

DOCKET NO.: DBD-CV08-4008461-S : **SUPERIOR COURT**
CARL GLATZEL, JR., ET AL : **J.D. OF DANBURY**
V. : **AT DANBURY**
GERALD D. BRITTLE, ET AL : **NOVEMBER 09, 2010**

AMENDED COMPLAINT

The Plaintiffs, CARL GLATZEL JR. and DAVID GLATZEL acting by and through the undersigned counsel, in their Complaint against the Defendants, GERALD D. BRITTLE, IUNIVERSE INCORPORATED, and LORAIN WARREN, allege as follows:

STATEMENT OF FACTS

1. The Plaintiff, Carl Glatzel Jr. (hereinafter referred to as “Carl Glatzel”), resided in the Town of Brookfield, County of Fairfield, and State of Connecticut.
2. The Plaintiff, David Glatzel (hereinafter referred to as “David Glatzel”) resided in the Town of Brookfield, County of Fairfield, and State of Connecticut.
3. The Defendant, Gerald Brittle (hereinafter referred to as “Defendant Brittle”) is the author of The Devil in Connecticut (iUniverse 2006).
4. The Defendant, iUniverse Incorporated (hereinafter referred to as “Defendant iUniverse”) is a corporation duly organized and existing under the laws of the State of Delaware, with its principle place of business at 2021 Pine Lake Road, Suite 100, Lincoln, NE 68512, and is engaged in the business of publishing books. iUniverse Incorporated transacts business within the State of Connecticut.
5. The defendant, Lorraine Warren (hereinafter referred to as “Defendant Warren”) resides in the town of Monroe, county of Fairfield, state of Connecticut, and is

engaged in the business of paranormal investigations. She investigated the subject matter of *The Devil in Connecticut* (iUniverse 2006), and her account of events is the basis for that book.

6. During his childhood, David Glatzel suffered from behavioral problems and learning disabilities and probably mental illnesses.
7. From 1979 until 1982, David Glatzel suffered from several episodes of increased symptoms.
8. Carl Glatzel, Jr., is David Glatzel's older brother, and was present during these episodes.
9. Lorraine Warren investigated David Glatzel's symptoms, stating that supernatural forces caused the episodes.
10. Lorraine Warren published an account of her experience with the Glatzel family to Gerald Brittle for the purposes of contributing to the creation of "The Devil in Connecticut" (iUniverse 2006).
11. Gerald Brittle is the author of "The Devil in Connecticut" (iUniverse 2006).
12. "The Devil in Connecticut" was initially published by Bantam Books in November of 1983.
13. "The Devil in Connecticut" was republished in July of 2006 by iUniverse Incorporated.
14. This book incorporated and republished the account of Lorraine Warren, and was sold to readers in the state of Connecticut, and throughout the United States and Europe, after publication in 2006.

15. "The Devil in Connecticut" frequently used David Glatzel and Carl Glatzel's names and likenesses to create the story in the book.
16. "The Devil in Connecticut" contained detailed accounts of Carl Glatzel and David Glatzel's private lives and family lives.
17. "The Devil in Connecticut" contained false and defamatory accounts of violence perpetrated by Carl Glatzel and David Glatzel.
18. "The Devil in Connecticut" contained false and defamatory accounts of interactions between the Glatzel family members.
19. "The Devil in Connecticut" contained the following false and defamatory matter: that David Glatzel was possessed by demons and that Carl Glatzel, Jr., was influenced by demonic forces into committing assaults and batteries on members of the Glatzel family and others.
20. Carl Glatzel, Jr., and David Glatzel have lived quietly, assumed respectable roles in society, and made several friends and acquaintances who were not aware of alleged incidents dealing with violence, discord and demons that David Glatzel and Carl Glatzel suffered from during his early life, or the effects of said incidents on the Glatzel family.
21. During the early 1980s, the Defendant Brittle and Defendant Warren, without the Plaintiffs' prior knowledge or consent, produced and released the book entitled "The Devil in Connecticut," based on a fictionalized account of the David Glatzel and Carl Glatzel's past lives.
22. Defendant Brittle and Defendant Warren advertised said book as an accurate, non-fictional account of Defendant Warren's observations.

23. Defendant Brittle, Defendant iUniverse and Defendant Warren, without David and Carl Glatzel's prior knowledge and consent, republished the book entitled The Devil in Connecticut, in 2006.
24. Defendant Brittle, Defendant iUniverse, and Defendant Warren, without David and Carl Glatzel's prior knowledge or consent, advertised that the plots of The Devil in Connecticut book and screenplay described true and unsavory incidents in the David Glatzel and Carl Glatzel's lives.
25. Defendant Brittle, Defendant iUniverse and Defendant Warren unreasonably and seriously interfered with the plaintiffs' interest in not having their private affairs known to others.
26. Defendant Brittle, Defendant iUniverse and Defendant Warren knew or should have known that the David Glatzel and Carl Glatzel did not want their names used in connection with "The Devil in Connecticut."
27. The alleged incidents described therein, and the production, release and advertisement of said book invaded the David Glatzel and Carl Glatzel's right of privacy by specifically identifying them with said unsavory incidents of their past lives.
28. The fictitious account portrayed in "The Devil in Connecticut" is highly offensive to David Glatzel and Carl Glatzel.
29. Defendant Brittle, Defendant iUniverse and Defendant Warren knew of, and acted in reckless disregard as to, the falsity of statements made in the book.
30. The statements contained in "The Devil in Connecticut" are false and derogatory to David Glatzel and Carl Glatzel.

