

## State College man pays large penalty for Internet attack on company

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By Tom Gibb, Post-Gazette Staff Writer

Peter Krum offers only the barest post-mortem about tangling on the Internet with healthcare giant HealthSouth Corp.

"It's been resolved," he said. "I admitted what I did was wrong."

But the State College-area man paid dearly to travel the road to resolution. As payback for posting messages on the Internet last year claiming HealthSouth was verging on ruin, that its managers were crooked and that he was having sex with the chairman's wife, Krum:

Lost his job as a Penn State University food and beverage manager, a job his attorney said paid about \$35,000 a year, and is making \$22,000 a year as a cook at a State College bar and grill.

Had to sign a three-page *mea culpa*, filed at the Centre County Courthouse, saying his claims were "thoughtless lies" told out of "my irresponsible and childish desire to be recognized as important by other posters on the bulletin board."

?Was ordered to do three hours a week public service work for the next two years and to donate \$50 a month for four years to the Women's Resource Center in State College, the charity of HealthSouth's choice.

The lesson to be learned, HealthSouth Chairman Richard Scrushy said, is that the Internet isn't safe haven for people taking pot shots at his company.

"He basically took his life and flushed it down the toilet because he wanted to play this silly game on the Internet," HealthSouth attorney Bruce Fischman said.

"It was truly a sophomoric prank," said Krum's attorney, William Arbuckle of State College. "He thought it was funny when he did it. ... But this kid is genuinely remorseful. It was just a humiliating experience for him."

In 1997, Krum, now 33, was a food service manager at HealthSouth's Nittany Valley Rehabilitation Hospital, near State College, just a name among the company's 60,000 employees. But in mid-1998, after he left HealthSouth to take the job at Penn State, Krum became a thorn in the company's paw.

He signed into a financial bulletin board -- an electronic give-and-take where users post messages and draw replies -- maintained by the Internet service Yahoo!.

For three months, he wrote under the name "I Am Dirk Digler," a reference to a porn star character in the 1997 mainstream movie "Boogie Nights." Sometimes, Krum tweaked HealthSouth, sometimes he tore into it.

He wrote that the company was a collapsing house of cards, charged that Scrusby was bilking Medicare and said he was having sex with Scrusby's wife. Among the things he didn't know then, Krum admitted in his affidavit, was that Scrusby's wife was pregnant.

"I have a guy tells me in a meeting in Japan that they read all these terrible things this guy was saying about me and my family," Scrusby said. "It didn't take us long to find out who it was and go after him."

Because Krum listed his real name in a Yahoo! user profile as "Buck Naked," HealthSouth subpoenaed Yahoo! for his identity, then filed suit in Centre County Court in October.

Krum first took a stab at defending himself, drawing up a list of preliminary objections, then hired Arbuckle.

Arbuckle said he could have defended Krum's commentary as satirical -- a man taking the moniker of a fictitious porn star, spouting the outrageous. HealthSouth attorney Donn Dutton responded that more often than not, Krum crossed the line out of the satirical.

Krum didn't want to fight, though; he just wanted to settle and get the episode behind him, Arbuckle said.

But Krum was out a good job, fired after Penn State decided he used the university's Internet account on university time to access the Yahoo! bulletin board. He is responsible for student loan payments and a mortgage. His wife is due to give birth this month.

Because he had little money to pay HealthSouth, the company decided to use him as a bad example instead.

First, Krum wrote a letter of apology to Scrushy. Then he filed his affidavit in which he said his actions were a "a grievous mistake and hurt everyone involved,"

In the aftermath, Krum is doing his mandatory community service for the Mid-State Literacy Council, teaching adults to read. He is making his \$50-a-month contributions to the Women's Resource Center.

In exchange, at HealthSouth's behest, the Centre County district attorney's office decided against prosecuting Krum for harassment by communication.

"He suffered a great deal for what he's done," Scrushy said. "My wife and I, we forgive him for what he's done. We have to put it behind us and get on with our lives."

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