

District Court, Douglas County, Colorado Court Address: 4000 Justice Way Castle rock, CO 80109-07546	DATE FILED: June 26, 2015 10:15 AM FILING ID: C175E00B60303 CASE NUMBER: 2015CV30672
Plaintiffs: TOTALLY HEMP CRAZY, INC., a Nevada corporation, and JERRY GRISAFFI v. Defendants: CANNALIFE USA, LTD., a Colorado limited liability company, and S. MARK SPOONE	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Denis H. Mark 5105 DTC Parkway, Suite 450 Greenwood Village, CO 80111 Phone Number: 303-741-4741 E-mail: dmark@dhmpc.com FAX Number: 303-220-8150 Atty. Reg. #: 9080	Case Number: Division Courtroom
DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT	

1. This cover sheet shall be filed with each pleading containing an initial claim for relief in every district court civil (CV) case, and shall be served on all parties along with the pleading. It shall not be filed in Domestic Relations (DR), Probate (PR), Water (CW), Juvenile (JA, JR, JD, JV), or Mental Health (MH) cases. Failure to file this cover sheet is not a jurisdictional defect in the pleading but may result in a clerk's show cause order requiring its filing.

2. Check one of the following:

☐ This case is governed by Chief Justice Directive ("CJD") 11-02 and the "Colorado Civil Access Pilot Project Rules Applicable to Business Actions in District Court" because:

- The case is filed within the period of January 1, 2012 through June 30, 2015; AND
- The case is filed in a Pilot Project participating jurisdiction (Adams County, Arapahoe County, Denver County, Gilpin County, or Jefferson County); AND
- The case is a "Business Action" as defined in CJD 11-02, Amended Appendix A for inclusion in the Pilot Project.

☒ This case is not governed by the Colorado Civil Access Pilot Project Rules.

NOTE: Cases subject to the Colorado Civil Access Pilot Project must be governed by the Rules in CJD 11-02 (available at http://www.courts.state.co.us/Courts/Supreme_Court/Directives/Index.cfm). The presiding judge will review Item 2 for accuracy. The designation on this initial Cover Sheet will control unless the Court orders otherwise.

3. If this case is not governed by the Colorado Civil Access Pilot Project Rules as indicated in Item 2, check the following:

☐ This case is governed by C.R.C.P. 16.1 because:

- The case is not a class action, domestic relations case, juvenile case, mental health case, probate case, water law case, forcible entry and detainer, C.R.C.P. 106, C.R.C.P. 120, or other similar expedited proceeding; *AND*
- A monetary judgment over \$100,000 is not sought by any party against any other single party. This amount includes attorney fees, penalties, and punitive damages; it excludes interest and costs, as well as the value of any equitable relief sought.

☒ This case is not governed by C.R.C.P. 16.1 because (check ALL boxes that apply):

☐ The case is a class action, domestic relations case, juvenile case, mental health case, probate case, water law case, forcible entry and detainer, C.R.C.P. 106, C.R.C.P. 120, or other similar expedited proceeding.

☒ A monetary judgment over \$100,000 is sought by any party against any other single party. This amount includes attorney fees, penalties, and punitive damages; it excludes interest and costs, as well as the value of any equitable relief sought.

NOTE: In any case to which C.R.C.P. 16.1 does not apply, the parties may elect to use the simplified procedure by separately filing a Stipulation to be governed by the rule within 49 days of the at-issue date. See C.R.C.P. 16.1(e). In any case to which C.R.C.P. 16.1 applies, the parties may opt out of the rule by separately filing a Notice to Elect Exclusion (JDF 602) within 35 days of the at-issue date. See C.R.C.P. 16.1(d).

☐ A Stipulation or Notice with respect to C.R.C.P. 16.1 has been separately filed with the Court, indicating:

☐ C.R.C.P. 16.1 applies to this case.

☐ C.R.C.P. 16.1 does not apply to this case.

4. ☒ This party makes a **Jury Demand** at this time and pays the requisite fee. See C.R.C.P. 38. (Checking this box is optional.)

