IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT LAKE COUNTY, ILLINOIS

CHRISTOPHER DITTON,)	
Plaintiff,)	
V.) No.	21L 00000199
TERRY WILKE, JOSHUA COHEN, YESENIA JAYCEE OCHOA, JATYON)))	
COLLIER, ROBERT MYERS, and ANANIA RODRIGUEZ a/k/a ANANIA TORRES)	
Defendants.)	

VERIFIED COMPLAINT AT LAW

Plaintiff, Christopher Ditton, by his attorney, Jacob Meister, for his Verified Complaint against Defendants, Terry Wilke, Joshua Cohen, Jaycee Ochoa, Jatyon Collier, Robert Myers and Anania Rodriguez a/k/a Anania Torres, states as follows:

THE PARTIES

- 1. The Plaintiff, Christopher Ditton ("Ditton" or "Plaintiff"), is an individual residing in Lake County, Illinois.
- 2. The Defendants Terry Wilke ("Wilke"), Joshua Cohen ("Cohen"), Jaycee Ochoa ("Ochoa"), Jatyon Collier ("Collier"), Robert Myers ("Meyers") and Anania Rodriguez a/k/a Anania Torres ("Rodriguez") (collectively "Defendants"), are individuals residing in Lake County, Illinois.

PURSUANT TO LCR - 2-2.14 THIS CASE IS HEREBY SET FOR AN INITIAL CASE MANAGEMENT CONFERENCE IN COURTROOM _____ON _____ON _____A.M./P.M. FAILURE TO APPEAR MAY RESULT IN THE CASE BEING DISMISSED OR AN ORDER OF DEFAULT BEING ENTERED.

JURISDICTION AND VENUE

- 3. This Court has jurisdiction over this cause of action pursuant to 735 ILCS 5/2-209 because Plaintiff has submitted himself to the jurisdiction of this Court and Defendants are residents of Lake County, Illinois.
- 4. Venue is appropriate under 735 ILCS 5/2-101 because the defamatory statement was published in Lake County, Illinois.

COUNT I - DEFAMATION

- 5. Plaintiff is a licensed attorney and the duly elected Assessor of Avon Township in Lake County.
- 6. Wilke is a Member of the Lake County Board for the 16th District and the Supervisor of Avon Township.
- 7. The Plaintiff is running for reelection as the Assessor of Avon Township and the Defendants are running for various offices, on an opposing slate known as Avon Community Engaged ("ACE"), in Avon Township in the consolidated election to be held on April 6, 2021. Copies of the Home Page and "Who We Are" Page for the ACE slate obtained from https://aceunity.org/ is attached and incorporated as **Exhibits A-1 and A-2**, respectively.
- 8. On or about February 3, 2021, Defendant, Terry Wilke, created the website Avontownship.com on behalf of Ace to disseminate false information about the candidates currently in office in Avon Township and running against the Defendants. See, Registration

information for <u>avontownship.com</u> showing Wilke as the domain Registrant, Technical, Administrative and Billing contact on behalf of ACE is attached hereto and incorporated herein as **Exhibit B**.

- 9. The Defendant, Terry Wilke, created a list of false and defamatory statements for three candidates, Michele Bauman, Chris Ditton and Jeanne Kirby, shortly after creating the website <u>Avontownship.com</u>. Copies of the defamatory statements published on the <u>avontownship.com</u> website are attached hereto and incorporated herein as **Exhibit C**.
- 10. On or about March 3, 2021, Defendant, Terry Wilke, caused to be published on Avontownship.com, a statement that Plaintiff is part of a group of elected officials that has engaged in "payroll fraud" and specifically stating as an assertion of fact that Chris Ditton: "Hired his niece and then promoted her to full time, so she could receive free health care and a pension at the cost of the taxpayers."
 - 11. The posting contains false and defamatory statements about the Plaintiff.
- 12. The Plaintiff does not now nor has he ever had a niece employed or working in the Assessor's Office of Avon Township.
- 13. The Plaintiff has never hired a family member for a position with the Avon Township Assessor's Office.
- 14. There are no public records which would support the statement published and disseminated by the Defendant, Terry Wilke.
 - 15. The statement published by the Defendant, Terry Wilke, is false.

