

FILED DISTRICT COURT
Third Judicial District

NOV 06 2009

By _____
SALT LAKE COUNTY
Deputy Clerk

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IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

<p>M.J., Plaintiff, v. WARREN JEFFS, et al., Defendants.</p>	<p>VERIFIED CROSS-CLAIM</p>
<p>UNITED EFFORT PLAN TRUST, by Bruce R. Wisan, as the Court-appointed Special Fiduciary, Third-party Complainant, v. ALLEN STEED, et al., Third-party Defendants.</p>	<p>Case No. 070916524 (Judge Sandra Peuler)</p>

Allen Steed, who has been named as a third-party defendant, through his attorneys,
hereby files his Cross-claim for relief against plaintiff Elissa Wall and complains and alleges as
follows:

PARTIES

1. Cross-claimant Allen Steed currently resides in Hildale, Utah. He was named as a third-party defendant on January 27, 2009, by defendant United Effort Plan Trust. In the first two complaints filed by plaintiff in this matter, Mr. Steed is referred to as "S.J."

2. Cross-claim defendant Elissa Wall is the plaintiff who filed this matter and is also known as "M.J."

FACTUAL BACKGROUND

3. Allen Steed is 28 years old. He has lived his entire life in the community of Hildale and has at all times been a member of the FLDS church.

4. In April 2001, Allen Steed was placed into a marriage by his ecclesiastical leaders. He was joined together with Elissa Wall in a religious marriage ceremony.

5. Subsequent to the marriage ceremony, Mr. Steed and Ms. Wall resided together and effectively lived as husband and wife from 2001 through 2004.

6. During November 2004, at the direction of the FLDS ecclesiastical leaders, Ms. Wall and Mr. Steed were "released" from their marriage. The marriage was terminated when it was discovered that Ms. Wall had been participating in an adulterous affair and had become pregnant as a result of the affair.

7. From 2004 through the present, Mr. Steed has had no contact or communication with Ms. Wall. During that time period, other than providing court testimony, Mr. Steed has not discussed in any public forum the details of his marriage with Ms. Wall.

8. Beginning in 2005, plaintiff Elissa Wall commenced efforts to obtain financial benefit from disclosing and discussing a version of the events occurring during her marriage to Allen Steed. These efforts were made through several mediums, including, but not limited to, the filing of lawsuits, writing and publishing the book *Stolen Innocence: My Story of Growing Up in a Polygamous Sect, Becoming a Teenage Bride, and Breaking Free of Warren Jeffs*, and repeated appearances in person and through electronic media.

9. In each of these mediums plaintiff has incompletely, inaccurately, and falsely portrayed the underlying events related to her marriage to Allen Steed.

10. To facilitate sales and financial benefit, plaintiff has participated in a calculated public relations campaign during which she has repeatedly published and discussed the details of her marriage to Mr. Steed. The forums in which such details have been discussed include, but are not limited to, appearances on:

- a. "The Oprah Winfrey Show";
- b. "48 Hours";
- c. "E! THS Investigates";
- d. "ABC Primetime"; and
- e. "Tyra Banks."

11. The plaintiff has received substantial financial benefit as a result of her efforts.

12. The underlying events surrounding the marriage of Ms. Wall and Mr. Steed are the subject matter of, and are inaccurately and falsely portrayed in plaintiff's Third Amended

Complaint. It is her characterization of these same events which give rise to the claims of Mr. Steed herein.

FIRST CAUSE OF ACTION
(Invasion of Privacy – False Light Portrayal)

13. Cross-claimant hereby incorporates the allegations of paragraphs 1 through 12.

14. The conduct of plaintiff as alleged herein gave publicity to a matter concerning Allen Steed that placed him before the public in a false light.

15. The false light in which Allen Steed was placed is highly offensive to a reasonable person.

16. Plaintiff had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which Allen Steed would be placed.

SECOND CAUSE OF ACTION
(Invasion of Privacy - Publicity Given to Private Facts)

17. Cross-claimant hereby incorporates the allegations of paragraphs 1 through 12.

18. Plaintiff has continually made public disclosures of private facts regarding Allen Steed.

19. The facts plaintiff has publically disclosed are private facts.

20. The private facts regarding Allen Steed are ones that are highly offensive and objectionable to the reasonable person of ordinary sensibilities.

THIRD CAUSE OF ACTION
(Libel)

21. Cross-claimant hereby incorporates the allegations of paragraphs 1 through 12.

22. Plaintiff wrote and caused to be published the book *Stolen Innocence*.

23. Plaintiff's publication of defamatory matters regarding Allen Steed is by printed words in the physical form of a book.

24. Plaintiff's publication contains defamatory matter.

25. Plaintiff's book includes content which is libelous per se.

FOURTH CAUSE OF ACTION
(Slander)

26. Cross-claimant incorporates the allegations of paragraphs 1 through 12.

27. Plaintiff has made numerous appearances on television, radio, the Internet, and in person during which she has communicated, through spoken words, defamatory words regarding Allen Steed.

28. Plaintiff's statements during these appearances have included content which are slanderous per se.

FOURTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)

29. Cross-claimant hereby incorporates the allegations of paragraphs 1 through 12.

30. The conduct of plaintiff as alleged herein was outrageous and intolerable in that it offended the generally accepted standards of decency and morality.

31. Plaintiff has intentionally and negligently caused, or acted in reckless disregard of the likelihood of causing Allen Steed severe emotional distress.

32. As a direct and proximate result of the actions of wrongful conduct of the plaintiff, Mr. Steed has suffered severe mental and emotional distress and permanent injury.


33. As a further direct and proximate consequence of the Plaintiff's wrongful conduct, Allen Steed has incurred and will yet incur medical and other expenses, all to his special damages in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Mr. Steed prays for relief and judgment against plaintiff Elissa Wall as follows:

1. For judgment on damages, including punitive damages, as a result of plaintiff's conduct in an amount to be determined at trial.
2. The aforesaid actions of plaintiff were either the result of willful and/or malicious conduct or were the result of a knowing and reckless indifference toward, and a disregard of, the rights of Mr. Steed. In accordance with the provisions of *Utah Code Ann.* §78-18-1 (1953, as amended), reasonable punitive damages should be awarded against plaintiff and in favor of Mr. Steed.
3. Reasonable attorneys' fees and court costs.
4. For such other and further relief as the Court deems just and equitable under the circumstances.

DATED this 6th day of November 2009.



JAMES C. BRADSHAW
Attorney for Allen Steed

VERIFICATION

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

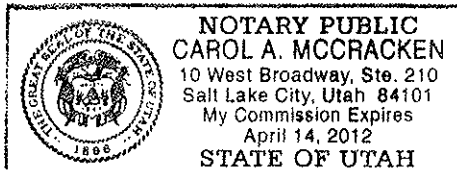
I, Allen Steed, being first duly sworn upon oath, depose and say that I have read the foregoing Cross-claim and that the statements contained therein are true and correct of my own personal knowledge, except as to matters stated on information and belief, and as to such matters, I believe them to be true.

DATED this 6th day of November 2009.



ALLEN STEED

SUBSCRIBED AND SWORN to before me on this 6th day of November 2009.





NOTARY PUBLIC

My Commission Expires:

MAILING CERTIFICATE

I hereby certify that on the 6 day of November 2009, a true and correct copy of the foregoing Verified Cross-claim was mailed, postage prepaid, to the following:

Roger H. Hoole
Gregory N. Hoole
Hoole & King
4276 South Highland Drive
Salt Lake City, Utah 84124

Jeffrey L. Shields
Zachary T. Shields
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M. Carter