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PAUCEK and PRO ATHLETE COMMUNITY, INC.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CHRISTOPHER “CHIP” PAUCEK and  
PRO ATHLETE COMMUNITY, INC.,

Plaintiffs,

v.

DAHNSHAULIS,

Defendant.

CIVIL ACTION

CASE NO.:

**COMPLAINT AND JURY DEMAND**

Plaintiffs CHRISTOPHER “CHIP” PAUCEK (“Mr. Paucek”) and PRO ATHLETE COMMUNITY, INC. (“PAC”) (collectively, “Plaintiffs”), by and through their undersigned counsel, for their complaint against DAHN SHAULIS (“Mr. Shaulis” or “Defendant”), allege as follows:

**INTRODUCTION**

1. This action arises out of Mr. Shaulis’s flagrant efforts to destroy the well-earned reputations of Plaintiffs and interfere with PAC’s prospective business opportunities by

publishing social media and blog posts containing numerous false and misleading statements, characterizations, and suggestions concerning Plaintiffs and their business practices.

2. Plaintiffs have established reputations as valuable resources for professional athletes seeking to transition into business careers once their playing days are complete. Mr. Paucek earned his reputation by founding various businesses in the education industry that flourished under his leadership. Seeking to use his knowledge and experience to assist professional athletes in exploring and pursuing their post-sports career business endeavors, Mr. Paucek co-founded PAC. Together, Mr. Paucek and PAC have provided valuable education, training, and other support to numerous professional athletes through PAC's offerings, which many professional athletes have used to successfully pursue careers outside of playing professional sports.

3. Mr. Shaulis's social media and blog posts defame Plaintiffs by falsely accusing PAC of being a "scam" and falsely accusing Mr. Paucek of being "the consummate con man" and having a "track record as an unethical businessperson." These false accusations are defamatory *per se*, as they are false claims that harm Plaintiffs' professional and business reputations. Not only do these statements undoubtedly tend to harm Plaintiffs' reputations, but they also are likely to deter potential clients and business partners from associating or dealing with Plaintiffs. Further, Mr. Shaulis made these false accusations with actual malice, by knowingly—or, at the very least, recklessly—disregarding the truth of each accusation. Noticeably absent from Mr. Shaulis's social media and blog posts is any evidence to support his false accusations. And this absence of evidentiary support makes sense: PAC is a legitimate company that helps professional athletes prepare for and succeed in their post-sports career business endeavors, and Mr. Paucek has never been found to have engaged in unethical business

practices by a formal factfinder, such as a court of law, regulatory body, self-regulated industry group, or ethics committee.

4. When presented with the opportunity to remedy his wrongdoing, Mr. Shaulis refused to do so and instead exacerbated the harm to Plaintiffs by publishing a second blog post that reiterated his earlier false and misleading statements, characterizations, and suggestions about Plaintiffs.

5. Plaintiffs therefore had no choice but to bring this suit to vindicate their rights, restore their reputations, and establish Mr. Shaulis's liability for the economic and reputational damage that his social media and blog posts have caused.

### **PARTIES**

6. Mr. Paucek is an individual residing in Annapolis, Maryland.

7. PAC is incorporated under the laws of Delaware and maintains its principal place of business in Delaware.

8. On information and belief, Defendant Dahn Shaulis is an individual residing in Pleasantville, New Jersey. Mr. Shaulis is the Co-Editor of the Higher Education Inquirer ("HEI"), a website on which he frequently publishes blog posts.

### **JURISDICTION AND VENUE**

9. This Court has subject-matter jurisdiction over this civil action under 28 U.S.C. § 1332(a). There is complete diversity of citizenship between the parties because neither Mr. Paucek nor PAC is domiciled in the same state as Mr. Shaulis. The amount in controversy also exceeds \$75,000, exclusive of interest and costs.

10. This Court has personal jurisdiction over Mr. Shaulis under New Jersey law and the Due Process Clause of the U.S. Constitution because Mr. Shaulis is a current resident of the State of New Jersey.

11. Venue is proper in this district under 28 U.S.C. § 1391(b)(1) because Mr. Shaulis is a current resident of this district.

### **FACTUAL ALLEGATIONS**

#### **Mr. Paucek's Entrepreneurial Success Before Co-Founding PAC:**

12. Prior to his co-founding and leadership of PAC, Mr. Paucek was overwhelmingly successful as an entrepreneur and business executive in the education industry.

