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9 *Attorneys for Plaintiffs*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 INTERNATIONAL MARKETS LIVE,
13 INC., a New York corporation;
14 CHRISTOPHER TERRY, an individual;

15 Plaintiffs,

16 v.

17 ROBERT HALTERMAN, an individual;
18 CHAKRA CAPITAL GROUP, an
19 unknown entity; SCOTT CARNEY, an
20 individual; ETHAN VANDERBUILT, an
individual;

21 Defendants.

Case No.:

COMPLAINT FOR:

- 1) DEFAMATION PER SE
- 2) TRADE LIBEL
- 3) TORTIOUS INTERFERENCE WITH CONTRACTUAL RELATIONS
- 4) TORTIOUS INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE
- 5) CIVIL CONSPIRACY

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24 COMES NOW, Plaintiffs by and through their attorneys, the Law Offices of P. Sterling
25 Kerr, and complains and alleges against Defendants ROBERT HALTERMAN (hereinafter
26 “Halterman”), Defendant CHAKRA CAPITAL GROUP (hereinafter “Chakra Capital”),
27 SCOTT CARNEY (hereinafter “Carney”), ETHAN VANDERBUILT (hereinafter
28

1 “Vanderbuilt”), and DAVE MACKINSON (hereinafter “Mackinson”) (collectively
2 “Defendants”) as follows:

3 **THE PARTIES**

4 1. Plaintiff INTERNATIONAL MARKETS LIVE dba iMARKETSLIVE (hereinafter
5 “IML”) is, and at all times relevant herein was, a New York corporation.

6 2. Plaintiff TERRY is an individual and is, and at all times relevant, a Nevada resident.

7 3. Upon information and belief, Defendant HALTERMAN is an individual and a South
8 Carolina resident.

9 4. Upon information and belief, Defendant CHAKRA CAPITAL is a fictitious firm name
10 for HALTERMAN.

11 5. Upon information and belief, Defendant CARNEY is an individual and a Florida
12 resident.

13 6. Upon information and belief, Defendant VANDERBUILT is an individual and a
14 California resident.

15 7. Upon information and belief, Defendant MACKINSON is an individual and a Florida
16 resident.

17 **JURISDICTION AND VENUE**

18 8. This Court has diversity subject matter jurisdiction of this action. The Court has
19 diversity jurisdiction under 28 U.S.C. § 1332 because no Plaintiffs and Defendants are not
20 residents of the same state, and because the amount in controversy, exclusive of interest and
21 costs, exceeds seventy-five thousand dollars (\$75,000.00).

22 9. Venue is proper as TERRY is a resident of the state of Nevada.
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GENERAL ALLEGATIONS

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2 10. Upon information and belief, HALTERMAN controls CHAKRA CAPITAL which
3 advises and performs trades for individuals on the foreign currency (“Forex”) markets.

4 11. HALTERMAN publishes derogatory remarks regarding competing Forex traders
5 including Plaintiffs on the CHAKRA CAPITAL WEBSITE, www.chakracapitalgroup.com.
6

7 12. The CHAKRA CAPITAL website states that HALTERMAN is a vigilante
8 “superhero” regulator of Forex trading,

9 ...To this day, nobody knows who is this "Batman of Forex" persona behind the mask.
10 He played the primary role exploiting and the take-down of a notorious scam artist,
11 Reza Mokhtarian, of "Mentortips" and "Kaizen Global", now dismantled and
12 completely destroyed. The Villain, is once again, hunkered down into the underworld,
13 brewing another scheme, he asserts. It doesn't stop there. The "Batman of Forex" is
14 always looking out for your interest and just because you don't see a crime happening,
rest assured, "Batman of Forex" has already man-handled the villains. Batman keeps
the city safe as do forex, so that not only you can sleep in your bed peacefully at night,
but also you can trade any financial instrument in peace.

15 13. HALTERMAN writes derogatory remarks about competing Forex traders including
16 Plaintiffs on his Facebook page located at [www.facebook.com/ChakraCapitalGroup-](http://www.facebook.com/ChakraCapitalGroup-Official?ref=br_rs)
17 [Official?ref=br_rs](http://www.facebook.com/ChakraCapitalGroup-Official?ref=br_rs).
18

19 14. On December 2, 2017, HALTERMAN posted that IML is, “A company run by
20 crackheads, pedophiles, welfare mothers and street thugs.”