- 16. The statement published and disseminated by the Defendant. Terry Wilke is of and concerning the Plaintiff in his profession and occupation.
- 17. The statement published by the Defendant, Terry Wilke, was published and disseminated without a recognized privilege.
- 18. The statement published by Defendant, Terry Wilke, was published and disseminated with knowledge that the statement was false.
- 19. The statement published by Defendant, Terry Wilke, was published and disseminated with reckless disregard for the truth and with a design and intent to cause injury to Plaintiff in his profession and occupation.
- 20. The statement published by Defendant, Terry Wilke, was published and disseminated with common law malice, or ill will towards the Plaintiff, based on the fact that the Plaintiff was part of a slate running against Defendant, Terry Wilke and his handpicked candidates.
- 21. The statement made by the Defendant, Terry Wilke, constitutes defamation per se because it imputes unethical and unlawful conduct by Plaintiff in the conduct of his business, trade or profession.
- 22. The statement published and disseminated by the Defendant, Terry Wilke, are damaging to Plaintiff in that the statement falsely imputes that Plaintiff lacks integrity and has engaged in ethical misconduct in performing the duties of employment, trade and profession.
- 23. The statement published and disseminated by the Defendant, Terry Wilke, are damaging to Plaintiff in that the statement prejudices the Plaintiff in his profession.

24. The Defendant, Terry Wilke's, sole purpose is to harm the Plaintiff's reputation as the Avon Township Assessor, so that his handpicked candidate might be elected to the office of Avon Township Assessor and Defendant, Terry Wilke, has no shame to the falsehoods he will publish, regardless of the harm the falsehoods create.

WHEREFORE, Plaintiff, prays that judgment be entered against Defendant, Terry Wilke, for actual and punitive damages sufficient to compensate for the damage caused by Defendant, Terry Wilke's publication of false statements, and to deter Defendant, Terry Wilke, and others from similar behavior in the future, plus court costs and any other such further relief as this Honorable Court deems just and appropriate.

COUNT II - FALSE LIGHT

- 1-24. The Plaintiff restates and realleges paragraphs 1 through 24 of COUNT I as and for paragraphs 1 through 24 of this Count II as though fully restated and realleged herein.
- 25. The false statement about Plaintiff by Defendant, Terry Wilke, places Plaintiff in a false light before the public, as a public official engaged in nepotism.

WHEREFORE, Plaintiff, prays that judgment be entered against Defendant, Terry Wilke, for actual and punitive damages sufficient to compensate for the damage caused by Defendant, Terry Wilke's publication of false statement, and to deter Defendant, Terry Wilke, and others from similar behavior in the future, plus court costs and any other such further relief as this Honorable Court deems just and appropriate.

COUNT III – CIVIL CONSPIRACY

- 1-24. The Plaintiff restates and realleges paragraphs 1 through 24 of COUNT I as and for paragraphs 1 through 24 of this Count III as though fully restated and realleged herein.
- 25. The Defendants, Terry Wilke, Joshua Cohen, Jaycee Ochoa, Jatyon Collier, Robert Myers and Anania Rodriguez, are running for office in Avon Township under the banner of Avon Community Engaged ("ACE"), a political party.
- 26. The Defendants, acting through ACE have created a website with the address: https://aceunity.org/ to further their shared goal of winning election. Copies of the Home Page and "Who We Are" Page downloaded from https://aceunity.org/ on March 6, 2021 are attached and incorporated as Exhibits A-1 and A-2, respectively.
- 27. The website, <u>accunity.org</u>, on the first or main page, contains a link labeled, "What's wrong with Avon Township."
- 28. The link, "What's wrong with Avon Township," takes the viewer to the website, Avontownship.com, (a website registered by Wilke on behalf of ACE) which contains the false and defamatory statement concerning the Plaintiff. See, Registration information for avontownship.com showing Wilke as the domain Registrant, Technical, Administrative and Billing contact on behalf of ACE is attached hereto and incorporated herein as **Exhibit B**.
- 29. The Defendants are running together as a group under the ACE banner and have coordinated their actions to create the <u>accunity.org</u> website and, on information and belief, have agreed to the design and layout of the website.