31. As a direct and proximate result of the actions of the Defendants, David Glatzel and Carl Glatzel were subject to ridicule, embarrassment, vexation and humiliation, as well as loss of potential earnings.

COUNT ONE: (INVASION OF RIGHT TO PRIVACY BY WAY OF INTRUSION UPON SECLUSION (CARL GLATZEL, JR. AND DAVID GLATZEL VS. GERALD D. BRITTLE, IUNIVERSE INCORPORATED AND LORRAINE WARREN.

- 1-31. Plaintiffs hereby incorporate the foregoing paragraphs 1 through 31 as paragraphs 1 through 31 of Count One.
32. Defendants iUniverse, Lorraine Warren and Gerald Brittle have invaded the Plaintiffs' personal and private spaces.
33. Plaintiffs David Glatzel and Carl Glatzel had secluded and insulated themselves from their childhood lives of controversy and had a reasonable expectation of privacy.
34. Notwithstanding Plaintiffs' expectation for privacy, Defendants individually and collectively intentionally intruded and/or interfered upon the Plaintiffs' solitude, seclusion, private affairs, and/or privacy by republishing "The Devil in Connecticut" in 2006.
35. Defendants' intrusion into Plaintiffs privacy was objectionable and of the type that would be highly offensive to the reasonable person.
36. The events publicized by Defendants were private and the interference with the Plaintiffs' privacy was substantial.
37. Plaintiffs claim damages

COUNT TWO: (INVASION OF RIGHT TO PRIVACY BY WAY OF APPROPRIATION OF NAME OR LIKENESS (CARL GLATZEL, JR. AND DAVID GLATZEL VS. GERALD D. BRITTLE, IUNIVERSE INCORPORATED AND LORRAINE WARREN.

- 1-31. Plaintiffs hereby incorporate the foregoing paragraphs 1 through 31 as paragraphs 1 through 31 of Count Two.
32. Defendants have used the name and likeness of Plaintiffs for commercial purposes.
33. Defendants have misappropriated the name and likeness of Plaintiffs for commercial gain.
34. Plaintiffs have suffered a commercial loss as a result of Defendants' misappropriation and commercial exploitation of their names and likenesses.
35. Plaintiffs never gave permission for the use of their names and likenesses in any publication or project of Defendants.
36. Notwithstanding the lack of permission, Defendants have continuously used the Plaintiffs names and likenesses in the publication, screen play and material to promote their publication.
37. Plaintiffs claim damages.

COUNT THREE: (INVASION OF RIGHT TO PRIVACY BY WAY OF PUBLICITY GIVEN TO PRIVATE LIFE (CARL GLATZEL, JR. AND DAVID GLATZEL VS. GERALD D. BRITTLE, IUNIVERSE INCORPORATED AND LORRAINE WARREN.

- 1-31. Plaintiffs hereby incorporate the foregoing paragraphs 1 through 31 as paragraphs 1 through 31 of Count Three.
32. Defendants have given public disclosure to matters concerning private facts regarding the lives of the Plaintiffs.

33. Plaintiffs are highly offended by this publicity.
34. The matters made public by the Defendants are highly offensive and objectionable to reasonable persons of ordinary sensibilities.
35. The publicity is not a matter of public concern and the Plaintiffs are not public figures.
36. Plaintiffs claim damages.

COUNT FOUR: (INVASION OF RIGHT TO PRIVACY BY WAY OF PUBLICITY PLACING THE PLAINTIFFS IN A FALSE LIGHT (CARL GLATZEL, JR. AND DAVID GLATZEL VS. GERALD D. BRITTLE, IUNIVERSE INCORPORATED AND LORRAINE WARREN.

- 1-31. Plaintiffs hereby incorporate the foregoing paragraphs 1 through 31 as paragraphs 1 through 31 of Count Four.
32. Defendants have given publicity to a matter concerning Plaintiffs that places Plaintiffs before the public in a false light.
33. The Defendants acted in reckless disregard as to the falsity of the publicized matters and the false light the Plaintiffs would be placed.
34. The Defendants published matters containing facts which were not true and were a major misrepresentation of the Plaintiffs' character, history, activities, and beliefs.
35. Serious offense may reasonably be expected to be taken by a reasonable men in the Plaintiffs' position and the publication would be highly offensive to a reasonable person.
36. Plaintiffs claim damages.