13. Mr. Paucek began his entrepreneurial career in 1993 by co-founding Cerebellum Corporation, an education media company that produces educational programming for schools and libraries. Mr. Paucek served as Co-CEO of Cerebellum until 2003. Under Mr. Paucek's leadership, Cerebellum produced the award-winning educational television program and video series, *Standard Deviants*, which was distributed on numerous PBS stations and received critical acclaim.

14. Following his leadership of Cerebellum, Mr. Paucek served as the CEO of Smarterville, Inc., the parent company of Hooked on Phonics, an educational media company that provides programming designed to teach young students how to read. Mr. Paucek served as CEO of Smarterville until 2008.

15. In 2008, Mr. Paucek co-founded 2U, Inc. ("2U"), an education technology company that grew into one of the world's largest online education providers under his leadership as CEO. In 2014, Mr. Paucek led a successful Initial Public Offering for 2U. In

2018, 2U was described by Forbes Magazine as “the nation’s leading provider of software for universities” delivering digital higher education at scale. Antoine Gara, *Ivory Tower In The Cloud: Inside 2U, The \$4.7 Billion Startup That Brings Top Schools To Your Laptop*, FORBES (Sept. 25, 2018), <https://www.forbes.com/sites/antoinegara/2018/09/25/mbas-in-pjs-inside-2u-the-47-billion-startup-that-brings-top-schools-to-your-laptop/>. With Mr. Paucek at the helm, 2U grew to nearly \$1 billion in annual revenue, with the company reporting annual revenue of \$963.1 million in 2022.

16. As a result of his accomplishments, Mr. Paucek has earned numerous accolades from the business community. In 2012, Mr. Paucek received the Ernst & Young “Entrepreneur of the Year” Award in Maryland. In 2013, Mr. Paucek was named among the Goldman Sachs “100 Most Intriguing Entrepreneurs.” And in 2017, Mr. Paucek was named among America’s best chief executives by Institutional Investor Magazine. Mr. Paucek has also been named a “Washingtonian Tech Titan” on three separate occasions (in 2015, 2017, and 2018), a list of the Washingtonian Magazine’s most influential people in the local technology scene as determined based on a survey of technology luminaries.

**Mr. Paucek’s Co-Founding of PAC:**

17. Seeking to use his knowledge and experience to help professional athletes explore and pursue their next chapters, Mr. Paucek co-founded PAC in 2022 and currently serves as Co-CEO of the company.

18. PAC delivers high-quality education to current and former professional athletes and facilitates their connections with recognized industry experts and educators to provide the education, training, mentorship, networking, and other support needed for these professional athletes to explore and pursue their post-sports career business endeavors.

19. PAC offers a suite of purpose-built offerings, including online and in-person events, elite member benefits, mentorship, and continued training and support. For example, PAC collaborates with the University of Miami and its Miami Herbert Business School to offer executive education certificate programs such as the *Pro Athlete Business Combine* and *Next Chapter U* that provide professional athletes with the opportunity to form powerful relationships with industry experts and acquire skills that will allow them to be successful in their business endeavors.

20. Moreover, PAC works with recognized industry experts and educators to enhance its offerings to professional athletes.

21. Under Mr. Paucek's leadership, PAC has steadily grown in membership and delivered its programs to over 350 professional athletes from the National Football League, the National Basketball Association, Major League Baseball, the Ultimate Fighting Championship, and other professional sports leagues. Many of these professional athletes have leveraged the education, training, and other support provided by PAC to successfully pursue careers in various fields, including entrepreneurship, broadcasting, real estate, franchising, and sales.

22. PAC also plans to launch its offerings to professional athletes from other sports in the future. *See* Chip Paucek, *Game On!*, LINKEDIN (Jan. 30, 2024), <https://www.linkedin.com/pulse/game-chip-paucek-ejsue/> (“[W]e do indeed plan to launch offerings for all professional sports leagues.”).

