahoma.
6. Defendant Edith Singer resides in Rogers County, Oklahoma.

7. Erin Oquin resides in Rogers County, Oklahoma.

8. On information and belief Plaintiffs state the egregious acts and omission of Defendants, as is more particularly described below, occurred in Rogers, Craig, Mayes and Tulsa Counties, and other counties, in Oklahoma.

9. By virtue of the Williams' residency in Tulsa County, this Court has jurisdiction over the parties, and venue is proper.

BACKGROUND ALLEGATIONS

10. On August 26, 2013, John Singer (Claremore Police Officer), Scott Walton (the Sheriff in and for Rogers County), Steve Cox (Claremore Police Officer), Russell Guilfoyle, Bill Jones, and Myron Gubowski (all of such individuals being referred to herein as the "Original Petitioners") signed and filed a "Petition For Grand Jury Investigation" with the Rogers County Court Clerk (Rogers County Case No. GJ-2013-01).

11. The Grand Jury Petition alleged that Plaintiffs, and others, were involved in (i) criminal misconduct, and (ii) the violation of civil statutes. The Original Petitioners falsely accused Janice Steidley of witness tampering, illegal wiretapping, criminal threats, destruction of government records, conspiracy to falsely report crimes, obtaining money by false pretenses, oppression and corruption in office and willful maladministration. Bryce Lair was falsely accused of illegal wiretapping and filing false crimes. David Iski was wrongfully accused of destroying government records and intentionally misleading a judge.

12. The Grand Jury Petition was initially approved by a judge on August 29, 2013, such approval only authorizing such Grand Jury Petition to be circulated for signatures, and not being determinative about the veracity of the statements contained in the document.

13. A certain document titled "Rogers County Grand Jury Petition" (the "Unauthorized Petition") was prepared, at some point, apparently as a document to be utilized to solicit and obtain signatures, but the Unauthorized Petition was never approved by the Court.

14. The body of the Unauthorized Petition contained false accusations that Plaintiffs were guilty of "various crimes including WITNESS TAMPERING, WIRETAPPING, THREATS, DESTRUCTION OF GOVERNMENT RECORDS, FILING FALSE CRIME REPORTS, ATTEMPTING TO OBTAIN MONEY BY FALSE PRETENSES, LYING IN COURT, VIOLATIONS OF THE VICTIMS RIGHTS ACT, BID-SPLITTING and VIOLATION OF CAMPAIGN FINANCE LAWS." The Unauthorized petition further falsely accused Janice Steidley of oppression and corruption in office and willful maladministration.

15. The Grand Jury Petition and Unauthorized Petition were then circulated, published, re-published and represented all over Rogers County, and ultimately approximately 7,000 signatures were obtained upon the misrepresentations stated in the documents, and upon the misrepresentations stated by those presenting same.

16. On or before October 2, 1013, the creators, drafters and/or circulators of the Grand Jury Petition and Unauthorized Petition conspired to cause the spoliation of evidence related to the circulation of the Grand Jury Petition and Unauthorized Petition.

17. On October 2, 2013, 640 copies of the Unauthorized Petition were filed with the Rogers County Clerk, along with a "Motion to Seal Completed Petitions". The motion to seal was granted initially, but was later vacated.

18. Ultimately, on October 15, 2013, the Honorable Jefferson D. Sellers dismissed the Grand Jury Petition stating the proponents had "collected and filed signatures on an unauthorized form, not the judicially approved petition."

19. The creators, drafters, and circulators of the Grand Jury Petition and Unauthorized Petition, knew that the allegations concerning Plaintiffs and others contained in the Grand Jury Petition and Unauthorized Petition were false, highly misleading, and such statements were published with malice and an ulterior and illicit purpose.

20. Certain of those who sponsored the bogus, false, misleading and untruthful claims contained in the Grand Jury Petition, and Unauthorized Petition, demanded the Oklahoma Attorney General's Office present the bogus allegations to the multi-county grand jury, which did so review such bogus claims. The multi-county grand jury found no illegal acts had been committed by Plaintiffs, and the Plaintiffs were exonerated.

21. John Singer, a defendant in Rogers County Case No. CJ-2013-485, when asked about having assistance from a number of people in preparing the Grand Jury Petition, stated that he "couldn't have prepared the petition" without the assistance of a number of people, including Defendant William "Bill" Higgins. Higgins had represented Singer as a lawyer, although Singer denied Higgins was sought on procedural advice pertaining to the Grand Jury Petition. Higgins, in assisting Singer in preparing the petition, was a creator of same and is liable pursuant to Title 38 O.S. § 108. Singer also stated Higgins circulated the petition when Singer indicated that "someone said Bill Higgins said this is where to go" in referring to a place where the petition could be found to sign. Thus, based upon Singer's testimony Higgins assisted, at a bare minimum, in creating and actively circulating the Grand Jury Petition.

