

IN THE CIRCUIT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA

LIGONIER MINISTRIES, INC., a
foreign corporation, and
TIMOTHY DICK,

Plaintiffs,

CASE NO.:

06-CA-1669-16-K

vs.

FRANK VANCE,

Defendant.

FILED IN OFFICE
MAR YANNE HORST
CLERK
SEMINOLE COUNTY
06 AUG 25 AM 8:
SEMINOLE CO., FL

VERIFIED COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

COME NOW the Plaintiffs, LIGONIER MINISTRIES, INC., a foreign corporation, and TIMOTHY DICK, by and through their undersigned attorneys, and hereby file this Complaint for Damages and Injunctive Relief against Defendant FRANK VANCE ("VANCE") and state:

INTRODUCTION

1. This is an action for damages in excess of \$15,000.00, exclusive of costs, interest, and attorney's fees, and for temporary and permanent injunctive relief based on common law defamation that Defendant has and continues to engage in that has and continues to cause grave and irreparable injury to Plaintiffs.

PARTIES, JURISDICTION, AND VENUE

2. Plaintiff, LIGONIER MINISTRIES, INC. ("LIGONIER"), is a Pennsylvania not for profit corporation authorized to operate in the State of Florida with its principal place of business, at all times material hereto, located at 400 Technology Park, Suite

150, Lake Mary, Florida. LIGONIER is and has been in the business of providing Christian laypeople substantive educational materials and programs on theology, history, Bible study, apologetics, and Christian ethics for approximately thirty-five (35) years. Dr. R.C. Sproul is the founder and Chairman of the Board of LIGONIER and has authored more than sixty (60) books and countless magazine articles for evangelical publications as well as being editor of the *Reformation Study Bible*.

3. Plaintiff, TIMOTHY DICK is a resident of the State of Florida and is the President and Chief Executive Officer of LIGONIER.

4. Defendant, FRANK VANCE ("VANCE"), has, at all times material hereto, operated, and published statements on an Internet blog that he calls *Contending For The Truth*. The blog at issue is hosted by an entity known as Pyra.com, Ltd. (a subsidiary of Google, Inc.) and is located at <http://vancetribe.blogspot.com>. The statements posted on the blog are broadcast over the Internet on a worldwide basis, including in Seminole County, Florida. Upon information and belief, VANCE resides in the United States.

5. This Court has personal jurisdiction over VANCE pursuant to § 48.193(1)(b), Florida Statutes, in that the VANCE has committed tortious acts directed at and into the State of Florida through electronic communications upon which the causes of action plead herein are based.

6. Venue of this action is proper in this Court in that the defamatory statements at issue were published via the Internet in Seminole County, Florida and intended by the Defendant author to reach Seminole County, Florida which lies within the Eighteenth Judicial District of the State of Florida.

FACTUAL BACKGROUND

7. In or about March, 2006, VANCE created an Internet blog that he calls *Contending For The Truth*. This blog is a vehicle whereby VANCE and other individuals can post or publish statements that are broadcast worldwide over the Internet via <http://vancetribe.blogspot.com>.

8. VANCE has published several false statements about Plaintiffs on his blog including, but not limited to:

- a. VANCE's August 21, 2006 statement that "...in light of Tim's own reputation for having a pathetic work ethic. In fact in general Tim is known as not just an unethical man but a "shark."
- b. VANCE's August 21, 2006 statement that "What's even more shameful is to see men handpicked for key ministry leadership positions who have no other qualifications but that they're a member of the family. Tim Dick comes to mind."
- c. VANCE's August 21, 2006 statement that "I have every intention of continuing to apply pressure, especially to Tim Dick. Ligonier would be far better without him. The ideal situation would be for Tim Dick to resign, but that's extremely unlikely to happen, just as unlikely as it would be for the Sprouls to fire him. That's not to say that there aren't things I can do to bring some correction to Tim's duplicitous ways. As long as there are things I can do still do, I will do them. For example something that Tim Dick perpetrated a couple years ago was just brought to my attention (keep those emails coming folks). This is VERY significant news that only