23. Numerous professional athletes have described their experience with PAC as instrumental to their successful transition into business careers and have commended Mr. Paucek and PAC for their efforts. These descriptions and commendations are captured in the form of

testimonials, which are publicly available on PAC's website, <https://proathletecommunity.com/> (the "PAC Website"). Several examples are reproduced below:

- a. "PAC was truly a life-changing event. The education, networking opportunities, and sense of brotherhood are invaluable. Whether you're uncertain about your next steps or have a clear vision, PAC equips you with the tools for success. It's not just a one-time event; it's ongoing training and a supportive family, even after you leave. The impact is profound, and I can't wait to attend future events. I'm already sharing the excitement with others who want to sign up. Every person I met at PAC left me inspired and eager for more." *Former Professional Athlete: Mason Schreck*, Pro Athlete Community: Successes, <https://proathletecommunity.com/player/mason-schreck/> (last visited Oct. 14, 2024).
- b. "My experience with PAC has been incredible. There is a tremendous need for helping players transition out of the league, especially in learning about money and business. Players are wired to go, but without direction and support, the process can be frustrating. PAC is doing an outstanding job addressing this. Much of the value comes from the network, being around similar athletes facing the same challenges. We relate to each other, ask questions, and learn together. The speakers add immense value; hearing from top business minds helps cut the learning curve and reduce mistakes. The networking, educational insights, and observing the business strategies from some of the best minds in the business have been invaluable. It's been a cool and impactful experience." *Former*

*Professional Athlete: Matt Joyce*, Pro Athlete Community: Successes, <https://proathletecommunity.com/player/matt-joyce/> (last visited Oct. 14, 2024).

- c. “I’ve been both a student and speaker at PAC, which pushed me out of my comfort zone. PAC opens your eyes to life beyond football. It prepares you for life’s next chapter, instilling passion, love, and enjoyment for what comes after . . .” *Former Professional Athlete: Devin McCourty*, Pro Athlete Community: Successes, <https://proathletecommunity.com/player/devin-mccourty/> (last visited Oct. 14, 2024).

24. In addition, several professional athletes state in their testimonials that they have recommended PAC to their peers. For example, former National Football League player Malik Golden states, “[The PAC experience has] been incredibly beneficial, and I can’t recommend PAC enough to fellow athletes looking to grow and reconnect.” *Former Professional Athlete: Malik Golden*, Pro Athlete Community: Successes, <https://proathletecommunity.com/player/malik-golden/> (last visited Oct. 14, 2024).

25. Through their efforts to provide education, training, and other support to professional athletes, Mr. Paucek and PAC have established reputations as excellent resources for professional athletes seeking to explore and pursue their post-sports career business endeavors.

**Mr. Shaulis’s Defamatory Social Media and Blog Posts:**

26. Despite Mr. Paucek’s and PAC’s success in providing valuable resources and support for professional athletes, Mr. Shaulis sought to destroy their well-earned reputations by publishing social media and blog posts disparaging them.



27. On June 25, 2024, Mr. Shaulis published a social media post on X under the username “@USinjustice” in which Mr. Shaulis falsely accuses Mr. Paucek of being “the consummate con man” as support for Mr. Shaulis’s suggestion that Mr. Paucek and PAC need to be investigated (the “Defamatory X Post”). *See* Dahn Shaulis (@USinjustice), X (June 25, 2024, 9:01PM), <https://x.com/usinjustice/status/1805768260136358157?s=46>. The Defamatory X Post communicates that Mr. Paucek has used dishonesty, deception, and/or other unethical business practices to cheat others out of their money. Copies of the Defamatory X Post and profile page for Mr. Shaulis’s X account are attached as **Exhibit A**.

28. Approximately two months later, on September 9, 2024, Mr. Shaulis published a blog post on the HEI website, <https://www.highereducationinquirer.org/> (“HEI Website”), entitled, “SCAM ALERT: Chip Paucek and Pro Athlete Community (aka PAC)” (the “Defamatory HEI Publication”). The Defamatory HEI Publication contains at least two false statements, as well as a number of misleading statements, characterizations, and suggestions, concerning Mr. Paucek, PAC, and their business practices. A copy of the Defamatory HEI Publication is attached as **Exhibit B**.

29. The first false statement in the Defamatory HEI Publication resides in its title, “SCAM ALERT: Chip Paucek and Pro Athlete Community (aka PAC),” where Mr. Shaulis falsely accuses PAC of being a “scam” (the “HEI Statement Defaming PAC”) and thereby communicates that PAC is involved in an illegitimate, fraudulent scheme designed to deceive.

