

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 2018 CV 444 B

JAMES P. JAJUGA,

Plaintiff,

v.

THOMAS JAMES DUGGAN, JR., and
VALLEY PATRIOT, INC.,

Defendants.

FILED
ESSEX SUPERIOR COURT
2018 MAR 21 P 12 31

COMPLAINT AND JURY DEMAND

I. INTRODUCTION

This is an action for defamation arising from the defendants' malicious - - and outrageous - - publications of defamatory falsehoods of and concerning plaintiff, the Mayor of the City of Methuen, Massachusetts ("Mr. Jajuga"), in the March 2018 issue of their newspaper, the Valley Patriot ("the Paper"). The defendants knowingly and recklessly published a series of utterly false statements of what purported to be "fact", knowing that they were utterly false or, at a bare minimum, in reckless disregard of whether they were true or false, for the purpose of defaming Mr. Jajuga, damaging his reputation as an honest, honorable, conscientious and hard-working public servant, harming him politically as well as personally, and causing him emotional distress. These false and outrageous statements asserted, among other things, that Mr. Jajuga had been a drug addict, was a corrupt policeman, had been under state and federal criminal investigation, was forced to resign from the State Senate, was caught "red handed" being paid to lobby for a marijuana distributor and was fined by the Secretary of State of the Commonwealth. Mr. Jajuga

has indeed been harmed by defendants' conduct and seeks to hold the defendants accountable for defamation and for the infliction of emotional distress, as well as for the defendants' flagrant violation of basic journalistic standards.

I. The Parties

1. Mr. Jajuga, currently serving as the Mayor of Methuen, is a resident of Methuen. He has a long and distinguished record of serving his country, his state and his community.

2. Mr. Jajuga served for three years as a United States Marine between 1966 and 1969, when he was honorably discharged. He then served for twenty-one (21) years in the Massachusetts State Police, including as an undercover officer combatting narcotics trafficking, as Director of the Essex County Drug Task Force and as Supervisor of Narcotics Operations for the Essex County District Attorney, before retiring with honor.

3. He was elected State Senator, serving, inter alia, as Senate Chairman of the Joint Committee on Public Safety for eleven years and as Senate Vice Chairman of the Joint Committee on Government Regulation, leaving the Senate to accept the request of the Governor of Massachusetts that he serve as Secretary of Public Safety for the Commonwealth of Massachusetts. He then served as President of the Greater Haverhill Chamber of Commerce and as Councilor at Large for the City of Methuen, before taking on the civic responsibilities of serving as Mayor of Methuen.

4. Defendant Thomas James Duggan, Jr. ("Duggan") resides at 75 Main Street, North Andover, Massachusetts. He is the president and publisher, founder, owner and operator of the

Paper which, according to him, is distributed in more than 800 locations in 51 communities in Massachusetts and New Hampshire, and which is circulated online at www.valleypatriot.com. He also publishes a column in the Paper with the title “Paying Attention! With Tom Duggan,” in which he purports to publish “facts” about various issues and individuals. Upon information and belief, the Valley Patriot and Mr. Duggan’s column is read by thousands of people.

5. Defendant Valley Patriot, Incorporated publishes the Paper and shares responsibility for its operation with Duggan, its President and owner. It was incorporated, according to its incorporation papers, for the purpose, inter alia, of “disseminat[ing] ... information bearing on issues and importance to the citizens of the Merrimack Valley.” It lists with its incorporation papers an address of 75 Main Street, North Andover, Massachusetts and is the vehicle, on information and belief, through which Duggan publishes the Paper.

II. Jurisdiction and Venue

6. The jurisdiction of this Court over the defendants is lawful and proper where they reside, work and do business in Massachusetts and the claims brought here arise from a defamatory publication in Massachusetts, doing harm to Mr. Jajuga here in Massachusetts where he works and lives. Venue in this county is lawful and proper where the parties work and do business and, in the case of the individual parties, reside, here.

III. Facts Common to All Counts

7. The defendants’ March, 2018 issue of the Paper published Duggan’s column “Paying Attention with Tom Duggan,” entitled “Jajuga’s Resume on Public Safety is a Fraud.” That

article asserted a long series of utterly false and fraudulent statements of purported “fact,” each of which was intended to defame Mr. Jajuga, and each of which did defame him. Each of these statements of “fact” was of and concerning Mr. Jajuga, and each was made by the defendants, and by Duggan in particular, with actual malice (1) knowing that they were false; (2) published in the face of information known by the defendants that they were false; and/or (3) in complete, utter and reckless disregard of whether these statements - - outrageous on their face and calculated by defendants to harm Mr. Jajuga both professionally and personally - - were false. The defendants made no effort to verify the accuracy of their statements precisely because they either knew the statements were false or had no interest whatsoever in, or concern about, their falsity.

