

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF CHEMUNG**

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LORE HAYLEIGH FLETCHER,	:
	:
Plaintiff,	:
	:
v.	:
	:
JESSICA BRYCE ROUTHIER,	:
	:
Defendant.	:
-----X	

Civil Action No.:

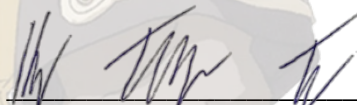
SUMMONS

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff(s) herein and to serve a copy of your answer on the plaintiff(s) at the address indicated below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: April 8, 2025

Hayleigh Lore Fletcher



By and through counsel:
Kenneth V. Farino, Jr.
Farino Law, PLLC
1769 Jamestown Road, Suite 1A
Williamsburg, Virginia 23185
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NY Bar No. 6191910

Defendant's Address: 43000 W 9 MILE RD STE 109
NOVI, MI 48375-4180

Venue: Plaintiff designates Chemung County as the place of trial. The basis of this designation is Plaintiff's residence in Chemung County.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF CHEMUNG**

-----X		
LORE HAYLEIGH FLETCHER,	:	
	:	
Plaintiff,	:	Civil Action No.:
	:	
v.	:	
	:	<u>COMPLAINT</u>
JESSICA BRYCE ROUTHIER,	:	
	:	<u>Jury Trial Demanded</u>
Defendant.	:	
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Plaintiff Lore Hayleigh Fletcher (heretofore the “Plaintiff”) brings this Complaint against the Defendant, Jessica Bryce Routhier (heretofore the “Defendant”), and hereby alleges as follows:

PRELIMINARY STATEMENT

- On January 9, 2024, the Defendant Jessica Bryce Routhier, a Michigan therapist and internet personality streaming under her YouTube account “Zena and Poppy,” said the following on her Bluesky account:
Believe all victims except when it is me ... I was sexually assaulted by @noehflake.bsky.social, [the Plaintiff] Full stop.
- That same day, the Defendant said the following about the Plaintiff:
Please Copy/Paste. [Plaintiff] assaulted [Defendant] on 12/23/23 via deception after tricking her into coming out to New York (a 500-mile trip) to fix a relationship she already knew was dead after she lied about breaking up with her partner who abused Poppy¹.
- On January 12, 2024, the Defendant identified the Plaintiff by her chosen name for the first time when she stated “Hayleigh Fletcher assaulted me.”
- On January 21, 2024, the Defendant escalated matters by making a claim that the Plaintiff raped her outright: “Reminder that Hayleigh Fletcher/@Noehflake raped me and then tried to defend herself by making up a false counterclaim and claiming she was asexual as if that would somehow defend her. She abused me throughout our relationship. I will not back down on this.”

¹ The Defendant streams under her pseudonym “Poppy” with her partner, who uses the pseudonym “Zena.”



5. Lore Hayleigh Fletcher did not, in fact, sexually assault or rape Jessica Bryce Routhier; these assertions are not only disgusting but unequivocally false.
6. Further, Plaintiff did not “trick” the Defendant into coming out to New York to “fix” their failing relationship, and Plaintiff did not lie to the Defendant about breaking up with her other romantic partner.
7. After these social media posts were made, the Plaintiff suffered a deluge of harassment as the Defendant perpetuated a year-long defamation campaign against her. This campaign continues to this day.
8. The Defendant, either through her direct actions or through her inner circle, made multiple social media posts, YouTube videos and blog posts defaming the Plaintiff by calling her a rapist and accusing her of sexual assault.
9. The Defendant’s stated goal in pursuing her harassment campaign was to “[t]ake down Hayleigh as much as I can.” In other words, the Defendant wants to destroy the Plaintiff’s life and reputation because of a bad break-up.

JURISDICTION AND VENUE

10. This Court has personal jurisdiction over the parties pursuant to Civil Practice Law and Rules (“CPLR”) §§ 301, 302, *inter alia*, because Plaintiff resides in New York, and because Defendant’s conduct has subjected her to the jurisdiction of New York through its Long-Arm Statute.
11. Venue is proper in this County pursuant to CPLR §503 because the Plaintiff resides in Chemung, NY, and because a substantial portion of the events giving rise to this cause of action occurred in Chemung County.

PARTIES

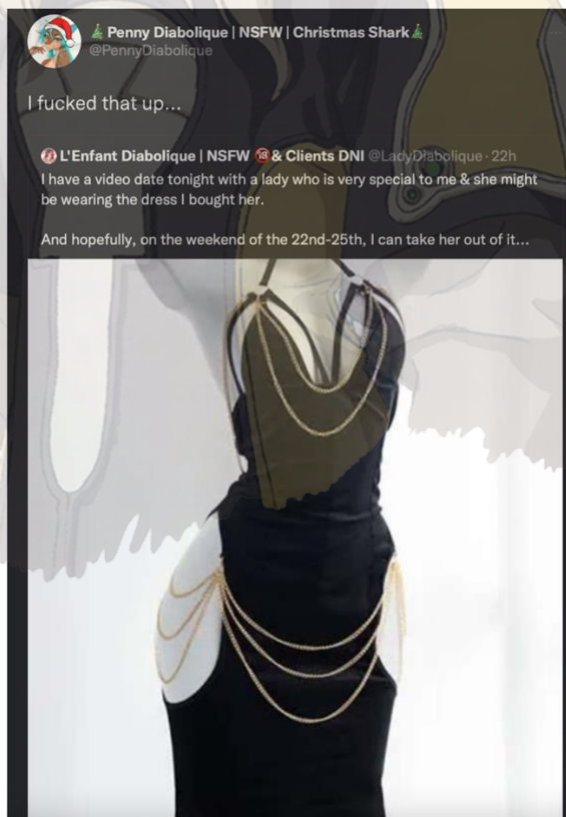
12. Plaintiff resides in the State of New York, Chemung County.
13. The Plaintiff is a private person who, prior to the Defendant's actions in late 2023/early 2024, did not have a presence as a content creator or public figure.
14. Instead, the Plaintiff was forced into the realm of public discussion as a direct result of the actions of the Defendant.
15. Defendant resides in the State of Michigan, Ingham County, and works as a licensed professional counselor and as a content creator producing videos on YouTube.
16. The Defendant's YouTube channel, Disk Horse - Zena and Poppy (previously known as TransGirlTherapist, and Zena and Poppy: Wholesome Degenerates), boasted approximately 10,000 subscribers at its peak, with their videos receiving on average 1.5k views.
17. The Defendant also had multiple Twitter accounts, with the four most prevalent accounts being @ZenaAndPoppy, @Real_Poppy_D, @PoppyDiabolique, and @LadyDiabolique.
18. The Defendant also maintains accounts on Bluesky, going by the handles @ladydiabolique.bsky.social and @zenaandpoppy.bsky.social.

FACTUAL ALLEGATIONS

1. The Prelude: The "Romance" of Lore Fletcher and Jessica Routhier

19. During the summer of 2023, the Defendant found the Plaintiff on what was then known as Twitter.com, where the Plaintiff was exploring more about herself in an informational post about vaginoplasty, or bottom-surgery for transgender individuals. The parties first started talking to each other in said posts.
20. The Defendant then proceeded to privately message the Plaintiff to recommend the doctor who performed her vaginoplasty in Detroit, Michigan. From this brief interaction bloomed what the Plaintiff believed to be a friendship.
21. From that point onwards, the Plaintiff and Defendant talked about everything from shared hobbies to common interests, and even about their own personal lives.
22. Eventually, the Defendant professed her love for the Plaintiff. At first, the Plaintiff rejected the Defendant's advances.
23. The Plaintiff and Defendant are both polyamorous, with each party being romantically involved with multiple partners.