21 15. On December 5, 2018, HALTERMAN posted “iMarketsLive (IML) continues to scam
22 people out of their money, and Austin is still smoking that glass pipe. No wonder he is (or was)
23 homeless and has ‘a sob story about his child’...typical junkie. If you're looking to learn how
24 to trade, I PROMISE YOU, you will lose your money if you join IML. THEY ARE NOT
25 TRADERS! They are a pyramid scheme solely focused on recruiting and ranking up. They use
26 forex to ENTICE people to get other people to join.”
27
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1 16. On January 21, 2018, HALTERMAN posted:

2 Tide Pods must be running rampant in International Markets Live (IML). Trade
3 results are from Fusion trader "Xplosive". I included the open trades to verify. The
4 EU and GU trades are from Fxsignals auto trader. Here, someone shares the inside
5 scoop of his experience with IML:

6 "The executive VP Alex Morton, the company where he made his millions was
7 called Veema. It was shut down for being a Ponzi pyramid. Julian Kuschner,
8 chairman 25, his last company Wake Up Now was shut down for being a Ponzi.
9 Then he went to Wealth Generators where he made more money, then left because
10 the products lost everyone a fuck load of money. As for the products for IML, their
11 Swipetrades app is full of shit. They'll post the results saying a trade they called out
12 hit Take Profit, but it actually hit the Stop Loss, THEN went the way they
13 anticipated so they call it a "winner". Also, their harmonic scanner is trash. What
14 they'll do is call out a trade, giving entry point, stop loss, and take profit. All the
15 losing trades they will remove from the web page, but keep the winners up so it
16 looks good. And, a lot of people I have screenshots of, post demo results to get
17 signups. False advertisement because they don't inform people it's demo. I was
18 guilty of it a few times, but it was only for like 80\$ lol. I know people posting pics of
19 thousands of dollars on social media, but I know it's demo because I know them
20 personally."

21 ...

22 ...

23 Join IML today, so you too, can eat Tide Pods!! 🤪🤪🤪

24 Unless you're gullible enough to believe in "get rich quick" schemes, you know
25 International Markets Live (IML) is a scam when you see stuff like this.

26 #JulioMartinez

27 #ChristopherTerry

28 #JasonBrown

17. On January 26, 2018, HALTERMAN posted, "International Markets Live (IML) has
21 been investigated for securities fraud and possible money laundering and tax avoidance."

22 18. On January 26, 2018, HALTERMAN posted, "IML has been bitch slapped twice by
23 the AMF; second time is the screenshot. Then Columbia, and now Mexico. What happens
24 when the big dogs like the SEC investigate and freeze assets? What happens when IBO leaders
25 get slapped with class action lawsuit and possible criminal charges? But don't listen to me.
26 Wait until it's too late like any idiot would. As for customers, I keep telling you..you're going
27 to get burned joining this fraudulent scheme. They are 100% recruiting ponzi using
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1 "education" as an excuse to get those residuals. They don't care about whether or not they are
2 blowing your account. Would you trust an unlicensed psychiatrist to prescribed medication for
3 you? How about an unlicensed electrician rewire your home?"

4 19. Upon information and belief, CARNEY controls a company called Harmonic Trader
5 which makes trades for individuals on the foreign currency ("Forex") markets.

6 20. CARNEY has sent threatening emails to Plaintiffs stating that if at least \$50,000.00 is
7 not paid to CARNEY, he will "go on the offensive" implying that he will make allegations of
8 IML wrongdoing to federal authorities.

9 21. Shortly after these threats were made, CARNEY posted derogatory statements against
10 Plaintiffs in the comments section of HALTERMAN's Facebook page.

11 22. CARNEY filed a false Complaint with the Commodities Futures Trading Commission
12 on or about the beginning of January 2018.

13 23. On or about January 19, 2018, CARNEY posts, "IML Federal Investigation in FULL
14 SWING! That's all I cansay."

15 24. HALTERMAN publishes derogatory and false remarks about Plaintiffs on his website
16 www.ethanvanderbuilt.com.

17 25. HALTERMAN states on his website that IML is a "scam" and accuses IML of not
18 adhering to federal rules and regulations.

19 26. MACKINSON publishes to IML contractors that Plaintiffs are not adhering to federal
20 rules and regulations, and/or committing criminal acts.

21 27. There are other harmful statements against Plaintiffs published on websites controlled
22 by the Defendants.

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1 37. The statements, as cited in the general allegations, disparage the quality of IML's trading
2 services.

3 38. The statements, as cited in the general allegations, are false.

4 39. The statements, as cited in the general allegations, were intentionally published on the
5 internet.

6 40. As a direct and proximate result of Defendants' trade libel, Plaintiff has been harmed in
7 amount in excess of one million dollars (\$1,000,000.00).

8 41. It has been necessary for Plaintiff to retain the services of an attorney to prosecute this
9 action and, therefore, Plaintiff is entitled to reasonable attorney's fees and costs, prejudgment
10 interest, and such other and further relief the court deems proper resulting from this action.
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13 **THIRD CLAIM FOR RELIEF**
14 **(Tortious Interference with Contractual Relations**
15 **against Defendants)**

16 42. Plaintiff incorporates by reference and reaffirms each and every allegation previously
17 asserted as if fully set forth herein.

18 43. Plaintiff IML had contractual relationships with customers and individual
19 representatives who desired participate in receiving educational products for Forex markets.

20 44. Defendants knew of these relationships.

