

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

LEONARD COLDWELL,)	
)	
Plaintiff,)	Case No. 2014-L-001337
)	
v.)	
)	Judge Lynn M. Egan
OMRI SHABAT, JASON MICHAEL JONES)	
)	
Defendants.)	

MOTION TO DISMISS PLAINTIFF’S COMPLAINT AT LAW

NOW COMES defendant JASON MICHAEL JONES (“Jones”), *pro se*, and moves pursuant to 735 ILCS 5/2-619.1 that Plaintiff’s Complaint be dismissed in its entirety and with prejudice. In support of his motion, Jones generally states as follows:

Grounds for Dismissal Pursuant to Section 2-615

1. The Court should dismiss the Plaintiff’s Complaint because it is neither legally, nor factually, sufficient to state a claim for which relief may be granted. Illinois is a fact-pleading jurisdiction where conclusory statements, unsupported by specifically plead facts, are not to be regarded when determining whether a plaintiff has stated a cause of action for which relief may be granted. *Napleton v. Village of Hinsdale*, 229 Ill.2d 296, 305 (2008).
2. Plaintiff has inaccurately conflated Jones with Israeli citizen Omri Shabat, but pleaded none of the necessarily specific facts required to substantiate that frivolous and unreasonable contention. By naming two separate parties as one defendant, Plaintiff has failed to meet even the most basic requirements of fact-pleading in Illinois.

3. Plaintiff has failed to allege any statements published by Jones, defamatory or otherwise, which could be proved to have caused harm to Plaintiff. Plaintiff's Complaint Exhibits A–D, which form the factual basis for all claims, are the work of Omri Shabat, and are clearly labeled as such.

4. Plaintiff humorously pleads his “public figure” status as part of his Complaint, but then fails to include any specific factual allegations showing that Jones acted with the then requisite level of actual malice.

Grounds for Dismissal Pursuant to Section 2-619

5. As an affirmative matter, Jones is not Omri Shabat (see attached Affidavit of Jason Michael Jones). Omri Shabat is the author of glancingweb.com, and is not a/k/a Jason Michael Jones (see attached Affidavit of Omri Shabat).

6. This Court lacks personal jurisdiction over Jones pursuant to 735 ILCS 5/2-209, the Illinois Constitution, and the U.S. Constitution.

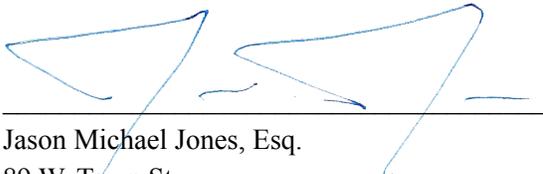
- a. Jones was formerly a resident of Illinois, but is currently domiciled in Ohio.
- b. Plaintiff has plead no factual basis for this Court to exercise general jurisdiction over Jones save a former address.
- c. Plaintiff has failed to plead any conduct by Jones which could serve as a basis for this Court to exert specific jurisdiction under Section 2-209 .
- d. Plaintiff's Complaint is so confused, and riddled with fundamental factual inaccuracies, as to make a serious analysis of jurisdiction impossible.

CONCLUSION

7. A plaintiff in Illinois may not rely on conclusions of law or fact which are unsupported by specific factual allegations. *Pooh-Bah Enterprises, Inc. v. County of Cook*, 232 Ill.2d 463, 473 (2009). Plaintiff Leonard Coldwell's complaint does not satisfy this standard, containing almost no well pleaded facts. For this and the foregoing reasons, Defendant Jones respectfully moves the Court to dismiss Plaintiff's complaint in its entirety and with prejudice.

8. Should the Court dismiss the complaint, Jones further moves, for reasons articulated in the accompanying Memorandum in Support of Defendant's Motion for Sanctions, that sanctions be issued against Plaintiff and his attorney under Illinois Supreme Court Rule 137, and that Jones be awarded the costs of this action.

Respectfully submitted,



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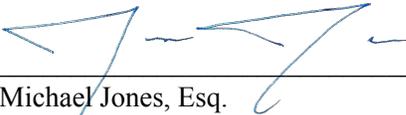
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**AFFIDAVIT OF JASON MICHAEL JONES IN SUPPORT OF DEFENDANT'S
MOTION TO DISMISS**

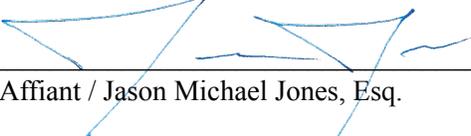
Defendant Jason Michael Jones on oath states:

1. I am a current resident of Franklin County, Ohio.
2. I am not Omri Shabat.
3. I have never held myself out to be Omri Shabat.
4. I am not the author of any of the articles that appear on glancingweb.com.



Jason Michael Jones, Esq.
89 W. Town St.
Columbus, OH 43215

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



Affiant / Jason Michael Jones, Esq.

Signed and certified this 20th day of March, 2014.