30. Mr. Shaulis also falsely accuses Mr. Paucek of having a “track record as an unethical businessperson” (the “HEI Statement Defaming Mr. Paucek”). The HEI Statement Defaming Mr. Paucek communicates that Mr. Paucek has been found to have engaged in unethical business practices by a formal factfinder, such as a court of law, regulatory body, self-

regulating industry group, or ethics committee, and that finding indicates that Mr. Paucek has engaged, or is currently engaging, in unethical business practices in connection with his leadership of PAC.

31. The Defamatory HEI Publication also includes several misleading statements, characterizations, and suggestions about Mr. Paucek, PAC, and their business practices.

32. Mr. Shaulis states in the Defamatory HEI Publication that “[a] number of former NFL players have already signed up [with PAC] and are being used to sell PAC’s services,” which misleads readers into believing that Mr. Paucek and PAC seek to exploit professional athletes for profit.

33. Mr. Shaulis also characterizes the Defamatory HEI Publication as “a warning to current and former professional athletes who may be contacted by [PAC],” thereby directing the Defamatory HEI Publication at the same group of individuals to whom PAC seeks to deliver its offerings. Relatedly, the Defamatory HEI Publication includes a suggestion for those contacted by PAC “to do their due diligence,” “to document any material statements made,” “to consult their lawyers,” and “to let [HEI] know what promises may be said on the back stage.” While these statements would not be problematic in a vacuum, coming under the heading of “SCAM ALERT” they further communicate to readers that they should be wary of Mr. Paucek and PAC.

34. Each of Mr. Shaulis’s false and misleading statements, characterizations, and suggestions in the Defamatory X Post and Defamatory HEI Publication harms Mr. Paucek and PAC by attacking their integrity and credibility in the operation of their business, thereby damaging their reputations as an excellent resource for professional athletes and dissuading professional athletes, industry experts, and educators from being involved or associated with them.

35. Reasonable professional athletes, industry experts, and educators would have serious concerns about associating with an organization that is a “scam” or is led by an executive who is “the consummate con man” and has a “track record as an unethical businessperson.”

36. This harm is also readily apparent from comments published by readers of the Defamatory HEI Publication on the HEI Website.

37. For example, one anonymous user posted a comment to the Defamatory HEI Publication stating, “Reputable sources tell me that only football athletes with brain damage are signing up with [Mr.] Paucek.” A screenshot of this comment is reproduced below:



38. Similarly, in a comment to Mr. Shaulis’s second blog post on the HEI Website, entitled, “HEI receives cease-and-desist letter from Chip Paucek’s lawyers,” and referencing the Defamatory HEI Publication, an anonymous user stated, “As for NFL athletes, after all those brain concussions and head injuries that we’ve been reading about, maybe [Mr.] Paucek thinks they are easy targets!” A screenshot of this comment is reproduced below:

2 comments:

**Anonymous** September 20, 2024 at 4:29 PM

Great work, Dahn!  
I wonder who else Paucek's hired guns are going after?  
As for NFL athletes, after all those brain concussions and head injuries that we've been reading about, maybe Paucek thinks they are easy targets!

[Reply](#)

**Higher Education Inquirer** September 21, 2024 at 12:10 PM

Good question. It does present a chilling effect for news outlets.

[Reply](#)



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39. Readers of the Defamatory X Post and Defamatory HEI Publication, including potential clients and partners of PAC, reasonably understood each publication to mean they should be suspect of, and reluctant to work with, Mr. Paucek and PAC.

40. Moreover, Mr. Shaulis did not attempt to support the Defamatory X Post or Defamatory HEI Publication with any factual information.

41. Mr. Shaulis disregarded an abundance of evidence contradicting the Defamatory X Post and Defamatory HEI Publication. In particular, the Defamatory X Post and Defamatory HEI Publication are contradicted by (a) the numerous accolades Mr. Paucek has received from the business community; (b) the valuable education, training, and other support that PAC provides to professional athletes; and (c) the numerous professional athletes who have described PAC as instrumental to their successful transition into business careers.

42. Unsurprisingly, Mr. Shaulis also failed to provide Mr. Paucek, PAC, and/or any of their representatives with an opportunity to respond to, rebut, or provide additional evidence concerning the Defamatory X Post or Defamatory HEI Publication.