- 30. The Defendants, acting through Wilke have also registered the domain Avontownship.com.
- 31. The Defendants have agreed to provide a link on the <u>accunity.org</u> website to the <u>Avontownship.com</u> website, in furtherance of their shared goal to defame Plaintiff and other candidates, in order to deceive the voters into voting for Avon Community Engaged.
- 32. The Defendants have participated in an unlawful act, namely the defamation and false light disparagement of the Plaintiff.
- 33. The Defendant, Terry Wilke, placed the defamatory statement on the website Avontownship.com that he established on behalf of ACE, in furtherance of the common scheme to defame the Plaintiff.
- 34. The Plaintiff has been harmed by the defamatory statements, as the statements contained on the <u>Avontownship.com</u> website are defamatory *per se* and have caused injury to Plaintiff in his occupation, trade and profession.

WHEREFORE, Plaintiff, Robert Christopher Ditton prays that judgment be entered in his favor and against the Defendants, TERRY WILKE, JOSHUA COHEN, JAYCEE OCHOA, JATYON COLLIER, ROBERT MYERS AND ANANIA RODRIGUEZ, jointly and severally for actual and punitive damages sufficient to compensate him for the damage caused by Defendants' conspiracy to publish a false statement, and to deter Defendants, and others from similar behavior in the future, plus court costs and such further relief as this Honorable Court deems just and appropriate.

Dated: March 7, 2021

Respectfully submitted,

CHRISTOPHER DITTON

By: _/s/ Jacob J Meister
One of his attorneys

Jacob J. Meister
Jacob Meister & Associates
2129 N. Western Avenue
Chicago, IL 60647
773-278-6555
Jacob@MeisterLaw.com
ARDC: 6205106

VERIFICATION

Under penalties as provided by law pursuant to 735 ILCS 5/1-109 of the Illinois Code of Civil Procedure, undersigned certifies that the statements set forth herein 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.

Christopher Ditton





Avon Community Engaged (ACE)

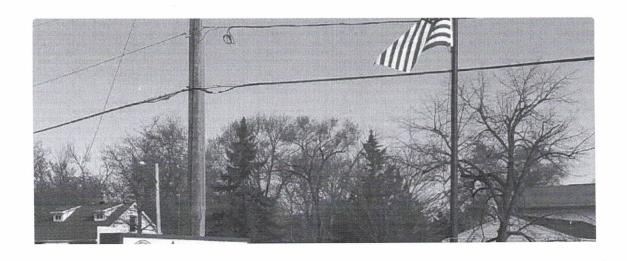
Avon Community Engaged (ACE) is a group of people coming together to improve and advance Avon Township.

Both to make our villages and neighborhoods a better and more progressive place to live, as well as to finally put an end to all the corruption at Avon Township.

We all deserve better.

Stay home, stay healthy.

Visit <u>LakeVoterPower.info</u> (https://www.lakecountyil.gov/351/Voter-Powerfor-Registered-Voters) to Vote-by-Mail





- Our Community Development Program acquirers and rebuilds dilapidated or abandoned homes. This increases local property values and lowers property taxes.
- A clean energy Township, with electric cars and solar panels reduces the tax burden and lowers our carbon footprint.
- Working with PACE to improve public transit throughout Avon Township with better routing and more bus shelters.
- A Unified Waste Hauler agreement keeps multiple trucks off our Township streets, lowering repair costs and delivering improved service at a lower price.
- A dramatically improved Food Pantry that now serves over 17,000 people per year.
- Working with the Morton Arboretum and the Chicago Tree Initiative to plant oak trees that are in serious decline in Avon.
- A sustainable Emergency Management Program for things like extended power outages, tornados, high wind damages and floods. Allowing for a coordinated emergency response across all first responders.