confirms that Tim Dick has earned his reputation for being a 'shark.' This past Friday Tim and I dialogued via email about it. I told Tim about what I know about how he defrauded a minister. This incident is extraordinarily troubling and if publicly exposed would be devastating not just to Tim Dick personally, but to the entire Ligonier organization. I don't want to see Ligonier harmed. Just the opposite. But I can't in good conscience just stand by and not blow the whistle on a lying thieving con artist like Tim Dick."

- d. VANCE's August 14, 2006 statement that " I have been amazed by the family nincompoops that Dr. Sproul has entrusted his ministry to, such as Ligonier Ministries President Tim Dick";
- e. VANCE's August 14, 2006 statement that "But, Tim Dick is hardly the only evidence of nepotistic buffoonery at Ligonier Ministries"
- f. VANCE's August 14, 2006 statement that "Incompetent and unqualified family members are to be found running around (or sleeping on the desk) everywhere in Ligonier, often in key positions, with little or no understanding or appreciation for the Reformed theology championed by Dr. Sproul.
- g. VANCE's August 3, 2006 statement that "Such juvenile behavior is wholly unbecoming of a President of a respected multimillion dollar parachurch ministry. Doesn't an important guy like Tim Dick who's pulling down a fat six-figure salary and living in a Ligonier "mansion" (paid for courtesy of Ligonier Ministries donors) have better things to be doing..."

- h. VANCE's August 3, 2006 statement that "...Ligonier can't survive...if it's left in the hands of a man of such poor character as Tim Dick."
- i. VANCE's July 18, 2006 statement that "The stories I've heard about Tim Dick's lying and cheating and stealing just boggle the mind."
- j. VANCE's July 18, 2006 statement that "From everything I've heard, Tim Dick is a very corrupt man. Some have told me that based on his behavior they don't think there's any way he could be a converted Christian. To have such a man heading up an honorable Christian ministry is an embarrassment to the church of Jesus Christ."
- k. VANCE's June 27, 2006 statement that "It probably comes as no surprise to anyone that a man with Tim Dick's obnoxious personality would make so many enemies."
- l. VANCE's June 27, 2006 statement that "It would be one thing if Tim Dick were qualified for the position...it's self-evident that the man is as unfit to head Ligonier Ministries as is RC Sproul Jr to be a pastor."
- m. VANCE's May 24, 2006 statement that "Tim Dick's nickname (and I'm not making this up) is 'Dickhead.' Hmm, I wonder why they call him that?"

9. The foregoing statements were made by VANCE about LIGONIER and TIMOTHY DICK, both individually and in his capacity as an officer of LIGONIER and impute to Plaintiffs conditions, actions, and characteristics that are incompatible with the proper exercise of their trade and profession.

10. Plaintiffs have suffered and continue to suffer grave and irreparable injury as a result of the false statements that VANCE has published and has threatened to

continue to publish

11. All conditions precedent to this action have been fulfilled or waived.

12. Plaintiffs have retained the undersigned attorneys and have agreed to pay them a reasonable fee for their services.

COUNT ONE-DEFAMATION

13. Plaintiffs adopt and re-allege paragraphs 12 above, as though fully set forth herein.

14. This is an action for common law defamation *per se* against VANCE.

15. At all times material hereto, VANCE operated and published defamatory and threatening statements on an Internet blog he calls *Contending For The Truth*. The blog at issue is hosted by an entity known as Pyra.com, Ltd. (a subsidiary of Google, Inc.) and is located at <http://vancetribe.blogspot.com>.

16. As set forth in paragraph 8 above, since March, 2006 VANCE has published many false and disparaging statements about Plaintiffs.

17. VANCE published and/or caused the publication of the aforementioned false and disparaging statements in an unprivileged context and in an effort to injure the Plaintiffs in their occupation, business, and employment and to expose them to distrust, hatred, contempt and ridicule and to cause them to be avoided.