**Mr. Paucek and PAC’s Cease-and-Desist Letter to Mr. Shaulis:**

43. After becoming aware of the Defamatory HEI Publication, PAC and Mr. Paucek gave Mr. Shaulis an opportunity to remedy his wrongdoing. On September 16, 2024, counsel for Mr. Paucek and PAC sent a cease-and-desist letter to Mr. Shaulis (the “Cease-and-Desist Letter”) demanding that Mr. Shaulis (a) remove the Defamatory HEI Publication from the HEI Website; (b) issue a retraction withdrawing the HEI Statement Defaming Mr. Paucek and HEI Statement Defaming PAC, and citing the false nature of those statements as the reason for retraction; and (c) refrain from making false or otherwise misleading statements about Mr. Paucek and PAC in the future.

44. On the same day, Mr. Shaulis complied with Mr. Paucek and PAC’s first demand to remove the Defamatory HEI Publication from the HEI Website. However, Mr. Shaulis ignored the remaining two demands.

45. On September 19, 2024, counsel for Mr. Paucek and PAC sent an email to Mr. Shaulis to follow-up on the remaining two demands. Mr. Shaulis responded by proposing to issue a retraction including his position that he was being coerced into the correction and that the Defamatory HEI Publication was factually accurate. Counsel for Mr. Paucek and PAC replied to Mr. Shaulis by explaining that such inclusions were not acceptable and reiterating the remaining two demands.

**Mr. Shaulis’s Second Blog Post Reiterating Defamatory Statements:**

46. On September 20, 2024, rather than issuing a retraction in accordance with Mr. Paucek and PAC’s demand, Mr. Shaulis published a second blog post on the HEI Website entitled, “HEI receives cease-and-desist letter from Chip Paucek’s lawyers,” reiterating his false

and misleading statements, characterizations, and suggestions in the Defamatory HEI Publication (the “Second HEI Blog Post”). See Dahn Shaulis, *HEI Receives Cease-and-Desist Letter from Chip Paucek’s Lawyers*, HIGHER EDUCATION INQUIRER (Sept. 20, 2024), <https://www.highereducationinquirer.org/2024/09/hei-receives-cease-and-desist-letter.html>. A copy of the Second HEI Blog Post is attached as **Exhibit C**.

47. In the Second HEI Blog Post, Mr. Shaulis explained that he removed the Defamatory HEI Publication “[o]ut of respect for PAC [C]o-CEO Kaleb Thornhill and members of PAC.” However, Mr. Shaulis went on to state that “we stand by all the facts of the story and our characterizations about Mr. Paucek.” The meaning here is unmistakable and only exacerbates the harm caused by the Defamatory HEI Publication.

48. In light of the reputational and business-related harm resulting from the Defamatory X Post and Defamatory HEI Publication as well as Mr. Shaulis’s refusal to remedy his wrongdoing, Mr. Shaulis has left PAC and Mr. Paucek with no reasonable alternative to enforcing their legal rights through this action.

49. Plaintiffs’ investigation into Mr. Shaulis’s efforts to destroy their reputations is ongoing. Mr. Shaulis may have published other false statements concerning Plaintiffs, and Plaintiffs reserve the right to amend this Complaint to include such other statements at a later date.

### **CLAIMS FOR RELIEF**

#### **COUNT ONE – DEFAMATION *PER SE***

**(By Mr. Paucek Against Mr. Shaulis)**

50. Mr. Paucek repeats and re-alleges Paragraphs 1-49 as if set forth fully herein.

51. Mr. Shaulis published the Defamatory X Post on the X social media platform. Mr. Shaulis published the HEI Statement Defaming Mr. Paucek on the HEI Website as part of the Defamatory HEI Publication.

52. The Defamatory X Post and HEI Statement Defaming Mr. Paucek each precisely identifies Mr. Paucek.

53. The Defamatory X Post and HEI Statement Defaming Mr. Paucek are each a statement of fact and are each reasonably understood as a statement of fact.

54. The Defamatory X Post and HEI Statement Defaming Mr. Paucek are each defamatory because each undoubtedly tends to expose Mr. Paucek to public scorn, hatred, contempt, and/or ridicule as well as harms Mr. Paucek's business reputation in the carrying out of his profession.