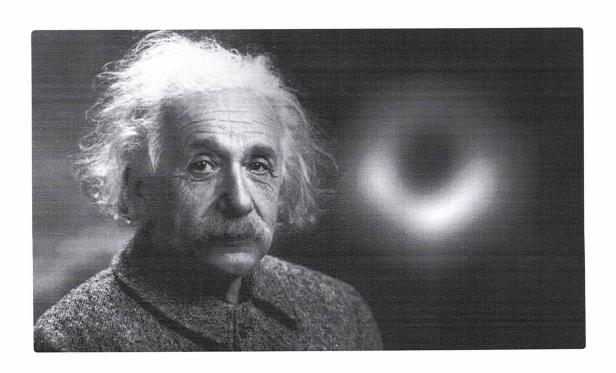
Real people, committed to real change

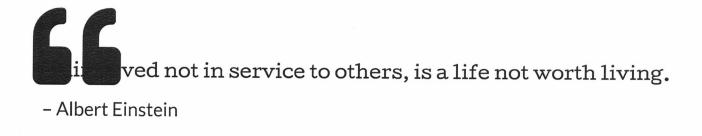


From Left to right:

Jatyon Collier, Trustee / Joshua Cohen, Assessor / Terry Wilke, Supervisor / Robert

Meyers, Trustee / Yessenia Jaycee Ochoa, Clerk / Anania Torres, trustee



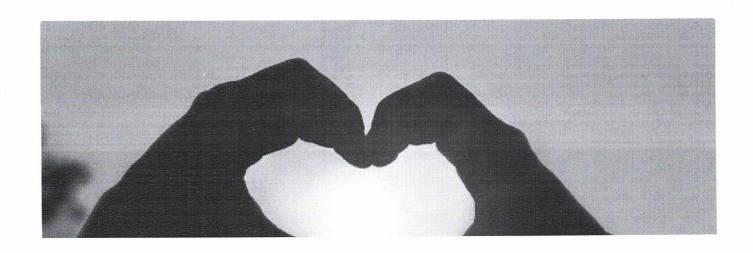


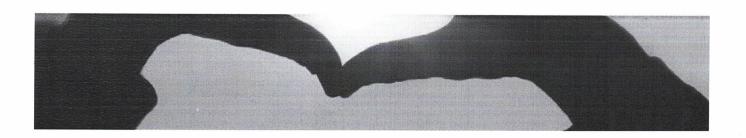
Join Our Campaign (/blog)

Name	
Email	
Phone Number	
Value	

□ Volunteer □ Yard Sign

SEND





Avon Community Engaged (ACE) (https://aceunity.org/hello-world/)

Welcome to Avon Unity this is where you'll find all the latest goings on with Avon Community Engaged and at Avon Township. Helping our constituents

READ MORE » (HTTPS://ACEUNITY.ORG/HELLO-WORLD/)

June 2, 2020

Wondering what's wrong with Avon Township???

Click here (http://avontownship.com/)



(Hotps://aceunity.org/)

Who We Are

Blog





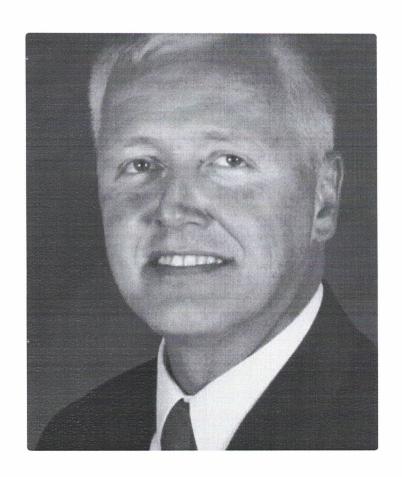
Who We Are

"Never doubt that a small group of thoughtful, concerned citizens can change the world. Indeed it is the only thing that ever has."

-Margret Mead

Supervisor, Terry Wilke

Terry has lived in Avon Township since 1979. He is currently a County Board Member, Forest Preserve commissioner, Supervisor for Avon Township and president of Avon Cares charity. Terry earned his bachelors in business economics with a minor in history and is nearing completion of a Phd in economics. Terry served in the Army and is a 30+ year veteran of the IBEW. He is a local small business owner since 2001 and occasionally teaches at the College of Lake County.



