



AlaFile E-Notice

01-CV-2015-900190.00

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NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BURT W NEWSOME ET AL V. CLARK ANDREW COOPER ET AL
01-CV-2015-900190.00

The following complaint was FILED on 3/11/2015 3:21:49 PM

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ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BURT W. NEWSOME; and)
NEWSOME LAW, LLC,)
)
Plaintiffs,)
vs.)
)
CLARK ANDREW COOPER, et al.,)
)
Defendants.)

CASE NO. CV-2015-900190

AMENDED COMPLAINT

The Plaintiffs, Burt W. Newsome and Newsome Law, LLC, file this, their Amended Complaint, and allege as follows:

92. Plaintiffs hereby re-allege and adopt the material allegations of paragraphs 1 – 91 of their Complaint as if fully set out herein.

93. As part of the agreement between Newsome and the State to dismiss the menacing charge against him, Newsome signed a release agreement releasing various parties from civil liability for their actions in connection with his criminal charges. Newsome was unaware at the time of the conspiracy between the defendants in this case to cause charges to be brought against him. Plaintiff was led to believe by Bullock that Bullock acted alone and that no one else was involved with bringing charges against Newsome. Based on these false representations, Newsome signed the release.

COUNT XII
FRAUD

94. Defendants John Bullock and/or Claiborne Seier and/or Fictitious Defendants 1-4, and/or Fictitious Defendants 5-15, and/or Fictitious Defendants 16-26, made or caused to be made false representations to Newsome regarding the true nature of his criminal

charges. Further, one or all or some combination of those named defendants and Fictitious Defendants made false representations to the prosecutor regarding the reason the filing the criminal complaint against plaintiff and/or fraudulently concealed material facts which could not have been known or discovered by Plaintiffs through reasonable diligent efforts. Plaintiffs relied on those false representations to their detriment.

95. As a result of said fraud, Newsome signed the release. Said release was obtained by fraud. Newsome was unaware of the conspiracy to bring false criminal charges against him at the time he signed the release.

96. Wherefore, Plaintiffs demand judgment separately and severally against Defendants John Bullock, and/or Claiborne Seier, and/or Fictitious Defendants 5-15, and/or Fictitious Defendants 16-26, for fraud, and seeks an order from this Court declaring the release void to the extent that it was obtained by fraud, and costs.

COUNT XIII
MISREPRESENTATION

97. Defendants John Bullock and/or Claiborne Seier and/or Fictitious Defendants 1-4, and/or Fictitious Defendants 5-15, and/or Fictitious Defendants 16-26, made or caused to be made false representations to Newsome regarding the true nature of his criminal charges. Further, one or all or some combination of those named defendants and Fictitious Defendants made false representations to the prosecutor regarding the reason the filing the criminal complaint against plaintiff and/or misrepresented concealed material facts which could not have been known or discovered by Plaintiffs through reasonable diligent efforts. Plaintiffs relied on those misrepresentations to their detriment.

98. As a result of said misrepresentations, Newsome signed the release. Said release

was obtained by fraudulent misrepresentation. Newsome was unaware of the conspiracy to bring false criminal charges against him at the time he signed the release.

99. Wherefore, Plaintiffs demand judgment separately and severally against Defendants John Bullock, and/or Claiborne Seier, and/or Fictitious Defendants 5-15, and/or Fictitious Defendants 16-26, for misrepresentation, and seeks an order from this Court declaring the release void to the extent that it was obtained by fraud, and costs.

/s/ Robert E. Lusk, Jr. _____
ROBERT E. LUSK, JR. (LUS005)
Attorney For Plaintiffs BURT W. NEWSOME
and NEWSOME LAW, LLC.

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PLAINTIFFS DEMAND A JURY TRIAL ON ALL ISSUES SO TRIABLE

Certificate of Service

I hereby certify that I have filed electronically and served a copy of the foregoing upon the below listed parties to this action by placing a copy of same in the United States Mail, postage prepaid and properly addressed, this the _____ day of March, 2015.

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/s/ Robert E. Lusk, Jr. _____
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