24. At the time the Defendant expressed romantic interest in the Plaintiff, the Plaintiff was already dating three other partners. Adding another romantic partner into her life was overwhelming, and something that she wanted to take slowly.
25. Approximately during August 2023, the parties thereafter moved their conversations from Twitter private messages onto Discord, a private instant messaging service that allows users to create their own community servers, and to communicate by text, voice or video.
26. Over time, the Defendant continued to make advances towards the Plaintiff until she finally broke down in September 2023, the Plaintiff saying she would give a relationship with Defendant a try.
27. The Defendant often bought Plaintiff gifts or would offer to pay for things for the Plaintiff during their relationship. The Defendant gifted these items mostly for her benefit, such as a new webcam because she wanted to have video dates with the Plaintiff that were of better quality; or a slinky black dress to wear during intimate moments.



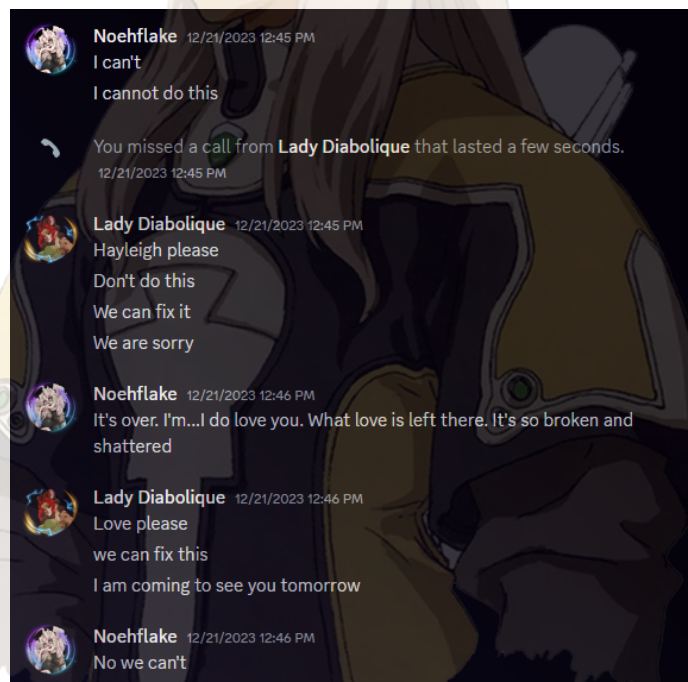
28. The Plaintiff told the Defendant she did not want to receive gifts like those mentioned prior because it makes her feel as if she owes the gift-giver something.

Nevertheless, the Defendant pressured the Plaintiff into accepting her gifts, telling her that gift-giving was her way of showing affection and love. This led to the Defendant buying anything the Plaintiff happened to express an interest in.

29. As an example, the black dress mentioned in ¶27 was something that the Plaintiff had planned to purchase herself once she had received her paycheck, but the Defendant stated she would purchase it for her regardless of what she said.
30. Other examples of this were when the Plaintiff expressed that they would like a pair of blankets to use as a privacy curtain, a pair of headphones, and the new webcam referenced in ¶27. Those were all items the Plaintiff stated she would like, but she never explicitly asked the Defendant for these items as gifts.
31. The Defendant also bought her and the Plaintiff matching rings, followed by a plane ticket, both of which were high-value items that the Plaintiff had no intention of asking for as gifts.
32. The behaviors described in ¶¶27-31 are a prime example of love bombing, which is a form of emotional manipulation that involves a person giving excessive compliments, attention or affection to another. This lowers the targeted person's defenses and allows the manipulative partner to find ways to control them.
33. Unfortunately, the Defendant's controlling and manipulative nature only continued to worsen over time. As previously mentioned in ¶23, both parties are polyamorous and have multiple romantic partners. The Plaintiff had begun to discuss her other partners to the Defendant as a way to share important parts of her life and grow their budding relationship.
34. Counter to Plaintiff's good intentions, the Defendant outright told her that she did not ever want to hear about her metamours² or interact with them in any way.
35. The Plaintiff believes the key to a healthy relationship is to be able to communicate openly with all partners. This hard line drawn by the Defendant caused much strife between the two.

² When reference is made to a "partner," this signifies the Plaintiff or Defendant's own romantic partners. When reference is made to a "metamour," this signifies when the parties are dealing with each others' romantic partners. Metamours are defined as "the lover of one's lover, or partner of one's partner, whom one is not directly romantically involved with." See Wikipedia.org, Metamour (September 4, 2024), <https://en.wikipedia.org/wiki/Metamour>. The term "metamour" is commonly used in the Polyamorous community, and an example may be a husband who is married to his wife and also has a girlfriend. The girlfriend would be the husband's partner and the wife's metamour. Polyamorous relationships commonly involve multiple romantic partners, and they are something that all parties in the relationship consent to.

36. For example, the Plaintiff had purchased tickets to visit one of her partners prior to entering a relationship with the Defendant. Once the Defendant became aware of the planned trip, the Defendant made it a point to make her animosity of her metamours clear with public posts on Twitter.
37. Despite being engaged to Mx. Jasenak, the Defendant demanded that the Plaintiff have no other romantic partners or share anything about their lives in public spaces, even messaging her in public and private about how displeased she was at showing affection to other partners.
38. Eventually, Plaintiff could not take the constant conflict and broken personal boundaries any longer. On December 21, 2023, the Plaintiff broke up with the Defendant over Discord, telling her that “I don’t think there is any way to fix it. It’s too broken.”³



39. Over the span of seven sleepless hours, the Defendant and Mx. Jasenak bombarded the Plaintiff with pleas to “fix things,” and for she and Mx. Jasenak to still see the Plaintiff in New York.
40. The Plaintiff told the Defendant and Mx. Jasenak approximately twenty times that she does not want to continue their relationship. The Defendant and Mx. Jasenak refused to take no for an answer.

³ During this period, the Plaintiff’s username on Discord was Noehflake, and the Defendant’s username was Lady Diabolique.

41. After much haranguing by the Defendant and with few hours of sleep, the Plaintiff relented, agreeing to meet the Defendant and Mx. Jasenak.
42. During this time, the Defendant obsessively posted about meeting with Plaintiff on her Twitter account.
43. The Plaintiff and the Defendant finally met in person on December 22, 2023; the Plaintiff came to see the Defendant and Mx. Jasenak at the Clarion Inn, where they were staying.

2. The Catalyst to Chaos: The December 22, 2023 Trip

44. The Defendant met the Plaintiff in the hotel parking lot, and the three parties made their way to the Defendant's hotel room.
45. The visit started innocuously enough, with the Parties and Mx. Jasenak ordering dinner.
46. While Mx. Jasenak was in the bathroom, the Defendant began to aggressively indicate that she wanted to have sexual intercourse with the Plaintiff.
47. The Plaintiff was unsure and asked the Defendant if she needed to speak with Mx. Jasenak first before initiating anything, since that was something the Plaintiff and Defendant had established prior to the visit.
48. The Defendant insisted it was fine, and she began to fellate the Plaintiff.
49. The Plaintiff was so uncomfortable that she began to disassociate.
50. Mx. Jasenak exited the bathroom after the sex act was already done. The parties did not discuss what had happened, and when their dinner arrived, they all ate.
51. Afterwards, the Plaintiff decided she wanted to go to sleep.
52. As the Plaintiff was attempting to do so, the Defendant began touching and kissing her. The Defendant was trying to initiate sex with the Plaintiff for a second time, even though Mx. Jasenak was right next to them in the other bed.
53. The Plaintiff gave hints to the Defendant that she was not interested, but the Defendant did not relent.
54. The Plaintiff gave in and engaged in sexual intercourse with the Defendant. During the sexual encounter, the Plaintiff was constantly checking with the Defendant that she was okay with all the touching and actions that were being done. The Defendant said yes each and every time.
55. Eventually, the Defendant climaxed, and the parties went to sleep.