CLICK HERE

Assessor, Joshua Cohen

Joshua Cohen resides in Round Lake Park with his fiancé, their two dogs and a bearded dragon lizard. He has been a resident of Avon since 2017 when he bought his first home. Josh currently works as a deputy assessor for Vernon Township. He has worked at the assessor's office for nearly 5 years.

While working for Vernon Township, Josh obtained his CIAO certificate in hopes of one day running for assessor for Avon Township. He understands the complexities of property values and would love to share his knowledge.

He would especially like to make it easier for the senior residents to obtain assistance with any property inquiries they may have. He sees the value of this community and looks forward to helping build upon it.



CLICK HERE

Clerk, Jaycee Ochoa

Jaycee Ochoa is a licensed realtor in the state of Illinois. She is also a small

business owner of a Marketing Agency, and prior to this, Jaycee worked as a licensed Insurance Producer, and also managed an Attorney's office. She understands the housing market and all its intricacies and is committed to contributing her time to the Avon community to help its residents' needs to the best of her ability. Jaycee continues to further her studies at the College of Lake County in the Marketing field.

Jaycee resides in Round Lake Beach and moved there in 1989, where she attended Round Lake Area Schools. She has made the Avon Township community her home with her husband and four children and understands what "it takes a village to raise a child" means. It really does take the contributions and efforts of all our community members to do the best we can for all our children.

Jaycee continues to spend her time volunteering in the community and actively supports Catholic Charities, Avon Cares Food Pantry, Gift of Hope, St Joseph Church Women's Ministry Board and is current Board Member for Lake County National Association of Hispanic Real Estate Professionals. Jaycee has devoted herself to helping our seniors by creating a Christmas gift program and distributing food boxes to them to help keep them safe and nourished as we weather this Covid-19 Pandemic. She is a previous Precinct Committeeperson for Avon Township Precinct 28 and is a founder of the Round Lake Area Hispanic Parade & Festival since 2011 and is very active in our Hispanic community

As the next Avon Township Clerk, Jaycee will integrate her professional experience and personal values through civic engagement in service to our diverse community. She is committed to providing authentic leadership and impactful modernization into the Clerk's Office, while supporting collaborative and transformative change for Avon Township.



CLICK HERE

Trustee, Jatyon Collier

Jatyon A wife and Mother of 5 moved to Round Lake Beach in 2016. Jatyon has over 20 years of Dedicated service in the Banking Industry as a Operation and Support Lead. Jatyon received countless awards for her exceptional performance and Integral behavior. Jatyon is the founder and owner of a small business.

Trustee, Robert Myers

Robert, a life long resident of Lake County, began his career as a furniture finisher, working his way toward a degree in computer science, while starting a family and settling in Grayslake. Over the past three decades he's gained practical experience, first, as a programmer at Sears, then as a technical research analyst with McDermott, Will, & Emery, eventually ending with Abbott Laboratories as a market research analyst. Moreover, his experience in the area of retail operations, legal research, market research, healthcare economics, and project management make for a foundation to propose and assist with a wide range of services delivered to the people of Avon Township.

As is true with all of us, Robert doesn't live by work alone and enjoys playing in a number of bands, restoring furniture, and reading about current events, and American and world history. As the father of two sons and a daughter that grew up in the area, he's sees the need to maintain the integrity of our community and serve the ever changing needs as well, bringing to our community honesty, business smarts, and the tried and true skills that benefited his family, for all the families of our community.

CLICK HERE

Trustee, Anania Rodriguez

I am happily married with two sons and our puppy Snoopy. I lived in Round Lake for many years.

I previously worked for Riddle Sports doing Jersey alterations for Chicago Bears, Lucy's Home Care Express Inc (reptile), Handy Care Center. I'm currently employed at Willam Frick & Company.

In my spare time I like to volunteer at a nursing home. Elderly are such wonderful people, full of knowledge and experience. I like to help my community at the food pantries in this harsh time for all of us.



CLICK HERE



Home

(https://aceunity.org/whowho we Are we-are/)

Blog

© 2021 Avon Community Engagement (ACE)

EXHIBIT B

Shopper ID:

347926543

Domain Name:

AVONTOWNSHIP.COM

Registrar:

GoDaddy.com, LLC

Status:

Active

Name Servers:

Auto Renew:

Renew Period.