22. John Singer has also testified his ex-wife, Defendant Edith Singer, did contribute to the creation and drafting of documents filed in Rogers County Case No. GJ-2013-01, and in particular a motion to seal certain records which was initially granted by order, but later vacated. The motion and corresponding vacated order was a part and parcel of the defamatory effort herein described, and further was a part and parcel of the perversion and abuse of the court system, and malicious prosecution of an effort to indict innocent persons.

23. John Singer also testified Carl and Sally Williams, his stepfather and biological mother, respectively, were involved in the signature solicitation process for the Grand Jury Petition and Unauthorized Petition, and therefore admitted they were "circulators" of such bogus grand jury petition drive.

24. The malice and ulterior motives of the Defendants in this case, and others, is evidenced by the following acts and omissions, all of which evidence the civil conspiracy between multiple parties, and the aiding and abetting of the wrongful acts herein described:

    a. Defendants and others conspired and colluded among themselves with the ulterior motive of harassment and retaliation in an effort to destroy Plaintiffs' reputations, and ruin them politically. Steidley, who won her last primary election with approximately 65% of the vote, lost to Higgin's former employee, Steidley receiving only approximately 13 % of the vote. This is a direct and proximate result of the tortuous conduct and activities of the defendants, and others, described herein.

    b. Defendants and others falsely accused Plaintiffs of crimes in an effort to endanger the freedom and liberty of Plaintiffs.

c. Defendants and others used the media, including frequent use of the Claremore Daily Progress, to promote their smear campaign, and to further defame Plaintiffs.

d. The grand jury efforts above-described, where aimed at harassment, public embarrassment and annoyance, and was directed towards ousting Janice Steidley from office, solely because she had exposed the inadequacies and misuse of the Rogers County Sheriff's Department and its leader, the Sheriff, as well as exposing the inaccurate police work sponsored by John Singer, the grand jury proponents motivation being to misdirect attention off of themselves, and onto others, and for political and other illicit purposes.

e. The grand jury efforts above-described where motivated by the ulterior and illicit purpose of assisting John Singer in his baseless federal lawsuit he filed against Janice Steidley and Bryce Lair, the purpose of which was to misdirect attention off of Singer's own bad deeds.

f. The grand jury efforts were improperly aimed towards destroying Plaintiff's political and professional careers by retaliating for Steidley acting in her official capacity to comply with *Brady/Giglio* obligations, thereby exposing John Singer's faulty police work and perjury.

g. John Singers malicious motives, specifically adopted and furthered by the defendants sued hereby, were to divert attention away from his prior illegal behavior, perjury and misconduct as an officer of the Claremore Police Department.

h. Defendants participated in a scheme and conspiracy which misused public funds and property in the illegal and failed grand jury effort.

i. Defendant Edith Singer conspired to implement a plan to secretly record an assistant district attorney to obtain information against Janice Steidley, same being an illegal and malicious effort, in conjunction with former judge and Defendant Erin Oquin, who each worked for the furtherance of the creation of the bogus Grand Jury Petition, same containing feigned facts about purportedly wrongful criminal allegations asserted against Edith Singer's ex-husband by Steidley, that being the subject of the tape recording and illegal investigation. In fact, Oquin was fired for cause for, among other things, acting outside her official capacity in performing the aforementioned illegal investigation.

25. The Defendants, and others, who created, drafted and/or circulated the Grand Jury Petition, and Unauthorized Petition, and who otherwise sponsored the acts complained of herein, defamed Plaintiffs, abused the court's process in presenting the Grand Jury Petition and Unauthorized Petition, maliciously prosecuted an effort directed towards indicting innocent persons, whether by grand jury or multi-county grand jury, and did conspire with and aid and abet each other in committing said torts.

CLAIMS FOR RELIEF

26. Paragraphs 1 through 25 are hereby incorporated by reference.

27. The term "defamation" encompasses both "liable" and "slander".

28. Libel is a writing which exposes any person to public hatred, contempt, ridicule or obloquy, or which tends to deprive him of public confidence, or to injure him in his occupation. Okla. Stat. Ann. tit. 12, § 1441 (West). The Grand Jury Petition and Unauthorized Petition, created, drafted and/or circulated by Defendants, those they conspired with, and those who they aided and abetted, contain false statements that

Plaintiffs committed criminal acts, exposed the Plaintiffs to public hatred, contempt, ridicule and obloquy, deprived Plaintiffs of public confidence, and injured Plaintiffs in their occupation, and are therefore *per se* libelous.