55. The Defamatory X Post and HEI Statement Defaming Mr. Paucek are each defamatory *per se* because, without reference to extrinsic evidence and viewed in its plain meaning, each relates to Mr. Paucek's trade, business, or profession, charges him with unethical business practices, and thereby tends to injure him in his trade, business, or profession.

56. Readers have reasonably understood the Defamatory X Post and HEI Statement Defaming Mr. Paucek as defamatory statements.

57. The Defamatory X Post and HEI Statement Defaming Mr. Paucek are each false. Contrary to Mr. Shaulis's accusations that Mr. Paucek is "the consummate con man" and has a "track record as an unethical businessperson," Mr. Paucek has never been found to have engaged in unethical business practices by a formal factfinder, such as a court of law, regulatory body, self-regulating industry group, or ethics committee.

58. Mr. Shaulis published the Defamatory X Post and HEI Statement Defaming Mr. Paucek with actual malice, through his knowing or, at the very least, reckless disregard as to the truth of the Defamatory X Post and HEI Statement Defaming Mr. Paucek.

59. As a direct and proximate result of Mr. Shaulis publishing the Defamatory X Post and HEI Statement Defaming Mr. Paucek, Mr. Paucek has suffered economic and reputational damages.

60. Mr. Shaulis published the Defamatory X Post and HEI Statement Defaming Mr. Paucek deliberately, willfully, with actual malice, with a conscious and willful indifference to Mr. Paucek's rights, and/or with a desire to cause injury to Mr. Paucek.

61. In light of the foregoing, Mr. Paucek is entitled to actual, presumed, and punitive damages in amounts to be determined at trial.

**COUNT TWO – DEFAMATION *PER SE***

**(By PAC Against Mr. Shaulis)**

62. PAC repeats and re-alleges Paragraphs 1-61 as if set forth fully herein.

63. Mr. Shaulis published the HEI Statement Defaming PAC on the HEI Website as part of the Defamatory HEI Publication.

64. The HEI Statement Defaming PAC plainly refers to PAC.

65. The HEI Statement Defaming PAC is a statement of fact and is reasonably understood as a statement of fact.

66. The HEI Statement Defaming PAC is defamatory because it undoubtedly tends to harm the reputation of PAC as to lower PAC in the estimation of the business community and to



deter third persons, including professional athletes, industry experts, and educators, from associating or dealing with PAC, thereby prejudicing PAC in its business.

67. The HEI Statement Defaming PAC is defamatory *per se* because, without reference to extrinsic evidence and viewed in its plain and obvious meaning, it maligns and thereby injures PAC in its trade and business.

68. Readers have reasonably understood the character of the HEI Statement Defaming PAC as defamatory.

69. The HEI Statement Defaming PAC is false. Contrary to Mr. Shaulis's accusation that PAC is a "scam," PAC is not, and has never been, involved in an illegitimate, fraudulent scheme designed to deceive.

70. Mr. Shaulis published the HEI Statement Defaming PAC with actual malice, through his knowing or, at the very least, reckless disregard as to the truth of the HEI Statement Defaming PAC.

71. As a direct and proximate result of Mr. Shaulis publishing the HEI Statement Defaming PAC, PAC has suffered economic and reputational damages.

72. Mr. Shaulis published the HEI Statement Defaming PAC with a wanton, willful, and conscious disregard for the rights of PAC, with actual malice, and/or with a desire to cause injury to PAC.

73. In light of the foregoing, PAC is entitled to actual, presumed, and punitive damages in amounts to be determined at trial.

**COUNT THREE – TORTIOUS INTERFERENCE WITH PROSPECTIVE BUSINESS  
RELATIONS**

**(By PAC Against Mr. Shaulis)**

74. PAC repeats and re-alleges Paragraphs 1-73 as if set forth fully herein.

75. Mr. Shaulis’s Defamatory X Post and Defamatory HEI Publication are likely to interfere with PAC’s prospective business relations with professional athletes, industry experts, and educators.

76. PAC has a reasonable probability of business opportunities with a growing number of professional athletes to become members of PAC and to participate in its programs.

77. PAC also has a reasonable probability of business opportunities to partner with or otherwise involve industry experts and educators in its programs for purposes of enhancing its offerings to professional athletes.