0

Registrant Contact

Name:

Terry Wilke

Company:

ACE

Email:

tfw1932/agmail.com

Address 1:

76 W Lindsay Dr

Address 2:

Round Lake Beach City:

State/Province: Illinois

Postal Code:

60073 United States

Country: Phone:

+1.8479129278

Fax:

Modify Time: 2/3/2021 10:20:33 AM

Administrative Contact

Name:

Terry Wilke

Соптрану:

ACE

Email:

tfw1932@gmail.com

Address 1:

76 W Lindsay Dr

Address 2:

Round Lake Beach

State/Province: Illinois Postal Code: 60073

Country: Phone:

United States +1.8479129278

Fax:

Modify Time: 2/3/2021 10:20:33 AM

Technical Contact

Name:

Terry Wilke

Company:

ACE

Email:

tfw1932@gmail.com 76 W Lindsay Dr Address 1:

City:

Address 2:

Round Lake Beach

State/Province: Illinois Postal Code:

60073

Country:

United States

Phone:

+1.8479129278

Fax:

Modify Time: 2/3/2021 10:20:33 AM

Billing Contact

Name: Terry Wilke

Company:

ACE

Email:

tfw1932@gmail.com

Address I:

76 W Lindsay Dr

Address 2:

Round Lake Beach

State/Province: Illinois

Postal Code:

60073

Country:

United States +1.8479129278

Phone: Fax:

Modify Time: 2/3/2021 10:20:33 AM

EXHIBIT C

AVON TOWNSHIP

Here you'll find the truth about what's been going on at Avon

Confused about what's going on at Avon Township?

These three individuals are running for office again, after wasting taxpayer dollars, committing felony records destruction, and using payroll fraud to support cronies. They work with alt-right groups like the "Watchdogs" and people like Dick Barr and Doug Kearney.

Click <u>here < https://edgarcountywatchdog.com/></u> for more information on the alt-right "Watchdogs" group.

Click https://www.sj-r.com/news/20181121/new-media-sites-arise-in-illinois-but-so-do-questions to find out even more about other groups just like the Watchdogs and how they pretend to be journalists.

Michelle Bauman, Trustee

Used over \$40,000 worth of taxpayer dollars on legal expenses for a political agenda without legal authority.

Lied to the public about reneging on agreements about repair of an abandoned house and purchase of vehicles for the Township.

Sabotaged a handicapped bus shelter that PACE and the Township were planning for years.

Repeatedly violated the Prompt Payment Act, refusing to pay contractors who preformed work for the township.

Forced the Township Charity to carry costs for the Township.

Wasted tens of thousands of taxpayer dollars on conspiracy theories and investigations with the State's Attorney, all of which turned out to be false.

Spent \$26,000 in taxpayer dollars in a failed attempt to kick her opponents off the ballot.

Chris Ditton, Assessor

Wasted over \$750,000 of taxpayer dollars on law suits over crony hiring.

Closed his office for 5 months over a dispute with the board, all the while paying himself full time wages.

Continues a payroll fraud scheme that favors political allies.

Raised his budget nearly 30% in two years while everyone else was struggling to pay their taxes.

Hired his niece and then promoted her to full time, so she could receive free health care and a pension at the cost of taxpayers.

Jeanne Kearby, Clerk

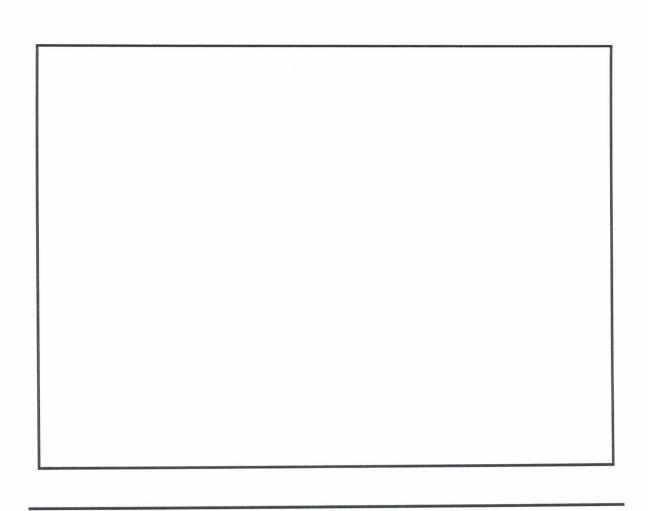
Falsified meeting minutes and then destroyed the recordings to cover her tracks. Recordings are classified as public records.