29. "Slander is a false and unprivileged publication, other than libel, which: 1) Charges any person with crime, or with having been indicted, convicted or punished for crime . . . 3)Tends directly to injure him in respect to his office, profession, trade or business, either by imputing to him general disqualification in those respects which the office or other occupation peculiarly requires, or by imputing something with reference to his office, profession, trade or business that has a natural tendency to lessen its profit . . . 5) Which, by natural consequences, causes actual damage." Okla. Stat. Ann. tit. 12, § 1442 (West). The representations, misrepresentations, publications and republications occurring with respect to the Grand Jury Petition and Unauthorized Petition by the co-conspirators of Defendants, and by those who they aided and abetted, are slanderous *per se*, in that the statements made included the false imputation and/or accusation that Plaintiffs committed crimes, and/or were directly injurious in respect of the office, profession, trade and business of Plaintiffs, the statements imputing upon Plaintiffs disqualification in their offices and occupation, and imputing that they were unfit for their offices, trade, profession and legal business.

30. Pursuant to Title 38 O.S. § 108, "Any person responsible for the creation, drafting or circulating of a grand jury petition may be held liable for civil damages for libel or slander due to any false allegation made in the body of said petition, if such allegations are proven to be made with malice and with an ulterior or illicit purpose."

31. Because of the defamation above-described, Plaintiffs have been damaged. In light of the fact Defendants engaged, conspired to engage and/or aided and abetted in *per se* libel and slander as above-described, damages are presumed.

32. Based upon the above-stated facts, Plaintiffs state the following claims for relief against Carl Williams, Sally Williams, Edith Singer and William "Bill" Higgins: 1) Defamation (*per se* and otherwise) by the written word in the creation, drafting and/or circulation of the bogus and failed Grand Jury Petition Title 38 O.S. § 108, and/or by the spoken word orally in publishing, republishing, presenting, representing and misrepresenting the contents thereof; 2) Defamation (*per se* and otherwise) in the preparing, publishing, republishing, presenting, representing and misrepresenting by written and spoken words of the bogus Unauthorized Petition; 3) abusing the process of the court in that the defendants improperly used the court's process for ulterior and improper purposes, with resulting damage to the Plaintiffs; 4) Defamation under the doctrines of libel *per se* and slander *per se*; 5) malicious prosecution, in that Defendants, their co-conspirators, and those they aided and abetted, instituted an effort to impanel a grand jury to indict innocent persons, and later demanded the Oklahoma Attorney General's Office indict innocent persons by the use of the multi-county grand jury, both proceedings being terminated in Plaintiff's favor, the Defendants having no probable cause for calling for a grand jury or multi-county grand jury investigation of Plaintiffs, the Defendants, their co-conspirators and those they aided and abetted having sponsored the grand jury efforts with malice, as evidenced by Defendants' conduct, and the conduct of those they conspired with, and those who they aided and abetted, and who aided and abetted Defendants, all of which resulted in damages to Plaintiffs 6) civil conspiracy to defame in

every manner stated herein, and 7) aiding and abetting others to defame in every manner stated herein.

33. Plaintiff seek damages in an amount in excess of $10,000, said amount to be proved at trial. Plaintiffs each individually claim their damages also exceed the amount-in-controversy limited established by Title 28 U.S.C. § 1332.

34. In addition, Defendants' conduct described above rises to the level of willful, wanton, heinous, grossly negligent, and/or reckless conduct for which they should be punished, individually, by an award to each Plaintiff of exemplary and punitive damages in an amount sufficient, taking into consideration the assets and worth of each Defendant, to render the consequences of their conduct an example to themselves, and others. In this regard, and under the specific facts of this case, Defendants are liable for both Category I and Category II punitive damages, as described in Title 12n Okla. Stat. § 9.1.

35. Under Category I, Defendants plainly acted in reckless disregard of the rights of others, thereby entitling Plaintiffs to a potential jury award of punitive damages in the amount equal to the actual damages awarded by the jury for Defendants' conduct, or the amount of $100,000 in punitives, whichever is more.

36. Defendants are also liable for Category II punitive damages under Section 9.1 of Title 23 because they acted intentionally and with malice towards others. Requisite malice may be inferred from gross negligence that indicates conscious indifference to consequences of one's acts or reckless disregard for the safety of others. *Silkwood v. Kerr-McGee Corp.*, 769 F.2d 1451 (10th Cir. (Okla.) 1985). Accordingly, in compliance with said statutory section, Defendants should be liable for punitive damages of the greater of $500,000, or twice the amount of actual damages.

PRAYER FOR RELIEF

Wherefore, Plaintiffs request that the Court enter judgment against Defendants consistent with and under the theories presented above for actual and punitive damages, for costs incurred by Plaintiffs, including attorneys' fees, for pre-judgment and post-judgment interest, and for such other relief to which Plaintiffs are entitled at-law or in equity.

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