56. The following morning, the Plaintiff woke up at approximately 9:00am or 10:00am with the Defendant still cuddling and kissing her.
57. Mx. Jasenak was upset and feeling ill, so the Plaintiff suggested getting some food at a great restaurant nearby.
58. Mx. Jasenak disagreed with Plaintiff's proposed plan and continued to complain, then voicing their anger at hearing the Plaintiff and the Defendant have sexual intercourse the night prior.
59. The Defendant and Mx. Jasenak began to angrily argue with each other for several hours, a common occurrence in their household.
60. Mx. Jasenak then began making plans to leave, which is when the Plaintiff suggested that both the Defendant and Mx. Jasenak leave together.
61. More arguing ensued. Contrary to Defendant's hopes, she and the Plaintiff's relationship was still broken beyond repair, and Plaintiff saw this plain as day.
62. The Plaintiff then reiterated that everybody should go home, packed her own bags and attempted to leave.
63. The Defendant followed after the Plaintiff, with Mx. Jasenak asserting that they can work this out. The Defendant grabbed the Plaintiff's bag, and collapsed to the floor of the hotel room, partially blocking the door out. The Defendant did not want Plaintiff to leave.
64. The Plaintiff was able to free herself of the Defendant, and she finally left.
65. The Defendant followed the Plaintiff to the parking lot of the hotel. The Defendant begged the Plaintiff that they could work this out, but the Plaintiff refused.
66. The Defendant took off her matching luna moth ring and told the Plaintiff to take it. The Plaintiff replied by offering hers to the Defendant instead so that she could get some money back. The Defendant refused and gave the Plaintiff her ring. They parted ways soon thereafter.
67. After the dust settled, the Defendant was alone. Eventually, she went back to her hotel room. Despite being told that the Plaintiff had broken up with her, the Defendant refused to believe this and employed the same tactic she had used only a few days before: she texted the Plaintiff for hours in a desperate attempt to "convince" her to come back. *See* Exhibit "A" (a chain of text messages between the parties, including text messages where the Defendant, for the first time, accuses the Plaintiff of "using her for sex" as a litmus test to see if she still had feelings for her).

68. The Plaintiff, with her boundaries already thoroughly shattered, simply responded and told the Defendant to go home. The Defendant's manipulation ended here.

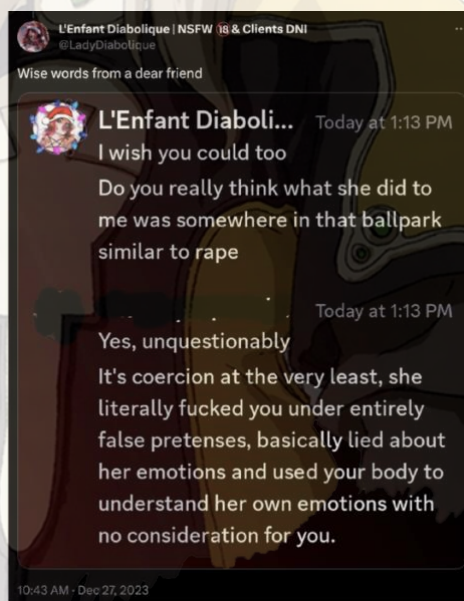
69. That same day, the Defendant was despondent, and she made a series of social media posts publicly mourning the end of her relationship with the Plaintiff. *See* Exhibit "B" (Twitter posts made on December 23, 2023 regarding the parties' break-up).

70. At the time she was sharing this personal event on Twitter, her YouTube channel had a subscriber count of approximately ten thousand people. Many of said viewers followed the Defendant on her personal and channel accounts.

71. These posts continued through the Christmas season.

3. The Sound and the Fury: The Defendant Accuses the Plaintiff of Sexual Assault and Rape

72. Slowly but surely, the Defendant's public sorrow turned into public rage, and it was approximately on December 27, 2023 that the Defendant made her first social media posts about the Plaintiff sexually assaulting her. The Plaintiff unequivocally denies sexually assaulting the Defendant.



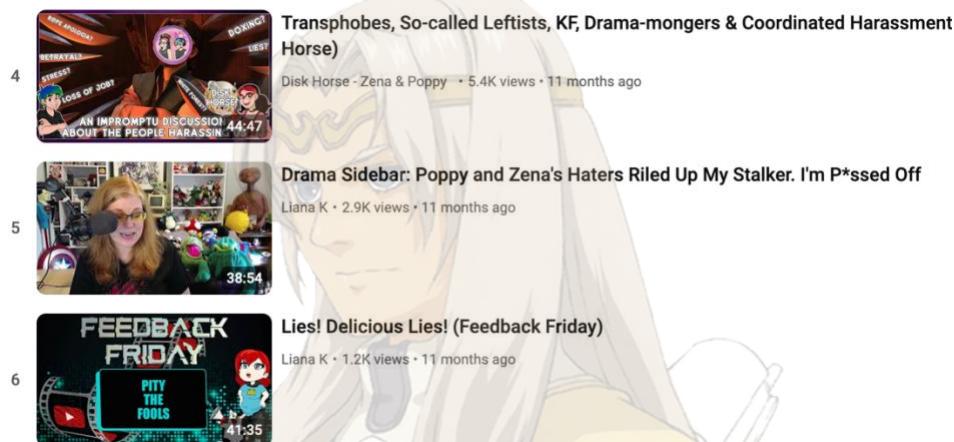
73. Starting in January 2024, the Defendant began characterizing her interaction with the Plaintiff as "rape by deception." *See* Exhibit "C." The Plaintiff did not rape the Defendant by deception, or by any other means. These statements are unequivocally false.

74. Further, when the Defendant was asked why she chose to call the Plaintiff a rapist, the Defendant admitted that "one of the reasons I changed the term from sexual assault to rapist ... there's not really a way to say sexual assaultist..."

75. The Defendant, by her own admission, knows that the Plaintiff did not rape her.
76. When the Plaintiff first discovered these social media posts, she was horrified, confused and panicked.
77. The Plaintiff outright denied these defamatory statements as they appeared, but the Defendant, with her status as a content creator on YouTube and as a licensed professional counselor, continued to accuse the Plaintiff of lying about their December 2023 visit, and about the alleged sexual assault or rape.
78. On March 20, 2024, Defendant published the first of many defamatory videos against the Plaintiff, publicly available and hosted on her Disk Horse - Zena and Poppy YouTube channel titled “When The Online Left’s Problem With SA Culture Comes Home (Disk Horse)” (heretofore identified as “Video 1”).⁴
79. In Video 1, the Defendant attempts to recharacterize her and Mx. Jasenak’s visit with the Plaintiff, falsely painting herself as the victim of Plaintiff’s sexual advances: “During that [sexual] act, this person was very clear to say they loved me, that they wanted me, etcetera, I was under the impression, we were doing this as an act to be together...and proceeded with it because I thought I had to for the relationship. The next day this person then decided to tell me that she didn’t love me. That her whole reason for coming to the hotel we had got in her hometown...town was because she decided that she wanted to use the weekend as a litmus test to see if she still had feelings for me, because we had had a fight the day before we were supposed to leave for this trip. I want to be really clear, I put out a personal statement about two issues...but the other part of that talked about what happened with my significant other or now ex-significant other, Noehflake, [the Plaintiff].”
80. As stated *supra*, the Plaintiff did not treat the Defendant’s visit as a “litmus test”; the Defendant and Mx. Jasenak ground the Plaintiff into submission with constant pleas for “another chance” at fixing their failed relationship until the Plaintiff relented and agreed to see the Defendant.
81. However, the Defendant asserts the following: “Like, I want to be really clear, my action was to come out and accuse Noeh, [the Plaintiff] of sexual assault.”

⁴ The Defendant had previously published a video called “Let’s Begin” on March 13, 2024 which spoke about the Plaintiff at length, but this was a members’ only video not openly available to the public.