Guilty of Class 4 Felony destruction of public records for political purposes.

Attempted to abuse her authority as clerk to terminate public input at a townhall meeting in violation of the law

Expended public funds without legal authority.

Gave her position a 25% raise even though she has only been working a few hours a month for years.



AVON TOWNSHIP

Proudly powered by **WordPress < https://wordpress.org/>** .

IN THE CIRCUIT COURT OF THE NINETEENTH JUDIC LAKE COUNTY, ILLINOIS	IAL CIRCUIT
CHRISTOPHER DITTON	_)
)
	.) .)
	.)
Plaintiff(s))
VS.	21L 00000199
TERRY WILKE, JOSHUA COHEN,)
JAYCEE OCHOA, JATYON COLLIER,) Case No:
ROBERT MYERS, and ANANIA RODRIGUEZ alk/a ANANIA TORRES	
	.))
	<u>,</u>
	_)
Defendant(s))
SUMMON	S

To each defendant: Named above :T. WILKE, J. COHEN, J. OCHOA, J. COLLIER, R. MYERS, and A. RODRIGUEZ

You are summoned and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, in the office of the Clerk of this Court, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit https://efile.illinoiscourts.gov/service-providers.htm to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit http://www.illinoiscourts.gov/FAQ/gethelp.asp or talk with the Lake County Circuit Clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask the circuit clerk for more information or visit www.illinoislegalaid.org.

If you are unable to pay your court fees, you can apply for a fee waiver. for information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to www.illinoislegalaid.org. You can also ask the circuit clerk's office for a fee waiver application.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed.

NOTICE

171-138 Rev 09/20

This summons may not be served later than 30 days after its date.

Prepared by:

3/8/2021

SERVINETEENT !!	WITNESS
COURT COUNTY OF THE COUNTY OF	ERIN CARTWRIGHT WEINSTE Clerk of Court PM

Name: Jacob J. Meister	Pro Se 🗆
Address: 2129 N. Western Avenue	
City: Chicago State:	IL
Phone: 773-278-6555 Zip Code: 606	
ARDC #: 6205106	
Fax: 312-278-0857	
E-mail address: Jacob@MeisterLaw.com	
(If service by facsimile transmission will be accepted plaintiff's attorney's facsimile machine is additional accepted.)	
Date of Service, 20 (to be in person).	serted by officer on copy left with defendant or other

	(Service a	nd return		\$	
SHERIFF'S FEES	(Miles			\$	
	((Total			\$	
			Sheriff of		County
I certify that I se a)-(Individual defendants he officer or other perse ith whom he left the sur ddress) and the date an	s – personal): on making se nmons, and (ervice, shall (a) b) state the pla	ace where (whenever p	ossible in terms of an	e of the defendant exact street
b)-(Individual defendant By leaving a cop amily, of the age of 13 you erson making service, s vith whom he left the sur ddress) and the date an	by of the comears or upwachall (a) idention	rds, informing t fy as to sex, ra (b) state the pla	ice and approximate ag ace where (whenever p	ents of the summons. Je of the person, othe ossible in terms of an	(The officer or other rthan the defendant,
and also by sen repaid, addressed to ea Name of defendant	ding a copy on the copy of the	of the summon defendant at h	s and of the complaint is usual place of abode Mailing Address	n a sealed envelope v e, as follows:	with postage fully Date of mailing
	ts): py and a cop	y of the compla	aint with the registered	agent, officer or agen	t of each defendant
corporation, as follows: Defendant corpora Service	tion	Registere	ed agent, officer or age	nt	Date of
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(d)-(Other service):					1
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					(Deputy)