Date: June 26, 2015

/s/ Denis H. Mark
Signature of Party or Attorney for Party

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<i>Attorneys for Plaintiffs:</i> John Henry Schlie, Esq. (Atty. Reg. #20098) LAW OFFICE OF JOHN HENRY SCHLIE, P.C. 7100 East Belleview Avenue, Suite G-11 Greenwood Village, CO 80111 Phone Number: (303) 830-1616 FAX Number: (303) 860-1297 Email: johnhenry@schlielawfirm.com Denis H. Mark, Esq. (Atty. Reg. #9080) DENIS H. MARK, P.C. 5105 DTC Parkway, Suite 450 Greenwood Village, CO 80111 Phone Number: (303) 741-4741 FAX Number: (303) 220-8150 Email: dmark@dhmpc.com	Case No: Div.:
COMPLAINT AND JURY DEMAND	

Plaintiffs, TOTALLY HEMP CRAZY, INC. and JERRY GRISAFFI, by and through their attorneys, John Henry Schlie and Denis H. Mark, hereby complain against the Defendants, CANNALIFE USA, LTD. and S. MARK SPOONE, as follows:

PARTIES

1. Plaintiff Totally Hemp Crazy, Inc. (sometimes referred to herein as "Plaintiff THCZ") is a Nevada corporation with its principal place of business in Dallas, Dallas County Texas.

2. Plaintiff Jerry Grisaffi (sometimes referred to herein as "Plaintiff Grisaffi") is an individual residing in Rockwall County, Texas and doing business in Dallas County, Texas.

3. Defendant Cannalife usa, Ltd. (sometimes referred to herein as "Defendant Canna") is a Colorado limited liability company with its principal place of business in Denver.

4. Defendant S. Mark Spoone (sometimes referred to herein as "Defendant Spoone") is an individual residing in Douglas County, Colorado.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction pursuant to Article VI, Section 9 of the Colorado Constitution.

6. This Court had personal jurisdiction over the Defendants because Defendant Canna's principal place of business is in Colorado and Defendant Spoone resides in Colorado.

7. Venue is proper in Douglas County pursuant to C.R.C.P. 98(c)(1) because Defendant Spoone resides in Douglas County.

FACTUAL BACKGROUND

8. Plaintiff THCZ is a public company traded on the OTC Markets, and is currently in the business of creating and producing hemp infused beverages for sale to the public. Plaintiff Grisaffi is the founder of Plaintiff THCZ and, along with the President and CEO of the company, runs the day to day operations of Plaintiff THCZ.

9. Defendant Canna is a company which is also in the business of creating and producing hemp infused beverages for sale to the public. Upon information and belief, Defendant Spoone is the person who runs the day to day business of Defendant Canna.

10. On or about June 4, 2015, Defendant Spoone, acting for both himself and Defendant Canna, published or caused to be published, false and defamatory statements relating to both Plaintiffs. These statements were published by Defendants using an alias of "JerryIsFalsey." These statements were published on Plaintiff THCZ's Facebook page and on a website identified as Investorshub.advn.com (sometimes hereinafter referred to as "Ihub") at the page(s) dedicated for Plaintiff THCZ.

11. Ihub is an online website and company which maintains a message board where people can participate in online discussions regarding many businesses, including Plaintiff THCZ. Upon information and belief, numerous investors who buy and sell publicly traded stocks such as the stock of Plaintiff THCZ regularly view and comment on the message boards of Ihub on pages dedicated to the companies they follow.

12. Both Defendants, acting in concert, published on the public web sites the defamatory statements for the clear purpose of disseminating such information to owners and holders of THCZ stock, those considering the purchase of such stock, and others, in order to cause them to become concerned about Plaintiff THCZ, sell their shares in Plaintiff THCZ, or not purchase such shares. Said Defendants further acted with the clear purpose of damaging Plaintiff THCZ's business.

13. Upon information and belief, the intention referenced above had the intended effect. Thus both Defendants participated in the manipulation of the public stock markets.

14. Defendants are competitors of Plaintiff THCZ. Rather than attempting to compete with Plaintiff THCZ in the business world, Defendants instead chose to defame Plaintiffs and to wrongfully injure the business of Plaintiff THCZ. Plaintiff THCZ is relatively new in its hemp infused beverage business and is thus susceptible to such damage to its business reputation to an even greater degree. The published statements will likely cause difficulty with future investors of Plaintiff THCZ.