78. Mr. Shaulis has interfered with PAC’s business opportunities by publishing the Defamatory X Post and Defamatory HEI Publication and thereby damaging the reputations of Mr. Paucek and PAC as well as dissuading professional athletes, industry experts, and educators from being involved or associated with PAC.

79. Mr. Shaulis’s interference with PAC’s business opportunities was intentional because Mr. Shaulis acted with a desire to harm PAC by deterring professional athletes, industry experts, and educators from being involved or associated with PAC. Alternatively, Mr. Shaulis knew that such interference was substantially certain to occur as a result of the Defamatory X Post and Defamatory HEI Publication.

80. As a direct and proximate result of Mr. Shaulis's interference with PAC's business opportunities, PAC has suffered economic damages.

81. Mr. Shaulis interfered with PAC's business opportunities with a wanton, willful, and conscious disregard for the rights of PAC, with actual malice, and/or with a desire to cause injury to PAC.

82. In light of the foregoing, PAC is entitled to compensatory and punitive damages in amounts to be determined at trial.

### **PRAYER FOR RELIEF**

WHEREFORE, CHRISTOPHER "CHIP" PAUCEK and PRO ATHLETE COMMUNITY, INC. respectfully request that the Court enter an award and judgment in their favor, and against DAHN SHAULIS, as follows:

- (a) Requiring Mr. Shaulis to remove the Defamatory X Post from the X social media platform and any other platform or website on which it has been published;
- (b) Requiring Mr. Shaulis to remove the Second HEI Blog Post from the HEI Website and any other platform or website on which it has been published;
- (c) Requiring Mr. Shaulis to publish a retraction withdrawing the defamatory statements concerning Plaintiffs and citing the false nature of those statements as the reason for the retraction;
- (d) Enjoining Mr. Shaulis from making further defamatory statements concerning Plaintiffs;
- (e) Awarding Plaintiffs compensatory damages in an amount to be established at trial for their economic and reputational injuries;
- (f) Awarding Plaintiffs punitive damages in an amount to be determined at trial;

- (g) Awarding Plaintiffs pre- and post-judgment interest;
- (h) Awarding Plaintiffs expenses and costs, including reasonable attorneys' fees; and
- (i) Such other and further relief as the Court deems appropriate.

**JURY DEMAND**

Plaintiffs hereby demand a trial by jury on all claims and issues so triable.

Dated: October 15, 2024

/s/ Chad A. Rutkowski

Chad A. Rutkowski

**BAKER & HOSTETLER LLP**

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*Attorneys for Plaintiffs* CHRISTOPHER  
"CHIP" PAUCEK and PRO ATHLETE  
COMMUNITY, INC.

EXHIBIT A



## EXHIBIT B

9/14/24, 1:49 PM

Higher Education Inquirer : SCAM ALERT: Chip Paucek and Pro Athlete Community (aka PAC)

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# Higher Education Inquirer

Email Editor Glen McGhee at [gmcghee@aya.yale.edu](mailto:gmcghee@aya.yale.edu). Trending hashtags: #AI #borrowerdefense #collegemania #collegemeltdown #dehumanizing #doomloop #edtech #edugrft #enrollmentcliff #k12 #medugrft #opm #protests #robocollege #sciencenotsophistry #solidarity #strikedebt #subprime #uaw #workingcaste

Monday, September 9, 2024

## SCAM ALERT: Chip Paucek and Pro Athlete Community (aka PAC)

The Higher Education Inquirer (HEI) is conducting an extensive investigation of former 2U CEO Chip Paucek. While we are compiling and analyzing this information, HEI is putting out a warning to current and former professional athletes who may be contacted by Paucek's newest enterprise, Pro Athlete Community (PAC).

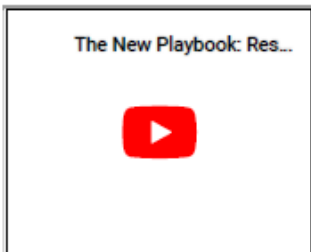


As the co-CEO of Pro Athlete Community, Chip Paucek rang the opening bell at NASDAQ on June 13, 2024, just months after driving another company, 2U, to near failure.

Pro Athlete Community is recruiting former professional athletes to become members, offering dreams of success. A number of former NFL players have already signed up and are being used to sell PAC's services. PAC is also working with the Miami Dolphins to educate current players about getting into business.