8. A copy of Duggan’s column as published in the March, 2018 edition of the Paper - - both in the hard copy distributed throughout numerous communities in Massachusetts and New Hampshire, including Mr. Jajuga’s home city of Methuen and online - - is attached hereto as Exhibit A. Its publication has already held Mr. Jajuga up to ridicule, as the defendants intended; indeed, Mr. Jajuga has already heard from numerous individuals who read the defamatory publication.

9. The false and defamatory statements of purported fact about Mr. Jajuga, published by the defendants with knowledge of their falsity or in reckless disregard of their falsity, which were intended to harm Mr. Jajuga and which have done so, include, inter alia, the following:

- a. the headline “Jajuga’s Resume on Public Safety is a Fraud.”
- b. the statement that Mr. Jajuga has a “fake police resume.”

- c. the statement that Mr. Jajuga “was forced off the State Police because of heroin addiction and several other serious issues. That is a fact.”
- d. the statement that “Jajuga took multiple trips to rehab while quietly getting to keep his job. Friends on the department covered for him, and local politicians covered for him too - - at least until they could cover for him no more.”
- e. the statement that “it was Jim Jajuga [who was] in charge of public safety and security at Logan Airport on 9/11. YEAH ... that’s right ... it was Jim Jajuga at the helm of Logan when Muslim terrorists breached security at the airport and flew two planes into the Twin Towers.”
- f. the statement that “Jajuga was forced to resign as Commissioner” (sic) [of Public Safety].
- g. the statement that Mr. Jajuga “tried to get even with the State Police for forcing him out, by trying to take away their private construction details, all the while secretly trying to setup (sic) a flagman business where he and his friends could heavily profit from the legislation he was pushing.”
- h. the statement “[Mr. Jajuga] was a crooked cop and a crooked senator.”
- i. the statements that Mr. Jajuga “was forced to resign from his State Senate job mid-term, quietly of course, as he was under both state and federal investigation for a multitude of criminal accusations, none the least of which was his involvement with ‘Crest Associates’ and the bizarre and untimely death of Rich St. Louis, whom Law Enforcement sources said at the time was set to testify against Jajuga just a few days later.”

- j. the statements that Mr. Jajuga “was recently caught red handed being paid to lobby for a marijuana distributor while Haverhill Mayor Jim Fiorentini was using him to act on behalf of his city to negotiate with that same marijuana distributor.”
- k. the statement that “the Secretary of State fined Jajuga \$2500 for concealing his lobbying activity from the public.”
- l. the statement that Mr. Jajuga is “a con artist who used to wear a badge and was forced to resign, used to be a commissioner and was forced to resign, used to be a Senator and was forced to resign.”

10. All of these defamatory statements by the defendants and by Duggan in particular, many of which contain multiple falsehoods within each statement, are not merely false, and not merely outrageously so. They are fabrications, fabricated by the defendants either with actual knowledge of their falsity, or with complete disregard of whether or not they were true. The defendants ignored evidence readily available to them, if not in their actual possession, that these statements were untrue, or simply chose to make these statements up, believing that they had no obligation to comply with the most basic journalistic standards of ethics, to the extent that they were even aware of those standards. Many of these defamatory statements, indeed, constitute defamation per se, as they impugn Mr. Jajuga’s professional competence and/or accuse him of criminal acts. As noted, many of these statements consist of multiple false and defamatory statements of fact.

COUNT ONE
(Defamation)

11. Mr. Jajuga incorporates by reference in their entirety paragraphs 1-10 herein. All of the above-listed statements were false, malicious and fabricated, and were published with a knowing, intentional, subjective awareness of, and/or reckless disregard of, their falsity. All were of and concerning Mr. Jajuga, and all defamed him, as was their purpose.

12. As a result of defendants' actions, Mr. Jajuga has suffered damage to his professional and personal reputation, and suffered emotional distress.