COUNT FIVE: LIBEL (CARL GLATZEL, JR. AND DAVID GLATZEL VS. GERALD D BRITTLE, IUNIVERSE INCROPROATED, AND LORRAINE WARREN)

1-31. Plaintiffs hereby incorporate the foregoing paragraphs 1 through 31 of Count One as paragraphs 1 through 31 of Count Five.

32. During the 1982 and 1983, Defendants Brittle and Warren maliciously prepared and composed the following writing: The Devil in Connecticut (iUniverse 2006) concerning David Glatzel and Carl Glatzel.

33. Said writing contained false and defamatory matter including but not limited to the statement that David Glatzel was possessed by demons and that Carl Glatzel, Jr., was influenced by demonic forces into committing assaults and batteries on members of the Glatzel family and others.

34. Said defamatory matter was delivered by Defendant Brittle and Defendant Warren to Defendant iUniverse, to be read by them.

35. Pursuant to the Defendants' malicious intent, "The Devil in Connecticut" was republished in July of 2006, and offered to the public.

36. As a result of the 2006 republication of "The Devil in Connecticut" a new national audience discovered the defamatory material contained within the book.

37. Defendants Brittle, Warren, and iUniverse sold an option to produce a movie based on The Devil in Connecticut (iUniverse 2006).

38. As part of the sale, a screen play depicting David Glatzel as possessed by demons, and Carl Glatzel, Jr., as influenced by demonic forces was created.

39. In making said communications, the Defendants intended to communicate that David Glatzel was possessed by demons, and that Carl Glatzel, Jr., was influenced by demons.
40. Any person reading the defamatory matter contained in “The Devil in Connecticut” or any derivative storyboards, treatments, scripts, or other materials understood it to be factual.
41. The above-mentioned defamatory matter did, and was calculated to, cause great injury to plaintiffs’ reputation, in that it associates the plaintiffs with evil, supernatural forces, discloses David Glatzel’s behavioral problems, and alleges that Carl Glatzel, Jr., committed abusive and/or criminal acts towards members of his family and others.
42. At the time of said defamatory publication, the Defendants knew that said words were untrue.
43. In making said defamatory publication, the Defendants acted with malice towards David and Carl Glatzel.
44. Pursuant to Connecticut General Statutes section 52-237, on August 9, 2007, Carl and David Glatzel demanded a retraction, in writing, by Defendant Brittle, Defendant Warren and Defendant iUniverse of said defamatory statements.
45. Following receipt of Carl and David Glatzel’s demand for a retraction, the Defendants failed to comply and continue to refuse compliance with said demand.

46. As a result of the publication of said defamatory statements, David Glatzel and Carl Glatzel suffered damages.

COUNT SIX: CIVIL CONSPIRACY (CARL GLATZEL, JR. AND DAVID GLATZEL VS. GERALD D. BRITTLE and LORRAINE WARRAN)

1-31. Plaintiffs hereby incorporate the foregoing paragraphs 1 through 31 of Count One as paragraphs 1 through 31 of Count Six.

32. Defendants Brittle and Warren represented an association of two or more persons.

33. The association of Defendants Brittle and Warren existed to further the unlawful objective of capitalizing upon defamatory material harmful to David and Carl Glatzel.

34. Defendants Brittle and Warren agreed and maintained an understanding with regard to the objective and manner in which it was to be achieved.

35. Defendants Brittle and Warren furthered their conspiracy by committing an unlawful and overt act in publishing the defamatory material.

36. David and Carl Glatzel have been injured by Defendant Brittle and Warren's above-mentioned actions.

WHEREFORE, the Plaintiff claims:

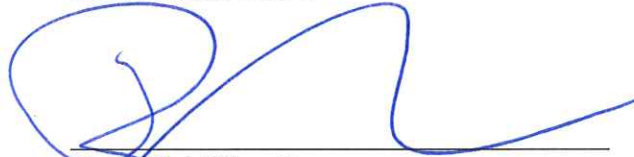
1. Money damages, including compensatory, consequential and punitive damages in an amount in excess of Fifteen Thousand (\$15,000.00) Dollars;
2. All damages, punitive damages, attorney's fees and any other relief permitted under the Connecticut Unfair Trade Practices Act more specifically set forth in the C. G. S. § 42-110a, et seq.

DOCKET NO.: DBD-CV08-4008461-S : SUPERIOR COURT
CARL GLATZEL, JR., ET AL : J.D. OF DANBURY
V. : AT DANBURY
GERALD D. BRITTLE, ET AL : NOVEMBER 09, 2010

STATEMENT OF AMOUNT AND DEMAND

The amount, legal interest, or property in demand is greater than \$15,000.00,
exclusive of interest and costs.

THE PLAINTIFFS



Ryan K. Miller, Esq.
Rosenberg and Press, LLC
3333 Main Street, Suite 203
Stratford, CT 06615
Phone: (203) 870-6700
Facsimile: (203) 870-6701
Juris No. 429687