From September 14-19, in Austin, Texas, PAC is holding live sessions to sell their dreams. The event is called *Next Chapter U*. They are also working with the University of Miami's Herbert School of Business on a certificate program for PAC members.

We encourage those who are contacted by Pro Athlete Community to do their due diligence, given Paucek's track record as an unethical businessperson. We are also asking those who have been contacted to document any material statements made, to consult their lawyers, and to let us know what promises may be said on the back stage. We will share with you what we know.



Chip Paucek, co-CEO of Pro Athlete Community, brought his sales pitch to ASU-GSV in April 2024. Paucek used a number of former NFL players to represent the PAC brand.

Related links:

<https://www.highereducationinquirer.org/2024/09/scam-alert-chip-paucek-and-pro-athlete.html>

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Dahn Shaulis

The Higher Education Inquirer (HEI) is edited by Dahn Shaulis and Glen McGhee (Florida Higher Education Accountability Project). Since 2016, HEI has been a trusted source about the US higher education industry. Advocating for transparency, accountability, and value. Our content aims to inform and empower workers and consumers navigating the higher education system. Guest authors include Bryan Alexander (Future Trends Forum), Ann Bowers (Debt Collective), Randall Collins (UPenn, The Sociological Eye), Garrett Fitzgerald (College Recon), Richard Fossey (Condemned to Debt), Erica Gallagher, Tarah Gramza (Sweet v Cardona), David Halperin (Republic Report), Bill Harrington (Croatan Institute), Phil Hill (On EdTech Blog), Hank Kalet (Rutgers), New Jersey Citizen Action, Annelise Orleck (Dartmouth College), Robert Kelchen (University of Tennessee), Debbi Potts (whistleblower), Jack Metzger (Roosevelt University), Derek Newton (The Cheat Sheet), Gary Roth (Rutgers-Newark), Mark Salisbury (TuitionFit), Darren Slade (Global Center for Religious Research), Gary Stocker (College Viability), J.D. Suenram, Heidi Weber (Whistleblower Revolution), and Helena Worthen (Power Despite Precarity).

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Posted by Dahn Shauls at 1:18 PM

Labels: 2U, Chip Paucek, edugrft, football, Hooked on Phonics, Miami Dolphins, NFL, NFLPA, Pro Athlete Community, University of Miami

2 comments:

Anonymous September 9, 2024 at 7:43 PM

Reputable sources tell me that only football athletes with brain damage are signing up with Paucek.

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Higher Education Inquirer September 9, 2024 at 9:00 PM

How do you explain the University of Miami business school and the Miami Dolphins?

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Email Editor Glen McGhee at [gmcghee@aya.yale.edu](mailto:gmcghee@aya.yale.edu). Trending hashtags: #AI #borrowerdefense #collegemania #collegemeltdown #dehumanizing #doomloop #edtech #edugrft #enrollmentcliff #k12 #medugrft #opm #protests #robocollege #sciencenotsophistry #solidarity #strikedebt #subprime #uaw #unicity #workingcaste

Friday, September 20, 2024

### HEI receives cease-and-desist letter from Chip Paucek's lawyers

The Higher Education Inquirer has received a cease-and-desist letter from lawyers representing Chip Paucek and the Pro Athlete Community (PAC). Out of respect for PAC co-CEO Kaleb Thornhill and members of PAC, we have removed the article. However, we stand by all the facts of the story and our characterizations about Mr. Paucek, the former CEO of 2U and Smarterville (aka Hooked on Phonics). These characterizations are based on information and opinions obtained from experts in the education business in addition to publicly available business records and government records, to include earnings call transcripts, consumer lawsuits, and citizen/consumer testimony.

Posted by Dahn Shaulis at [3:43 AM](#)

Labels: [2U](#), [Chip Paucek](#), [culture of silence](#), [edugrft](#), [MLB](#), [NFL](#), [NFLPA](#), [opm](#)

#### 2 comments:

**Anonymous** September 20, 2024 at 4:29 PM  
Great work, Dahn!  
I wonder who else Paucek's hired guns are going after?  
As for NFL athletes, after all those brain concussions and head injuries that we've been reading about, maybe Paucek thinks they are easy targets!  
[Reply](#)

**Higher Education Inquirer** September 21, 2024 at 12:10 PM  
Good question. It does present a chilling effect for news outlets.  
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