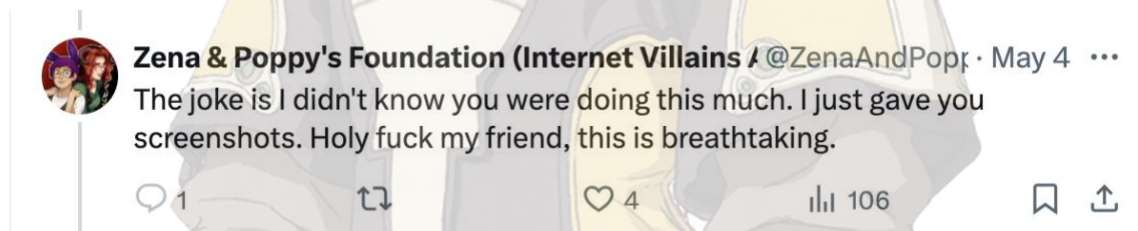
82. The Defendant has stated false information regarding, *inter alia*, the circumstances surrounding her relationship with the Plaintiff and that the Plaintiff sexually assaulted her.
83. Soon, other content creators began creating content repeating the Defendant's defamatory statements, which the Defendant started sharing on her own YouTube channel.



84. Additionally, the Defendant shared her defamatory statements about the Plaintiff with many members of her online community, The Foundation, which is a Discord server she created for the initial purpose of interacting with her fans.
85. However, the Defendant soon began using her server as a means of privately coordinating a defamation campaign against her enemies, specifically through using close confidants or moderators as avenues of sharing her accusations while creating a veil of plausible deniability.
86. Although many of these confidants had since left The Foundation after their own fallouts with the Defendant, the Defendant and her remaining cohort continue to coordinate sustained defamatory campaigns against the Plaintiff.
87. This included the Defendant providing defamatory statements and private information about the Plaintiff to Annie Gallagher (heretofore referred to as “Gallagher”), one of her followers who authored two separate documents, one being published on February 29, 2024 called “Lefty Twitter Dogpiles Poppy Diabolique for Being a Rape Victim,” and the other being published on June 5, 2024 called “The Poppy Diabolique Drama Has Reached its Disgusting Peak (NSFL)”.⁵

⁵ Annie Gallagher f/k/a Andrew Gallagher, Lefty Twitter Dogpiles Poppy Diabolique for Being a Rape Victim (February 29, 2024), <https://guardianacorn.com/2024/02/29/lefty-twitter-dogpiles-poppy-diabolique-for-being-a-rape-victim/>; see also Annie Gallagher

88. Both of these articles feature an image of the Plaintiff emblazoned with the word “Rapist” directly underneath said image.
89. The Defendant provided further defamatory statements and private information, such as Plaintiff’s previous legal name,⁶ to an unidentified third-party who authored a document called “Milena: Great Value Sephiroth;” said article primarily focuses on another of the Defendant’s perceived enemies, but also includes the false accusations of rape and sexual assault against the Plaintiff.⁷
90. The Defendant shared these articles on the Twitter account for her YouTube channel on March 1, 2024, May 4, 2024, and June 14, 2024, respectively.
91. Although the Defendant publicly disclaimed any involvement in preparing these documents, in truth she shared screenshots and private information about the Plaintiff and other individuals to the authors of said articles, coordinated details and facts that should be included through voice calls in The Foundation, and actively edited said articles to ensure she hurts the Plaintiff in the most impactful way possible. *See* Exhibit “D” (the Defendant’s public Twitter post actively promoting “Lefty Twitter Dogpiles Poppy Diabolique for Being a Rape Victim” and “Milena: Great Value Sephiroth” to approximately 1,721 people at the time of publication, as well as other social media posts by Defendant and the authors⁸).



92. On May 29, 2024, after months of attempting to talk sense to the Defendant, a Cease and Desist letter (heretofore the “C&D”) was sent to the Defendant and her multiple partners involved in her harassment campaign.

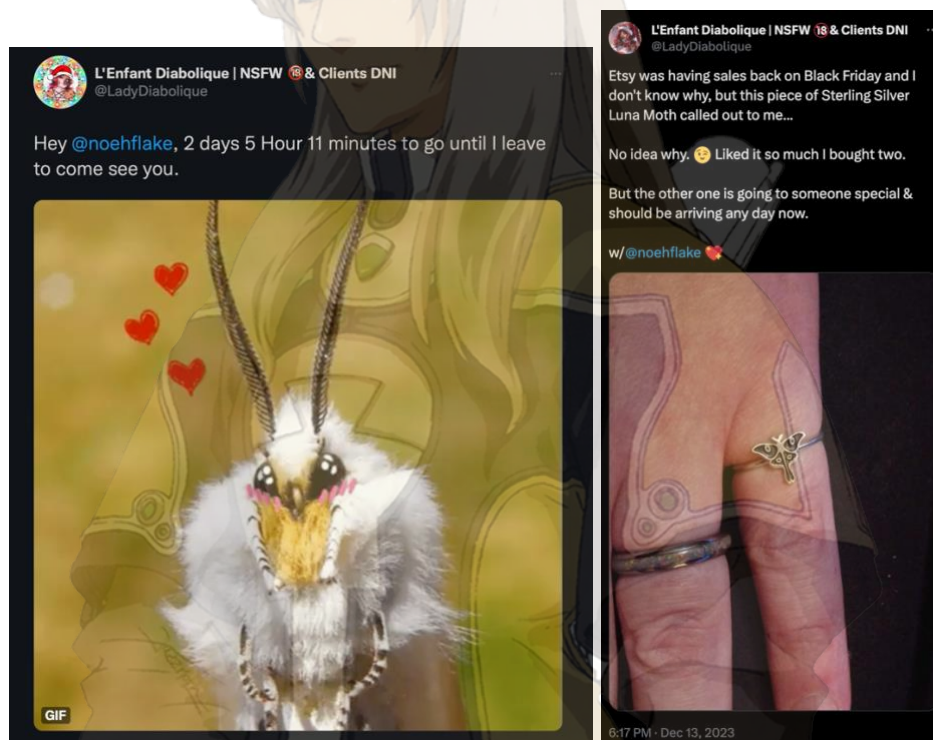
f/k/a Andrew Gallagher, The Poppy Diabolique Drama Has Reached its Disgusting Peak (NSFL) (June 5, 2024), <https://guardianacorn.com/2024/06/05/the-poppy-diabolique-drama-has-reached-its-disgusting-peak-nsfl/>

⁶ Plaintiff’s previous legal name was Cody Lawrence.

⁷ The original article was removed by its original author, but it has since been re-uploaded by the Defendant on multiple sites, with the latest attempt to share the article being on March 6, 2025 through her FurAffinity art account: “If you are an artist or furry & you are contacted by people trying to tell you not to work with me or have heard nasty things about my reputation. Please read this (let me know if any of the links are broken): <https://www.furaffinity.net/journal/10866217/>”.

⁸ A more accurate number of views that the Defendant’s Tweet received cannot be provided as the Defendant deleted her entire Twitter account in violation of a Non-Spoliation Demand dated May 29, 2024.

93. Upon receipt, the Defendant did not take the C&D seriously, instead publicly mocking the Plaintiff about it on her Twitter account and in private to her moderators and confidants in the Foundation.
94. Although the Defendant continued to make statements about the Plaintiff on Twitter after receipt of the C&D, she began referring to the Plaintiff exclusively through pseudonyms she had previously used like “the moth,” or simply as “the rapist” or “my rapist.”
95. Those familiar with the Defendant and her interactions with the Plaintiff can easily infer who she is referring to, with “the moth” moniker being publicly associated with the Plaintiff since before their breakup in late 2023.



