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 SUMMONS

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CCG N001-10M-1-07-05 ()

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

DIVISION

2005L009942
 CALENDAR/ROOM B
 TIME 00:00
 Libel/Slander

(Name all parties)
 ST. GEORGE CORRECTIVE VISION, an Illinois
 corporation, and NICHOLAS C. CARO., M.D.

v.

DEAN ANDREW KANTIS, an individual

No. _____

PLEASE SERVE:

Dean Andrew Kantis
 5101 NW 21st Ave., Suite 210
 Fort Lauderdale, FL 33309

SUMMONS

Handwritten: #15 9/20/05 10:00 AM
 SB
 #15

To each Defendant:

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, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077
- District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008
- District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153
- District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455
- District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426
- Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602

You must file 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 REQUESTED IN THE COMPLAINT.

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

SEP 12 2005

Atty. No.: 36324
 Name: Eric P. Ferleger, Esq.
 Atty. for: Plaintiff
 Address: 29 S. LaSalle St., Suite 300
 City/State/Zip: Chicago, IL 60603
 Telephone: (312) 726-6969

WITNESS, _____

DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT
 Clerk of Court

Date of service: _____
 (To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____
 (Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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

25058531

ST. GEORGE CORRECTIVE VISION,)
an Illinois corporation, and)
NICHOLAS C. CARO, M.D.,)
Plaintiff,)

2005L0009942
CALENDAR/ROOM #
TIME 00:00
Libel/Slander

vs.)

Case No.

DEAN ANDREW KANTIS, an)
individual,)
Defendant.)

2005 SEP 12 AM 11:10
Clerk of Circuit Court
LAW DIVISION

COMPLAINT FOR SLANDER AND LIBEL

NOW COMES the Plaintiff, ST. GEORGE CORRECTIVE VISION, an Illinois corporation, and NICHOLAS C. CARO, M.D., by and through their Attorneys, FERLEGER & ASSOCIATES, LTD., and complaining of the Defendant, DEAN ANDREW KANTIS, states as follows:

FACTS COMMON TO ALL COUNTS

1. That the Plaintiff, ST. GEORGE CORRECTIVE VISION (hereinafter "ST. GEORGE") is an Illinois corporation, licensed to do business in the County of Cook, State of Illinois.
2. That the Plaintiff, NICHOLAS C. CARO, M.D. (hereinafter "DR. CARO") is a medical doctor who practices at the St. George Corrective Vision Center, 4245 W. Peterson, Suite 200, Chicago, Illinois 60646.
3. That the Defendant, DEAN ANDREW KANTIS, (hereinafter "DAK") is a resident of the State of Florida.
4. That at all times relevant hereto, the acts complained of occurred in the County of Cook, State of Illinois.
5. That on or about August 25, 1999, ST. GEORGE, via its agent, DR NICHOLAS CARO (hereinafter "DR. CARO") performed "Lasik" surgery on the

Defendant's eyes and on August 2, 2005 performed enhanced lasik surgery on defendant's right eye.

6. That the surgery was performed over seven (7) years ago.

7. That any and/or all claims of any alleged professional failure(s), of any kind or nature, are barred by the Limitations Act in the State of Illinois.

8. That notwithstanding this fact, DAK has engaged in an ongoing process of telephoning, mailing, facsimile transmitting, e-mails and related written communications, to various governmental bodies and/or individuals, including, but not limited to:

- (a) Better Business Bureau of Chicago
- (b) Brett Hanson
- (c) Internet transmittal under Dr. Caro's name

COUNT I
Libel

NOW COMES the Plaintiff, ST. GEORGE CORRECTIVE VISION CENTER, INC. (hereinafter "ST. GEORGE"), and complaining of the Defendant, DEAN ANDREW KANTIS (hereinafter "DAK"), for libel, states as follows:

1-8. Plaintiff reasserts and realleges paragraphs 1 through 8 of Facts Common to All Counts as and for paragraphs 1 through 8 of this Count I as though fully set forth herein.

9. DR. CARO, before and at the time of the commission of the grievances hereinafter mentioned, was a physician and surgeon, practicing in the City of Chicago, County of Cook, and State of Illinois, and by reason of his skill, ability and industry had established a profitable practice and was held in esteem by the community.

10. DAK, maliciously intending to injure DR. CARO in his profession as a physician and surgeon, and to bring him into public scandal and disgrace, on July 18, 2005, composed and published in a letter addressed to the Better Business Bureau of Chicago, a false, scandalous, malicious and defamatory libel concerning DR. CARO, and concerning his capacity as a physician and surgeon, as follows:

"Dr. Caro messed up seven years ago. He lied to me and told me that it's my eyes and that it would take up to seven years for them to fully heal. ...he won't return phone calls,

won't return my money and is threatening my family that he will bury me in lawsuits for wasting his time..."

11. By means thereof, Plaintiffs, DR. CARO and ST. GEORGE have been and are greatly injured in their good name and reputation as a center for the treatment and care of vision, and have suffered a loss of practice in this profession. Plaintiffs have lost the confidence and esteem of patients, professionals and untold potential clientele due to publications on the internet, in particular of metering patients from website and M.D. referrals, and of other friends and acquaintances of DR. CARO. It has been otherwise greatly injured and damaged for sums in excess of \$2,000,000.00.

WHEREFORE, the Plaintiff, ST. GEORGE CORRECTIVE VISION, an Illinois corporation, and NICHOLAS C. CARO, M.D., prays this Court enter judgment in their favor and against the Defendant for an amount in excess of \$2,000,000.00.

COUNT II
Abuse of Process

1-9. Plaintiff reasserts and realleges paragraphs 1 through 9 of Count I as and for paragraphs 1 through 9 of this Count II as though fully set forth herein.

10. DAK, maliciously intending to injure DR. CARO in his profession as a physician and surgeon, and to bring him into public scandal and disgrace, on August 18, 2005, composed and published in a letter addressed to the Department of Registration and Education ("DRE"), a false, scandalous, malicious and defamatory claim concerning DR. CARO, and concerning his capacity as a physician and surgeon, as follows:

"Dr. Caro messed up seven years ago. He lied to me and told me that it's my eyes and that it would take up to seven years for them to fully heal. ...he won't return phone calls, won't return my money and is threatening my family that he will bury me in lawsuits for wasting his time..."

11. That the Limitations Act is a bar to the claim before this public body.

12. That the use of this process, as to this public body, was and is being made to accomplish a self-serving purpose of DAK and not for the purpose of prosecuting a viable claim.

13. That DR. CARO, as a matter of law, will be forced to retain counsel to dispose of these proceedings, as barred, but it is more likely than not, that a dismissal will be entered.

14. That as a result of these actions, DR. CARO was and will be put to great inconvenience, expending and laying out substantial sums of money to defend same and may be hindered from his day-to-day transactions of business.

WHEREFORE, the Plaintiff, ST. GEORGE CORRECTIVE VISION, an Illinois corporation, and NICHOLAS C. CARO, M.D., prays this Court enter judgment in their favor and against the Defendant for an amount in excess of \$2,000,000.00.

Respectfully submitted,

By: _____


FERLEGER & ASSOCIATES, LTD.
Attorney for Plaintiff
29 S. LaSalle St., Suite 300
Chicago, IL 60603
(312) 726-6969
Atty No. 36324