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FILED Santa Clara Co  
12/14/05 2:14pm  
Kiri Torre  
Chief Executive Office  
transv disclerk  
R#200500126418  
CK \$299.50  
TL \$299.50  
1058-V-054497

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 COUNTY OF SANTA CLARA

13 JUNIPER NETWORKS, INC.,  
14 Plaintiff,  
15 v.  
16 DOES 1-10, inclusive,  
17 Defendants.

CASE NO. 1058-V-054497  
COMPLAINT FOR LIBEL

18 Plaintiff Juniper Networks, Inc. ("Juniper" or "Plaintiff") hereby alleges as follows:

19 **PARTIES**

20 1. Juniper is a Delaware corporation headquartered at 1194 North Mathilda Avenue,  
21 Sunnyvale, California. Plaintiff produces and sells computer networking and security products,  
22 including routers.

23 2. Plaintiff alleges, on information and belief, that Doe 1 is using the alias  
24 "infranet\_rulz" to post libelous statements regarding Plaintiff. Plaintiff is not certain of the true  
25 name of Doe 1 at this time, and therefore Plaintiff sues this Defendant by a fictitious name.  
26 Plaintiff will amend this Complaint to allege the true name of Doe 1 when it is confirmed.

27 3. Plaintiff alleges, on information and belief, that Doe 2 is using the alias  
28 "exJuniper981" to post libelous statements regarding Plaintiff. Plaintiff is not certain of the true  
name of Doe 2 at this time, and therefore Plaintiff sues this Defendant by a fictitious name.  
Plaintiff will amend this Complaint to allege the true name of Doe 2 when it is confirmed.



1 4) VP of engineering 5) VP of HR and more.”

2 10. On April 21, 2005, Doe 1 posted another electronic message on the Light Reading  
3 Message Board regarding the article entitled, “Juniper Smiles Through Q1,” with the subject  
4 “coverup of scam.” The message stated that “top management” at Juniper bribes attorneys, and  
5 that “the man at the top should join his buddy Bernie [Ebers] ....”

6 11. On July 22, 2005, Doe 1 posted a message on the Light Reading Message Board  
7 regarding the article entitled, “Juniper Meets, But Shares Slump.” The subject of the message  
8 was “This is a very unethical company.” The message stated that Juniper “is a very unethical  
9 company ... [s]tarting from the man at the helm and the CFO.”

10 12. The July 22, 2005 message posted by Doe 1 also stated that “[t]heir lawfirm from  
11 Palo Alto and their security use spyware on employees’ and ex-employees’ home computers to  
12 log the activity.”

13 13. On July 22, 2005, Doe 2 posted a message on the Light Reading Message Board  
14 regarding the article entitled, “Juniper Meets, But Shares Slump,” the subject of which is, “This  
15 is a very unethical company,” in which he stated that “[i]f they cannot fight something legally,  
16 [they] resort to attorney bribing and intimidation to coverup things.”

17 14. The July 22, 2005 message posted by Doe 2 also stated that Juniper’s Chief  
18 Technology Officer sent “two turban wearing Indians to follow and intimidate some one from  
19 filing a lawsuit.”

20 15. On September 2, 2005, Doe 2 posted a message on the Light Reading Message  
21 Board regarding the article entitled, “Kittu Keeps the Kitty,” which is a reference to a departing  
22 Juniper executive, the subject of which is, “lawsuit and attorney payoffs,” which stated that “a  
23 sunnyvale router company” and their “palo alto lawfirm have put the plaintiff on surveillance,  
24 put spyware on the home computer, tapped the phones and sent PIs to follow and intimidate  
25 him.”

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1 **First Cause of Action (Against All Defendants)**

2 (Libel)

3 16. Plaintiff incorporates by this reference as though fully set forth herein all the  
4 allegations contained in Paragraphs 1 through 15, inclusive, of this Complaint.

5 17. By engaging in the conduct described in Paragraphs 8 through 15 of the  
6 Complaint, Defendants published false statements in writing regarding Plaintiff that tend directly  
7 to injure Plaintiff in its office, profession, trade, and business by imputing to Plaintiff general  
8 disqualification in those respects which its office, profession, trade, and business peculiarly  
9 require.

10 18. Defendants' false statements regarding Plaintiffs also tend directly to injure  
11 Plaintiff in its office, profession, trade, and business because these statements could lead to a  
12 material decline in Plaintiff's profits and could cause permanent harm to Plaintiff's good  
13 reputation.

14 19. Defendants' false statements regarding Plaintiff also have exposed Plaintiff to  
15 hatred, contempt, ridicule, or obloquy and further have a tendency to injure Plaintiff's reputation  
16 and business.

17 20. Defendants' false statements will, by natural consequences, cause Plaintiff actual  
18 damages.

19 21. Defendants' statements described in Paragraphs 8 through 15 of the Complaint  
20 were not subject to any applicable privilege.

21 22. On information and belief, Plaintiff alleges that at the time that they published  
22 these statements, Defendants knew that they were false and that they would defame Plaintiff, or  
23 in the alternative, made them with reckless disregard of their truth or falsity.

24 **Prayer For Relief**

25 WHEREFORE, Plaintiff requests entry of judgment in its favor against Defendants as  
26 follows:

27 1. Granting preliminary and permanent injunctive relief against Defendants and their  
28 officers, agents, servants, employees and affiliates, and those persons in active concert or

1 participation with them, enjoining them from publishing defamatory statements regarding  
2 Plaintiff;

3 2. For compensatory damages as a result of Defendants' conduct;

4 3. For Plaintiff's costs and expenses associated with this action, including  
5 reasonable attorneys' fees;

6 4. For punitive and exemplary damages; and

7 5. For such other relief as this Court may deem just and proper.  
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9 Dated: December 14, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

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By: Marina C. Tsatalis  
Marina C. Tsatalis

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Attorneys for Plaintiff Juniper Networks, Inc.

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