96. Additionally, because the Defendant’s behavior was so erratic and damaging to the Plaintiff, multiple content creators for YouTube and Twitch.com, a video streaming website, reported on the Defendant’s defamatory statements and the inciting incident that caused this firestorm in December, 2023.⁹

⁹ As an example, YouTuber @GoddamnitMalcolm has published a total of twenty-four videos discussing the Defendant and her ongoing attacks against the Plaintiff and other individuals, with the most successful of these videos centering around Defendant’s allegations that Plaintiff raped her. See GoddamnitMalcolm, *Parent, Partner or Predator? | Poppy and Zena Exposed (part 1)*, YouTube (March 19, 2024), <https://www.youtube.com/watch?v=xmcCC4Tz4ys>; another example involves YouTuber @Lost Stardust Media, who actively covered Defendant’s behavior in sixteen separate streams or YouTube videos, including a video with 7,000 views entitled “Lies, Betrayal, and Slander: The Noehflake Story.” See Lost Stardust Media, *Lies, Betrayal, and Slander: The Noehflake Story*, YouTube (April 8, 2024), <https://www.youtube.com/watch?v=rFMdUCrbeMg>.

97. As a direct result of this exposure, the audiences of these content creators knew exactly who the Defendant was referring to in Twitter posts and YouTube videos made after receipt of the C&D dated May 26, 2024.
98. As of today's date, the Defendant continues to make social media posts on Bluesky about the Plaintiff and her other enemies. The Defendant's confidants and sycophants also continue to make social media posts defaming the Plaintiff with no end in sight. *See* Exhibit "E."

COUNT ONE: DEFAMATION *PER SE* (LIBEL)

99. The Plaintiff realleges and incorporates ¶¶ 1 - 98 of this Complaint.
100. On April 29, 2024, Defendant published a video to her Zena and Poppy YouTube channel titled "Oops All Bigots!: We Need To Talk About Benjanun Sriduangkaew & her Bæddelist Cult (Disk Horse) (heretofore identified as "Video 2"). The contents of Video 2 were previously part of a stream aired on April 23, 2024 entitled "Bæddelism & intra-trans-community Conflict."
101. In this video, the Defendant and Mx. Jasenak discuss what they believe Bæddelists are and who they feel in the online streaming and/or video community fall into this category. At the fifty-two (52) minute and thirty (30) second mark in the video, the Defendant states, "But again, I want to be clear, the things that these people were wanting her to do, [Defendant is referencing an article she is reading during Video 2], was the thing they were claiming was being done, and NoehFlake, the person I have accused of...basically sexually assaulting me, well not basically, did. Tried to game this go after our channel account. I've seen the screenshots."
102. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually assaulted the Defendant.
103. Defendant knew or should have known that such defamatory statements were false.
104. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to smear Plaintiff's name with no factual basis for doing so.
105. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexual assault.

106. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually assaulted the Defendant.
107. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.
108. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights, continuing to smear Plaintiff's name even to this day. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT TWO: DEFAMATION PER SE (LIBEL)

109. The Plaintiff realleges and incorporates ¶¶ 1 - 108 of this Complaint.
110. In Video 2, at the one (1) hour, twelve (12) minute and fifty-seven (57) second mark, the Defendant states, "It is ironically funny to me that there are people out there who genuinely believe that NoehFlake ... is a reliable reporter. That she is, despite being proven that she lied about our, uh, the abuse, uh, assault allegations against me...like that was proven by Twisty; just proven. We covered that on that stream ... Now, did we do this segment just to take a swing at my abuser, well, no. The reason I wanted to talk about it and the reason I brought it to ZZ's attention was that I really dislike supremacist ideologies. They bother me."
111. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually abused the Defendant, or that she lied about sexually abusing the Defendant.
112. Defendant knew or should have known that such defamatory statements were false.
113. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

114. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexual abuse.

115. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually abused the Defendant.

116. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.

117. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT THREE: DEFAMATION *PER SE* (LIBEL)

118. The Plaintiff realleges and incorporates ¶¶ 1 - 117 of this Complaint.

119. In Video 2, at the one (1) hour, eighteen (18) minute and forty-five (45) second mark, the Defendant states, "No one was pressured into anything. What I asked was, can we be as though we were in a relationship again and try to fix things, which is what the discussing between Zena and Noeh was, and I followed up on that. There was no pressuring into a sexual relationship, and again, all of her interactions with me, at least for the first sexual interaction, were consensual. The second one; mine weren't. They were contextual and unfortunately, I didn't really have the ability to say no when they escalated . . ."

120. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

121. Defendant knew or should have known that such defamatory statements were false.

122. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

123. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

124. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

125. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

126. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT FOUR: DEFAMATION *PER SE* (LIBEL)

127. The Plaintiff realleges and incorporates ¶¶1 - 126 of this Complaint.

128. On May 24, 2024, Defendant published a video to her Zena and Poppy YouTube channel titled "RedLianaK Deconstructed the "Poppyamory" Doc by Mz Milena & NoehFlake Proving It False (Disk Horse)" (heretofore identified as "Video 3").

129. In Video 3, the Defendant and Mx. Jasenak review and comment on a video posted to YouTube by a friend of theirs, who goes by the username RedLianaK. At the sixteen (16) minute and six (6) second mark in the video, the Defendant states, "So, one thing I think Liana is doing a really good job of elucidating here is the fact that, like, one of the reasons I changed the term from sexual assault to rapist ... 'cause saying, there's not really a way to say sexual assaultist, but two, the issues wasn't, and I want to be really clear about this, at some point the distinction stopped mattering, because to call it sexual assault, people were already trying to gaslight me on that. So, at some point it just became an issue of 'I don't care what term we're using, it was a violation.'".

130. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped and/or sexually assaulted the Defendant.
131. Defendant knew or should have known that such defamatory statements were false.
132. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, particularly with regards to using “sexual assault” and “rape” interchangeably despite being very different crimes. Defendant’s ignorance of this distinction is not excusable, as ignorance of the law is no excuse for breaking it.
133. Defendant’s statements constitute defamation *per se* because they impugn Plaintiff’s character, accusing her of the heinous crimes of rape and/or sexual assault.
134. As a direct and proximate result of Defendant’s defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped and/or sexually assaulted the Defendant.
135. As a direct and proximate result of Defendant’s conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
136. Defendant’s defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff’s rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT FIVE: DEFAMATION *PER SE* (LIBEL)

137. The Plaintiff realleges and incorporates ¶¶1 - 136 of this Complaint.
138. In Video 3, at the sixteen (16) minute and thirty-three (33) second mark, the Defendant states, "What did ... Nightwyld say? 'Noeh is a rapist objectively and she even literally spoke about how if you could go back to the person who raped you then you obviously weren't raped, implying people ... deserved it.' ... Yeah, except for the fact that I have Borderline and was trying to save a relationship that was on

the rocks, so, like, again, there wasn't any way to say 'No' because if I did then I would have lost the relationship. Which is literally like, a terrifying thing to me."

139. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

140. Defendant knew or should have known that such defamatory statements were false.

141. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

142. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

143. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

144. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

145. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT SIX: DEFAMATION PER SE (LIBEL)

146. The Plaintiff realleges and incorporates ¶¶ 1 - 145 of this Complaint.

147. In Video 3, at the one (1) hour, one (1) minute and ten (10) second mark in the video, the Defendant states, "Again, if you look at the document that Fesh [a former moderator for the Defendant] tried to use, as a ... 'gotcha' about ... rape via deception, the paragraph he leaves off talks about, specifically, the way you would gauge this would be based on the harm. So, me being fucked, traumatized and damaged afterwards [by Plaintiff] is demonstrably proof that something happened."

148. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.
149. Defendant knew or should have known that such defamatory statements were false.
150. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.
151. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
152. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
153. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
154. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT SEVEN: DEFAMATION PER SE (LIBEL)

155. The Plaintiff realleges and incorporates ¶¶ 1 – 154 of this Complaint.
156. In Video 3, at the one (1) hour, six (6) minute and fifty-six (56) second mark in the video, the Defendant states, "NoehFlake sexually assaulted me. Full stop."
157. These statements were untrue and defamatory in that they falsely alleged that the Plaintiff sexually assaulted the Defendant.
158. Defendant knew or should have known that such defamatory statements were false.
159. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to broadcast her allegations to her audience of ten thousand subscribers on YouTube.

160. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexual assault.

161. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually assaulted the Defendant.

162. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

163. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT EIGHT: DEFAMATION PER SE (SLANDER)

164. The Plaintiff realleges and incorporates ¶¶1 – 163 of this Complaint.

165. On February 29, 2024, one of Defendant's accomplices, Annie Gallagher, published an article entitled "Lefty Twitter Dogpiles Poppy Diabolique for Being a Rape Victim" (heretofore referred to as "Article 1").

166. On March 1, 2024, May 4, 2024, and June 14, 2024, the Defendant republished Article 1 on her public Twitter account, actively encouraging her audience to read it.

167. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "Gayfesh, [who was previously Defendant's close friend] thinks that [Defendant] being mad is abuse, but that Hayleigh raping her is not abuse. This is because abusers perceive accountability for their actions as abuse."

168. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

169. Defendant knew or should have known that such defamatory statements were false.

170. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See generally Accadia Site Contr., Inc. v. Shurka*, 129 A.D.3d 1453 (NY App. Div. 4, 2015).
171. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
172. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
173. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.
174. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT NINE: DEFAMATION PER SE (SLANDER)

175. The Plaintiff realleges and incorporates ¶¶ 1 - 174 of this Complaint.
176. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "But then again, Hayleigh, [the Plaintiff,] is a rapist...".
177. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.
178. Defendant knew or should have known that such defamatory statements were false.
179. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

180. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

181. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

182. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

183. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TEN: DEFAMATION *PER SE* (SLANDER)

184. The Plaintiff realleges and incorporates ¶¶1 - 183 of this Complaint.

185. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "And yes, I am choosing to refer to Hayleigh's actions as [']rape['] rather than sexual assault. I know that Poppy has previously made a distinction between the two, but she has since stated that the level of pain caused to her by this is now indistinguishable from that of rape."

186. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.

187. Defendant knew or should have known that such defamatory statements were false.

188. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

189. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

190. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
191. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
192. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT ELEVEN: DEFAMATION *PER SE* (SLANDER)

193. The Plaintiff realleges and incorporates ¶¶1 - 192 of this Complaint.
194. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "Hayleigh's sexual abuse of Poppy, meanwhile, is more complicated because less people understand consent beyond [']just say NO to rape![']".
195. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually abused and/or raped the Defendant.
196. Defendant knew or should have known that such defamatory statements were false.
197. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
198. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crimes of rape and/or sexual assault.
199. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional

distress, particularly in online spaces where her name is forever tied to allegations that she raped and/or sexually assaulted the Defendant.

200. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

201. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWELVE: DEFAMATION *PER SE* (SLANDER)

202. The Plaintiff realleges and incorporates ¶¶1 - 201 of this Complaint.

203. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "Noehflake (Goth Ms Frizzle) @Noehflake (Poppy's Rapist)".

204. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

205. Defendant knew or should have known that such defamatory statements were false.

206. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

207. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

208. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

209. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

210. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTEEN: DEFAMATION *PER SE* (SLANDER)

211. The Plaintiff realleges and incorporates ¶¶ 1 - 210 of this Complaint.

212. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "Had Poppy known Hayleigh's true intentions, she would have never consented, thus making it sexual assault by means of deception."

213. These statements are untrue and defamatory in that they falsely allege that the Plaintiff committed sexual assault against the Defendant.

214. Defendant knew or should have known that such defamatory statements were false.

215. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

216. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexual assault.

217. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually assaulted the Defendant.

218. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

219. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT FOURTEEN: DEFAMATION PER SE (SLANDER)

220. The Plaintiff realleges and incorporates ¶¶1 - 219 of this Complaint.

221. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1:



Above is a picture of the Plaintiff with the text "Rapist" written below the Plaintiff's face.

222. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.

223. Defendant knew or should have known that such defamatory statements were false.

224. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

225. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

226. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
227. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
228. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT FIFTEEN: DEFAMATION *PER SE* (SLANDER)

229. The Plaintiff realleges and incorporates ¶¶ 1 - 228 of this Complaint.
230. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 1: "There have been a number of people who have leapt to the defense of [the Plaintiff,] Poppy's [the Defendant's] rapist, and have gone out of their way to discredit Poppy by any means necessary."
231. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.
232. Defendant knew or should have known that such defamatory statements were false.
233. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
234. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
235. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional

distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

236. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

237. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT SIXTEEN: DEFAMATION PER SE (SLANDER)

238. The Plaintiff realleges and incorporates ¶¶ 1 - 237 of this Complaint.

239. On May 4, 2024, one of Defendant's former accomplices¹⁰ published an article entitled "Milena: Great Value Sephiroth" (heretofore referred to as "Article 2").

240. On March 1, 2024, May 4, 2024, and June 14, 2024, the Defendant republished Article 2 on her public Twitter account, actively encouraging her audience to read it.

241. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "Essentially Milena is claiming that Poppy flirting with adults who are at a younger age is bad, in stark contrast to her aggressive defense of Noeh, Poppy's sexual abuser, dating a 19-year-old."

242. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually abused the Defendant.

243. Defendant knew or should have known that such defamatory statements were false.

244. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

¹⁰ For the sake of privacy, this former accomplice shall remain unnamed.

245. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexual abuse.

246. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually abused the Defendant.

247. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

248. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT SEVENTEEN: DEFAMATION *PER SE* (SLANDER)

249. The Plaintiff realleges and incorporates ¶¶1 - 248 of this Complaint.

250. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "It then progresses to the point in time where Noeh raped Poppy. Rape here in the colloquial sense, as sadly the laws have not fully caught up to cover coercion and rape by deception in all cases."

251. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

252. Defendant knew or should have known that such defamatory statements were false.

253. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

254. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

255. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
256. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
257. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT EIGHTEEN: DEFAMATION *PER SE* (SLANDER)

258. The Plaintiff realleges and incorporates ¶¶1 - 257 of this Complaint.
259. With the guidance of and editing by the Defendant, Article 2's author wrote the following:" This leads into Poppy's meltdown on Twitter regarding what she did not realize at the time, the fallout of a rape, as well as being used for sex by someone who pretended to love her." In the context of Article 2, this statement is about Plaintiff.
260. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.
261. Defendant knew or should have known that such defamatory statements were false.
262. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
263. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
264. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the

community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

265. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.

266. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT NINETEEN: DEFAMATION PER SE (SLANDER)

267. The Plaintiff realleges and incorporates ¶¶ 1 - 266 of this Complaint.

268. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "In fact the document provides an arsenal of evidence of Noah brutally and horrifically abusing my friend, Poppy."

269. These statements are untrue and defamatory in that they falsely allege that the Plaintiff abused the Defendant.

270. Defendant knew or should have known that such defamatory statements were false.

271. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

272. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexually abusing the Defendant.

273. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually abused the Defendant.

274. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

275. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY: DEFAMATION *PER SE* (SLANDER)

276. The Plaintiff realleges and incorporates ¶¶ 1 - 275 of this Complaint.

277. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "One of the many other people that Milena has used in all of this has been Noeh, aka Hayleigh, aka Poppy's rapist."

278. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

279. Defendant knew or should have known that such defamatory statements were false.

280. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

281. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

282. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

283. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

284. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-ONE: DEFAMATION *PER SE* (SLANDER)

285. The Plaintiff realleges and incorporates ¶¶ 1 - 284 of this Complaint.

286. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "This was a conversation that convinced Poppy that Noah had raped her . . ."

287. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

288. Defendant knew or should have known that such defamatory statements were false.

289. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

290. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

291. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

292. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.

293. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-TWO: DEFAMATION PER SE (SLANDER)

294. The Plaintiff realleges and incorporates ¶¶ 1 - 293 of this Complaint.
295. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "It is not okay to lie to someone you are dating and then be dating someone secretly behind their back- Noeh is not only a rapist but a cheater."
296. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.
297. Defendant knew or should have known that such defamatory statements were false.
298. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
299. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
300. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
301. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
302. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-THREE: DEFAMATION PER SE (SLANDER)

303. The Plaintiff realleges and incorporates ¶¶ 1 - 302 of this Complaint.

304. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "This is a very important part of everything that has been happening recently with Milena's harassment campaign as well as NoehFlake's slandering of her sexual assault victim."
305. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually assaulted the Defendant.
306. Defendant knew or should have known that such defamatory statements were false.
307. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
308. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of sexual assault.
309. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually assaulted the Defendant.
310. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.
311. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-FOUR: DEFAMATION PER SE (SLANDER)

312. The Plaintiff realleges and incorporates ¶¶ 1 - 311 of this Complaint.
313. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "Noeh knew these were the kinds of people she was siding with- this is proof that she has been purposefully trying to abuse Poppy further after sexually

assaulting her and throwing her away after she tainted her first post-op sexual experience.”

314. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually assaulted the Defendant and abused her.

315. Defendant knew or should have known that such defamatory statements were false.

316. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

317. Defendant’s statements constitute defamation *per se* because they impugn Plaintiff’s character, accusing her of the heinous crimes of sexual assault and sexual abuse.

318. As a direct and proximate result of Defendant’s defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually assaulted and sexually abused the Defendant.

319. As a direct and proximate result of Defendant’s conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

320. Defendant’s defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff’s rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-FIVE: DEFAMATION PER SE (SLANDER)

321. The Plaintiff realleges and incorporates ¶¶1 - 320 of this Complaint.

322. With the guidance of and editing by the Defendant, Article 2’s author wrote the following:” Noeh: DARVO [Deny, Attack, Reverse Victim and Offender] For the Rapist Milena weaponized somebody’s rapist against them, that being Hayleigh Fletcher (legal name: Cody Lawrence), also known as NoehFlake online. As she is

mostly referred to as Noeh online with her chosen name as Hayleigh being secondary, my writing will be reflective of this. Like with Milena I believe her to be a danger to people around her in person and online, thus it is necessary for her ability to hide using anonymity to be removed.”

323. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist. They directly identify her as a rapist using her online handle, her previous legal name, and her then-chosen name.

324. Defendant knew or should have known that such defamatory statements were false.

325. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements and Plaintiff’s private information through a third party in order to avoid legal liability. *See id.*

326. Defendant’s statements constitute defamation *per se* because they impugn Plaintiff’s character, accusing her of the heinous crime of rape.

327. As a direct and proximate result of Defendant’s defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

328. As a direct and proximate result of Defendant’s conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

329. Defendant’s defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff’s rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-SIX: DEFAMATION *PER SE* (SLANDER)

330. The Plaintiff realleges and incorporates ¶¶ 1 - 329 of this Complaint.

331. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "Noeh is defending rapists and giving them a way out; this is because she's a rapist as well."
332. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.
333. Defendant knew or should have known that such defamatory statements were false.
334. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
335. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
336. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
337. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
338. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-SEVEN: DEFAMATION *PER SE* (SLANDER)

339. The Plaintiff realleges and incorporates ¶¶ 1 - 338 of this Complaint.
340. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "And for all intents and purposes Noeh did this as well. She purposely kept Poppy manic for months. She purposely lied, manipulated, and did everything

to make her believe that she was good. Every time she would abuse Poppy she would turn around, pretend nothing happened, and then gaslight her.”

341. These statements are untrue and defamatory in that they falsely allege that the Plaintiff abused the Defendant.

342. Defendant knew or should have known that such defamatory statements were false.

343. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

344. Defendant’s statements constitute defamation *per se* because they impugn Plaintiff’s character, accusing her of the heinous crime of domestic violence via emotional and psychological abuse.

345. As a direct and proximate result of Defendant’s defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped abused the Defendant, which is classified as a form of domestic violence under New York law.

346. As a direct and proximate result of Defendant’s conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

347. Defendant’s defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff’s rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-EIGHT: DEFAMATION *PER SE* (SLANDER)

348. The Plaintiff realleges and incorporates ¶¶1 - 347 of this Complaint.

349. With the guidance of and editing by the Defendant, Article 2’s author wrote the following: “This continues with Noeh making fun of Poppy having night terrors after being [sexually] assaulted. To Noeh, abuse is a joke.”

350. These statements are untrue and defamatory in that they falsely allege that the Plaintiff sexually assaulted and abused the Defendant.
351. Defendant knew or should have known that such defamatory statements were false.
352. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
353. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crimes of sexual assault and abuse, which is considered a form of domestic violence under New York law.
354. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she sexually assaulted and abused the Defendant.
355. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
356. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT TWENTY-NINE: DEFAMATION *PER SE* (SLANDER)

357. The Plaintiff realleges and incorporates ¶¶1 - 356 of this Complaint.
358. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "Noeh is an abuser, and is pushing things that hurt real survivors of abuse. She is dangerous."
359. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is an abuser.

360. Defendant knew or should have known that such defamatory statements were false.
361. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
362. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of domestic violence via emotional and psychological abuse.
363. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she abused the Defendant, which is classified as a form of domestic violence under New York law.
364. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.
365. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT THIRTY: DEFAMATION PER SE (SLANDER)

366. The Plaintiff realleges and incorporates ¶¶ 1 - 365 of this Complaint.
367. With the guidance of and editing by the Defendant, Article 2's author wrote the following: "Not only was Poppy coerced into sex via rape by deception, but she was incapable of properly consenting in the first place due to these specifics about her mental state and the previous abuse that Noeh inflicted upon her."
368. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped and abused the Defendant.

369. Defendant knew or should have known that such defamatory statements were false.
370. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
371. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crimes of rape and domestic violence.
372. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped and abused the Defendant, which is classified as a form of domestic violence under New York law.
373. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
374. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-ONE: DEFAMATION *PER SE* (SLANDER)

375. The Plaintiff realleges and incorporates ¶¶1 – 374 of this Complaint.
376. On April 3, 2024, the Defendant published the following on Twitter about Plaintiff: "[T]hat means that Noeh is willing & knowingly engaged in the direct dissemination of revenge porn of Poppy by giving out those things with out Poppy's consent . . .". This Tweet is accompanied by an image of the Plaintiff emblazoned with the word "Rapist."



377. With the guidance of and editing by the Defendant, this Tweet was republished in Article 2 on May 4, 2024, which was then shared by Defendant in another Tweet on March 1, 2024, May 4, 2024, and June 14, 2024.

378. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist and has engaged in disseminating revenge porn.

379. Defendant knew or should have known that such defamatory statements were false, particularly because Defendant admits that she has shared the same logs referenced in her Tweet with Gallagher and other accomplices.

380. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

381. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crimes of rape and dissemination of revenge porn.

382. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional

distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant and disseminated revenge porn of her with other parties.

383. As a direct and proximate result of Defendant's conduct in publishing these two defamatory statements, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **TWO THOUSAND AND N0/100 DOLLARS** (\$2,000.00) and other relief.