COUNT TWO
(Intentional Infliction of Emotional Distress)

13. Mr. Jajuga incorporates by reference in their entirety paragraphs 1-12 herein.

14. By their actions, including the outrageous fabrication and publication of utterly false and defamatory statements of purported "fact", as described above, the defendants intended to inflict severe emotional distress upon Mr. Jajuga or, at a minimum, knew and should have known that severe emotional distress would be the likely result of their conduct.

15. Defendants' conduct as described above was extreme and outrageous, beyond the bounds of decency, and intolerable in a civilized community.

16. Defendants' conduct directly and proximately caused Mr. Jajuga to suffer emotional distress of a nature which no reasonable person should be required to endure, and for which Mr. Jajuga is entitled to recover.

Prayers for Relief

WHEREFORE, the plaintiff, Mr. Jajuga, respectfully requests that the Court grant him the following relief:

- i. Enter judgment after trial in his favor and against the defendants on each and every count of this complaint;
- ii. Award him damages against the defendants in an amount determined by the Jury, plus statutory interest;
- iii. Award his attorney's fees and costs reasonably incurred and expended by him in the necessary prosecution of this Complaint; and
- iv. Grant such other further relief as the Court deems just and proper.

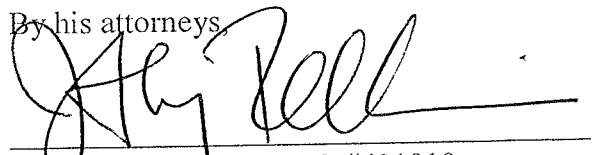
JURY DEMAND

The Plaintiff demands a trial by jury on all counts so triable.

Respectfully submitted,

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Dated: March 21, 2018

EXHIBIT A

Jajuga's Resume on Public Safety is a Fraud

SAFETY OF CHILDREN NO PRIORITY FOR JAJUGA

Last week, Methuen School Committee-man Jana DiNatale suggested at a meeting that the city set up a public safety committee to discuss keeping kids safe in the Methuen schools, especially given the recent spate of school shootings nation-wide. She also suggested renewing a line item in the budget for software that teachers can use as a "panic button" if something is going on in their classroom which requires immediate police response.

Instead of supporting DiNatale's suggestions, however, Mayor Jim Jajuga rejected them stating publicly that it was not a priority for him. Just imagine.

He then proceeded to tell the audience that he doesn't need a committee and doesn't really need the input of ... well ... anyone because he's "Mister Public Safety."

Jajuga then ranted for what seemed like forever about his endless public safety resume, bragging about all the public safety jobs he has held - all the while humiliating DiNatale for suggesting that he be bothered with input from the little people ... just like Judy Scannell's new poodle Nick DiZoglio does whenever DiNatale, (a mother with children in the schools) fights for transparency or safety in the schools.

But I digress, we will visit DiZoglio's public safety issues another time.

THE SILENCE IS DEAFENING

It is more than a little troubling that not one person in Methuen dares to challenge Jajuga on his fake police resume. It's public knowledge, yet, not one member of the press, nor one elected official has been brave enough to bring it up ... even privately.

So, once again it falls on me to talk about the elephant in the room and give the public a much more complete picture of the man sitting in the mayor's office, making police decisions, and in charge of your school children in the City of Methuen.

ABOUT THAT STATE

STATE POLICE RESUME

Jajuga loves to tout his experience as a Massachusetts State Trooper who was once a member of the state police drug task force. That sounds pretty impressive doesn't it? What he doesn't tell you is that he was forced off the state police because of heroin addiction and several other serious issues.

That is a fact.

Jajuga took multiple trips to rehab while quietly getting to keep his job. Friends on the department covered for him, and local politicians covered for him too - at least



Paying Attention!

WITH TOM DUGGAN

until they could cover for him no more.

Feeling more confident about your Methuen Mayor's ability to run your schools or police department yet?

Wait there's more.

COMMISSIONER OF PUBLIC SAFETY

Jajuga also likes to brag about how he was once appointed by the governor to be the State's Commissioner of Public Safety. He was the man in charge of police and security for the entire commonwealth.

Impressive right?

Here again, he cleverly leaves out the very minor detail that it was Jim Jajuga in charge of public safety and security at Logan Airport on 9/11.

YEAH... that's right... it was Jim Jajuga at the helm of Logan when Muslim terrorists breached security at the airport and flew two planes into the twin towers. I wonder why he leaves that out when he's pounding his fist self-righteously trying to humiliate women like Jana DiNatale or anyone else who might have a suggestion about safety in our schools?