15. Without being limited hereby, Plaintiffs will show that portions of the published statements include the following:

- a) "THCZ is fraught (*sic*) with Failures, Felons and Falsities"
- b) "Every one of these guys are more qualified to be serving time in front of a parole board, not participating in a public company. SHADY SHADY SHADY"
- c) "VERY Scary history of Grissafi (*sic*), Robillard and Quintanilli!!!! Grissafi (*sic*) has had ONLY failures that I have found in his history – a tuna fish hot dog...??!! REALLY"
- d) "How is it possible for a publicly traded company to legally have these characters involved????! There is not ONE ounce of credibility here. You're not investing in the company, you are investing in the people that run it – and these people don't seem to (*sic*) trustworthy of anything at all."
- e) "I can assure that I have absolutely no vested stake in this company in any capacity, nor any relationship with anyone in the company. I just know shady when I see it. All details I posted are fact based and can be easily backed up and/or corroborated."

f) “Ricky, their guys are all shady. Grissaffi (*sic*) has failed at every venture in the public space, Robillard is an apparent crook. He’s stolen recipes and customer lists. Their drink is a direct knock of (*sic*) Canna Energy, but with inferior flavor”

16. Both Plaintiff THCZ and Plaintiff Grisaffi have been damaged by such conduct set forth above. The damage will be ongoing for both Plaintiffs.

**FIRST CLAIM
(Defamation)**

17. Plaintiffs incorporate the allegations in Paragraphs 1 through 16 above.

18. Defendants published or caused to be published defamatory statements about Plaintiffs which are untrue, and disparaged, and therefore damaged, the business reputations of Plaintiffs and the personal reputation of Plaintiff Grisaffi. The defamatory language was clear and reasonably capable of only one meaning. The defamatory statements were for no purpose other than to injure Plaintiffs’ reputations and expose Plaintiffs to public hatred, contempt, ridicule and financial injury. The statements of Defendants constitute libel per se.

19. The publication of the statements caused both actual and special damages to the Plaintiffs in amounts to be proven at trial.

**SECOND CLAIM
(Intentional Interference with Prospective Business Relations)**

20. Plaintiffs incorporate the allegations in Paragraphs 1 through 19 above.

21. Plaintiffs had prospective business relations with investors, potential investors and others.

22. Defendants knew or reasonably should have known of Plaintiffs’ prospective business relations with investors, potential investors and others.

23. Defendants by their defamatory words intentionally caused plaintiff’s investors, potential investors and others not to enter into or continue the prospective relations or prevented the others from acquiring or continuing the prospective relations.

24. Defendants’ interference with Plaintiffs’ prospective business relations was improper.

25. Defendants’ interference with Plaintiffs’ prospective economic relations caused the Plaintiffs damages and losses.

**THIRD CLAIM
(Conspiracy)**

26. Plaintiffs incorporate the allegations in Paragraphs 1 through 25 above.

27. Defendants agreed, by words or conduct, to accomplish an unlawful goal or to accomplish a lawful goal through unlawful means. The unlawful goals and/or unlawful means included defamation and intentional interference with prospective economic relations as described herein.

28. One or more unlawful acts were performed to accomplish the goal or one or more acts were performed to accomplish the unlawful goal. The unlawful and/or other acts included defamation and intentional interference with prospective economic relations as described herein.

29. Plaintiffs incurred damages and losses, in amounts to be proven at trial, which were caused by the acts performed to accomplish the goal.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for entry of judgment in their favor and against Defendants, jointly and severally, for damages in an amount to be determined at trial, and for prejudgment and post-judgment interest, and for all costs incurred herein, expert witness fees, and for such other and further relief which the Court deems proper.

PURSUANT TO C.R.C.P. 38(a), PLAINTIFFS DEMAND A TRIAL BY JURY

DATED this 26th day of June, 2015.

**LAW OFFICES OF
JOHN HENRY SCHLIE, P.C.**

Pursuant to Section 1-26 of C.R.C.P. 121, a duly
signed copy is on file at John Henry Schlie, P.C.
By: /s/ John Henry Schlie
John H. Schlie, Registration No. 20098

DENIS H. MARK, P.C.

Pursuant to Section 1-26 of C.R.C.P. 121, a duly
signed copy is on file at Denis H. Mark, P.C.
By: /s/ Denis H. Mark
Denis H. Mark, Registration No. 9080