21 45. Defendants spread false information and affirmatively filed false complaints with
22 regulators with the intent of disrupting Plaintiff's relationships with its customers.
23

24 46. Defendants' conduct was not legally justified.

25 47. As a direct and proximate result of Defendants' interference with IML's contractual
26 relationships, Plaintiff has been harmed in amount in excess of one million dollars
27 (\$1,000,000.00).
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1 48. It has been necessary for Plaintiff to retain the services of an attorney to prosecute this
2 action and, therefore, Plaintiff is entitled to reasonable attorney's fees and costs, prejudgment
3 interest, and such other and further relief the court deems proper resulting from this action.

4 **FOURTH CLAIM FOR RELIEF**
5 **(Tortious Interference with Prospective Economic Advantage**
6 **against Defendants)**

7 49. Plaintiff incorporates by reference and reaffirms each and every allegation previously
8 asserted as if fully set forth herein.

9 50. Plaintiff IML had prospective contractual relationships with customers and
10 individual representatives who desired participate in receiving educational products for Forex
11 markets.

12 51. Defendants knew of these prospective relationships.

13 52. Defendants spread false information and affirmatively filed false complaints with
14 regulators with the intent to preventing and inhibiting Plaintiffs relationships with the
15 prospective customers.
16

17 53. Defendants' conduct was not legally justified.

18 54. As a direct and proximate result of Defendants' interference with the prospective
19 customer relationships, Plaintiff has been harmed in amount in excess of one million dollars
20 (\$1,000,000.00).
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22 55. It has been necessary for Plaintiff to retain the services of an attorney to prosecute this
23 action and, therefore, Plaintiff is entitled to reasonable attorney's fees and costs, prejudgment
24 interest, and such other and further relief the court deems proper resulting from this action.
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FIFTH CLAIM FOR RELIEF
(Civil Conspiracy against Defendants)

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56. Plaintiff incorporates by reference and reaffirms each and every allegation previously asserted as if fully set forth herein.

57. Defendants have taken concerted action in defaming Plaintiffs and committing tortious interference with contractual relations and tortious interference with contractual relations.

58. As a direct and proximate result of Defendants' civil conspiracy, Plaintiffs have been harmed in amount in excess of one million dollars (\$1,000,000.00).

59. It has been necessary for Plaintiffs to retain the services of an attorney to prosecute this action and, therefore, Plaintiff is entitled to reasonable attorney's fees and costs, prejudgment interest, and such other and further relief the court deems proper resulting from this action.

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**WHEREFORE, PLAINTIFF PRAYS FOR
THE FOLLOWING RELIEF AGAINST DEFENDANTS:**

1. For Damages in an amount greater than \$1,000,000.00 as a result of Defendants' defamatory and tortious actions;
2. For injunctive relief to enjoin the Defendants from committing the defamatory and tortious actions;
3. For an award of pre-judgment interest, as well as reasonable attorneys' fees as both normal and special damages, and other costs; and
4. For such other and further relief that this Court deems just and proper.

Dated this 1st day of February, 2018

LAW OFFICES OF P. STERLING KERR

/s/ George E. Robinson

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Email: george@sterlingkerrlaw.com
Attorneys for Plaintiff

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

International Markets Live, Inc., a New York corporation; Christopher Terry, an individual

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Law Offices of P. Sterling Kerr, 2450 St. Rose Pkwy Hen, NV 89074

702-451-2055

DEFENDANTS

Robert Halterman, an individual; Chakra Capital Group, an unknown entity; Scott Carney, an individual; Ethan Vanderbuilt, David Mackinson

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act	
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))	
<input type="checkbox"/> 130 Miller Act	<input checked="" type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability			<input type="checkbox"/> 400 State Reapportionment	
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud			<input type="checkbox"/> 410 Antitrust	
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending			<input type="checkbox"/> 430 Banks and Banking	
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage			<input type="checkbox"/> 450 Commerce	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability			<input type="checkbox"/> 460 Deportation	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability				<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury				<input type="checkbox"/> 480 Consumer Credit	
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice				<input type="checkbox"/> 490 Cable/Sat TV	
<input type="checkbox"/> 195 Contract Product Liability					<input type="checkbox"/> 490 Cable/Sat TV	
<input type="checkbox"/> 196 Franchise					<input type="checkbox"/> 850 Securities/Commodities/Exchange	
					<input type="checkbox"/> 890 Other Statutory Actions	
					<input type="checkbox"/> 891 Agricultural Acts	
					<input type="checkbox"/> 893 Environmental Matters	
					<input type="checkbox"/> 895 Freedom of Information Act	
					<input type="checkbox"/> 896 Arbitration	
					<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision	
					<input type="checkbox"/> 950 Constitutionality of State Statutes	

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause: Defamation

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 1,000,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE 02/01/2018 SIGNATURE OF ATTORNEY OF RECORD [Signature]

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____