Yes, Jajuga loves to think that he alone is "Mister Public Safety" and nothing the little people have to say could possibly be of any help to him, much less a committee made up of meddling parents who, unlike Jajuga, actually have children walking through those school hallways every day.

Jajuga was forced to resign as commissioner, but he doesn't tell you that when he's grandstanding ... and coincidentally, neither does the rest of the local media. (That's Strike 2 if you are keeping score at home).

Then there's his stint as a state senator.

A PRO COP STATE SENATOR?

NOT SO FAST!

Jajuga also served as a state senator, where he pushed for free needles for drug addicts - but of course only in brown communities like Lawrence.

He also tried to get even with the state police for forcing him out, by trying to take away their private construction details, all the while secretly trying to setup a flag-man business where he and his friends

could heavily profit from the legislation he alone was pushing.

Crickets from the local media on that one, too. Weird huh?

Jajuga spent more time as a senator trying to destroy the Massachusetts State Police, than he spent advocating for the law abiding citizens he was once sworn to protect. He was, by definition a crooked cop and a crooked senator.

Once again, Jajuga was forced to resign from his state senate job mid-term, quietly

of course, as he was under both state and federal investigation for a multitude of criminal accusations, none the least of which was his involvement with "Crest Associates" and the bizarre and untimely death of Rich St. Louis, whom Law Enforcement sources said at the time was set to testify against Jajuga just a few days

later. Rich St. Louis' mysterious death was mysteriously ruled a suicide.

It's weird how none of this comes up when Jajuga is pretending to be the all-knowing, all-seeing, authority on all matters involving police and public safety.

But it's far worse that the local news media is in his pocket and have actively white washed his resume while letting him get away with telling the redacted version of his public safety past for political gain.

TWO PAYCHECKS, ONE JOB, AND PASS THE JOINT!

(STRIKE 4 BUT HE'S STILL NOT OUT?)

As if all that wasn't bad enough, Methuen Mayor Jim Jajuga was recently caught red handed being paid to lobby for a marijuana distributor while Haverhill Mayor Jim Fiorentini was using him to act on behalf of his city to negotiate with that same marijuana distributor.

The Secretary of State fined Jajuga \$2,500 for concealing his lobbying activity from the public.

According to WHAV, Haverhill City Councilor Robert H. Scatamacchia said an undated letter of support signed by him was obtained under false pretenses. Healthy Pharms (the pot company) used that letter as "Evidence of Local Support"

that was required for them to move to Haverhill. Scatamacchia said Mayor James J. Fiorentini supplied the letter and retyped it on to Haverhill City Council letterhead, on behalf of Jajuga, which is fraud any way you look at it.

The Secretary of State's Office Wrote: "The required lobbying disclosure shows Jajuga represented Healthy Pharms between Oct. 20 and Nov. 21, 2013. The same form also shows campaign contributions Jajuga made to local, elected officials during the same period. Massachusetts General Laws Chapter 3, Section 43 requires "the names of the candidate or political committee to whom or to which the contribution was made, and the amount and date of each contribution."

In short, Jajuga was buying influence and concealing it. Yet, come election time, nobody in the media seemed to care.

JAJUGA THE FRAUD

Trust me when I tell you, this is just the tip of the iceberg on this guy.

Jim Jajuga is a total fraud.

He always has been.

He talks a good game but that's all it is, talk. He uses threats and intimidation to get his way and when that doesn't work he destroys people personally.

He's a con artist who used to wear a badge and was forced to resign, used to be a commissioner and was forced to resign, used to be a senator and was forced to resign, and now he runs YOUR police department and YOUR schools in Methuen touting his breadth of "law enforcement experience" to handle things like school shootings and securing school buildings - with no help or input from the little people.

All the while attacking mothers who want to help keep their kids safe in today's violent school environment.

People of Methuen ... you have a problem!

It's just weird that nobody else bothered to tell you that before now.

For some real interesting reading visit: http://archive.boston.com/news/local/articles/2003/12/27/jajuga_awarding_of_grants_probed/



Tom Duggan is publisher of The Valley Patriot, hosts the Paying Attention Podcast, is an author, a former Lawrence School Committeeman, and a 1990 police survivor.

Subscribe to his YouTube Channel for live news and video. You can E-mail your comments to valleypatriot@aol.com