18. As a direct and proximate result of the tortious conduct of VANCE, Plaintiffs have been severely, pervasively, and permanently harmed and they have suffered mental anguish, emotional injuries, humiliation, and loss of dignity. Moreover, Plaintiffs will continue to suffer irreparable injury if VANCE is allowed to continue to publish false and disparaging statements concerning them

WHEREFORE Plaintiffs, LIGONIER MINISTRIES, INC. and TIMOTHY DICK, respectfully demand a judgment against Defendant, VANCE, that awards them compensation for the injuries to their reputation and for the harm to their personal and professional reputation and the mental anguish, emotional injuries, humiliation, and loss of dignity they have suffered, punitive damages (upon compliance with § 768.73, Florida Statutes) to punish the Defendant and to deter others from engaging in similar misconduct, and costs of this action and that provides such other and further relief as the Court deems just and proper.

COUNT TWO-INJUNCTIVE RELIEF

19. Plaintiffs adopt and re-allege paragraphs 18 above, as though fully set forth herein.

20. This is an action for temporary and permanent injunctive relief brought in accordance with Rule 1.610, Fla.R.Civ.P.

21. VANCE has made a series of blatantly false and disparaging statements about Plaintiffs that have been published in Florida and internationally via the Internet. Moreover, VANCE has threatened the publication of additional blatantly false and disparaging statements in the very near future as set forth in paragraph 8c. above.

22. As further evidence of the imminent nature of VANCE's continuing defamation, he made the following statement in connection with that which he threatened in paragraph 8c. above:

I gave Tim ten days to resolve things and that was on 8-18. That gives him until this Monday. Tim's not the kind of guy to do the right thing. He's only about saving his own neck, and I'm convinced that he's too stupid to even recognize that it's his neck that's on the line over this. So regardless of the consequences to Ligonier (which will be devastating) I don't see that I have any other choice but to go public. Tim, it's all on you now buddy. The

ball is in your court. Don't send me any more emails like the one you did yesterday trying to toss the ball back into my court. Being that you're a con artist I don't trust you any further than I can throw your fat butt. Attempting to toss the ball back into my court isn't going to work. Monday is the deadline Tim, and I don't particularly care about your "time constraints." Your "full schedule this week" isn't my problem. You'll have to do a lot better than that. Don't try and stall me again or I'm likely to just go ahead and release the story sooner. The only kind of email I want to get from you Tim is "Okay, you win. You're right. What I did was wrong. I'm working on it and it'll all be resolved by _____."

23. The harm being perpetrated on Plaintiffs by VANCE's defamatory conduct as alleged herein is irreparable and continuing.

24. Plaintiffs have no adequate remedy at law in that the continuing threat of injury occasioned by the threatened defamatory conduct cannot be redressed by an award of monetary damages.

25. There exists a substantial likelihood that Plaintiffs will prevail on their defamation claim against VANCE.

26. The threatened injury to Plaintiffs outweighs any injury to VANCE that may result from the entry of an injunction.

27. A temporary and permanent injunction against VANCE prohibiting the publication of false statements about Plaintiffs will not disserve the public interest.

WHEREFORE Plaintiffs, LIGONIER MINISTRIES, INC. and TIMOTHY DICK, respectfully request that the Court enter its Order that temporarily and permanently enjoins Defendant VANCE from publishing any false statements about them in written, verbal, or electronic form, that awards them the costs of this action, and that provides such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiffs hereby demand a trial by jury of all issues so triable.

VERIFICATION

I HEREBY VERIFY under penalties of perjury that the factual information contained in the foregoing Verified Complaint for Damages and Injunctive Relief is true and correct.


TIMOTHY DICK, individually, and as
President of LIGONIER MINISTRIES,
INC.

DATED this 24th day of August, 2006.

Respectfully Submitted,

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