

U.S. Judge rules in Favor of SexSearch

Federal court dismisses "negligence" claim against networking and dating sites.

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Posted: 8:02 PM PST Aug 22, 2007

LOS ANGELES - On Wednesday a federal court dismissed negligence claims against dating site [SexSearch](#) and other adult companies. The companies came under civil fire for allegedly failing to review age-verification information about users before approving them as members of their online adult communities.

Filed in Toledo, Ohio, the case was brought by an adult male referred to as "John Doe" who charged he was misled by a minor who claimed to be an adult member of SexSearch. After having what he called consensual sex with the girl at her home, Doe was detained by authorities and charged with several counts of unlawful conduct.

Doe argued SexSearch should have verified all members' ages before allowing them to interact with others. In addition to other accusations, the suit alleged SexSearch, its executives and partners committed fraud and violated Ohio consumer laws and promoted sexual relations between children and adults.

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"The court exonerated SexSearch from any blame arising from its age-verification procedures," lead counsel Gary Kaufman of Los Angeles-based The Kaufman Law Group told [AVN Online](#). "We are pleased that the court saw the case for what it was: an opportunistic attempt to shake down the SexSearch site, which has always been and remains committed to protecting minors from online predators."

U.S. District Judge Jack Zouhary wrote in a 29-page ruling that the plaintiff employed "a double-barreled shotgun approach" in the case, but failed to hit a claim upon which relief could be granted.

"The suggestion that SexSearch and the other named defendants were negligent was merely an attempt to craft a legal argument in favor of his own improper behavior," Kaufman said. "Instead of doing the right thing and undertaking a responsibility for what he did, he tried to blame someone else."

Doe and the 14-year-old girl initially made contact via email.

"I'm not sure of what the email communication was, but upon meeting the minor face to face, one would think suspicion would arise as to her actual age," Kaufman said.

He also said it is extremely irresponsible for someone not to verify a potential partner's age before engaging in sexual activity, especially if there is a possibility the person is underage or might have lied about his or her age.

Doe's criminal trial has yet to begin, but he could face up to 15 years in prison if convicted.

The minor's profile remained active on SexSearch until it was unceremoniously removed by her parents. The profile

contained her photo, as well as indications that she was looking for a "1 on 1 sexual encounter" with "a man who can last for a long time."

In addition to SexSearch and its executives Ed Kunkel, Adam Small and Damian Cross, the list of defendants included [Playboy](#), [Club Jenna](#), Jenna Jameson, Manic Media and Moniker Online Services.

The plaintiff's attorney, Dean Boland, did not return phone calls for comment.

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