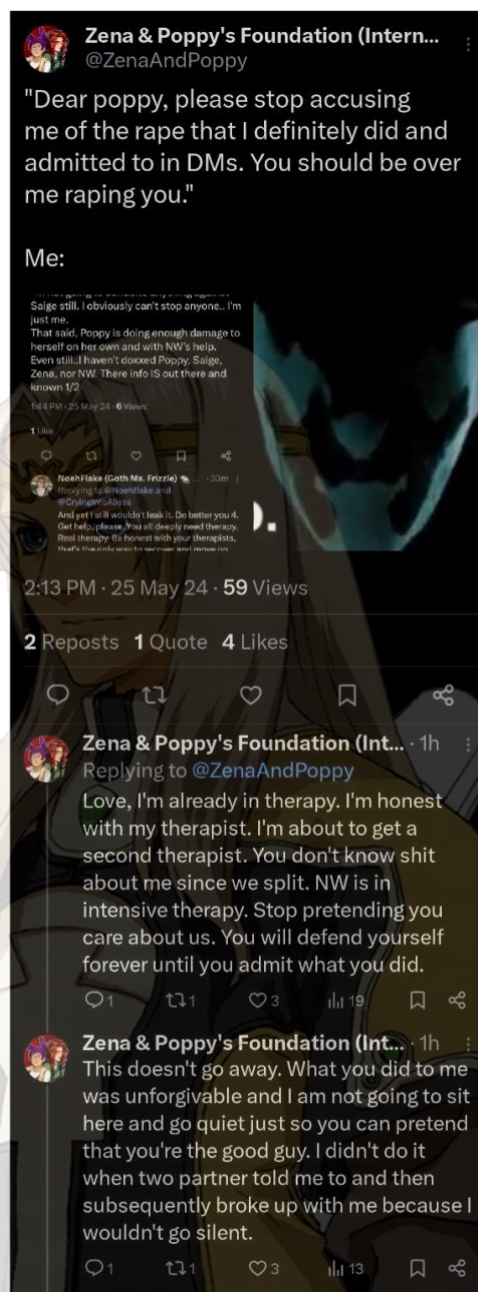
384. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **THREE THOUSAND AND N0/100 DOLLARS** (\$3,000.00).

COUNT THIRTY-TWO: DEFAMATION PER SE (SLANDER)

385. The Plaintiff realleges and incorporates ¶¶1 – 384 of this Complaint.

386. On May 25, 2024, the Defendant made the following post on her Zena & Poppy Foundation Twitter account: "[']Dear poppy, please stop accusing me of the rape that I definitely did and admitted to in DMs. You should be over me raping you[']."

387. Following this defamatory quote are screenshots of a conversation with the Plaintiff, which these Tweets are in direct response to. The Defendant then replies to her own original tweet. The Defendant states in one reply, "This doesn't go away. What you did to me was unforgivable and I am not going to sit here and go quiet just so you can pretend to that you're the good guy."



388. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

389. Defendant knew or should have known that such defamatory statements were false.

390. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

391. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

392. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

393. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

394. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-THREE: DEFAMATION *PER SE* (SLANDER)

395. The Plaintiff realleges and incorporates ¶¶1 - 394 of this Complaint.

396. On June 5, 2024, one of Defendant's accomplices, Gallagher, published an article entitled "The Poppy Diabolique Drama Has Reach its Disgusting Peak (NSFL)" (heretofore referred to as "Article 3").

397. With the guidance of and editing by the Defendant, Gallagher wrote the following: "I don't feel like wasting my time discussing these people, but it's worth knowing that Poppy's rapist (@Noehflake – 237268142) is part of this cult, while also living with her trans masc ex. Remember, people like Noehflake rarely have only one victim."

398. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

399. Defendant knew or should have known that such defamatory statements were false.

400. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

401. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

402. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

403. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

404. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-FOUR: DEFAMATION *PER SE* (SLANDER)

405. The Plaintiff realleges and incorporates ¶¶1 - 404 of this Complaint.

406. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 3: "The first of these is that he also had a section where he discussed Poppy's rapist Noehflake, and her interview with some scumbag drama YouTuber who doesn't even deserve to be mentioned."

407. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

408. Defendant knew or should have known that such defamatory statements were false.

409. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

410. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

411. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
412. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
413. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-FIVE: DEFAMATION *PER SE* (SLANDER)

414. The Plaintiff realleges and incorporates ¶¶ 1 - 413 of this Complaint.
415. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 3: "This is rape culture in its most purist and least subtle, and you STILL have people who claim that Noehflake is innocent."
416. These statements are untrue and defamatory in that they falsely allege that the Plaintiff is a rapist.
417. Defendant knew or should have known that such defamatory statements were false.
418. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*
419. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
420. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional

distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

421. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

422. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-SIX: DEFAMATION PER SE (SLANDER)

423. The Plaintiff realleges and incorporates ¶¶ 1 - 422 of this Complaint.

424. With the guidance of and editing by the Defendant, Gallagher wrote the following in Article 3: "The most common narrative against Poppy is how she's supposedly dangerous to vulnerable people, and a sex trafficking survivor supporting Poppy's assertion that Noehflake raped her AND recognizing that her abusers bare a number of striking similarities to the people that trafficked him is irrefutable counter evidence to that."

425. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

426. Defendant knew or should have known that such defamatory statements were false.

427. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the publication of said statements through a third party in order to avoid legal liability. *See id.*

428. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

429. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional

distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

430. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

431. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-SEVEN: DEFAMATION PER SE (SLANDER)

432. The Plaintiff realleges and incorporates ¶¶ 1 - 431 of this Complaint.

433. With the guidance of and editing by the Defendant, Gallagher published the following in Article 3:



Above is a picture of the Plaintiff with the text "Rapist" posted below her face.

434. This image, created by the Defendant and Gallagher, is untrue and defamatory in that it falsely alleges that the Plaintiff is a rapist.

435. Defendant knew or should have known that such defamatory statements were false.

436. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity, choosing to facilitate the

publication of said statements through a third party in order to avoid legal liability.

See id.

437. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

438. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

439. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

440. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-EIGHT: DEFAMATION *PER SE* (SLANDER)

441. The Plaintiff realleges and incorporates ¶¶ 1 – 440 of this Complaint.

442. On June 27, 2024, the Defendant made the following post on her Zena & Poppy Twitter account: "[Trigger Warning] R@pe Noehflake, [the Plaintiff] So just so everyone knows, this is a rape joke about [Unidentified Third Party]. And this is a screenshot of my rapist following the account that made a rape joke about [Unidentified Third Party]. Still think she knows anything about consent?"

443. Beneath this Twitter post, the Defendant shares two separate screenshots, one featuring the alleged "rape" joke, and the other featuring the Plaintiff following this person on Twitter.

444. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

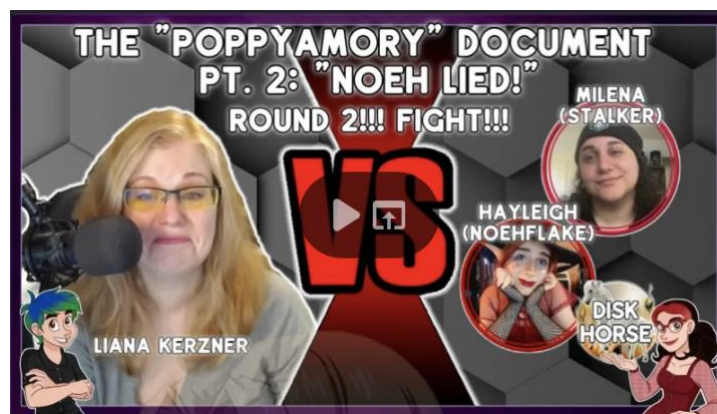
445. Defendant knew or should have known that such defamatory statements were false.

446. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.
447. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.
448. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.
449. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.
450. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT THIRTY-NINE: DEFAMATION *PER SE* (LIBEL)

451. The Plaintiff realleges and incorporates ¶¶1 - 450 of this Complaint.
452. On June 3, 2024, the Defendant published a video to her Zena and Poppy YouTube channel titled "@RedLianaK Proves That [sic] Milena & Noeh Are Lying About The Poppyamory Document." This video was copyright struck and demonetized upon publication, and it was subsequently delisted from public view.¹¹

¹¹ The original uploaded version of this video can be found through this YouTube link:
<https://www.youtube.com/watch?v=yz3DrwHsTtQ>



453. However, on July 1, 2024, Defendant republished said video, now titled "RedLianaK btfo'd my crazy exes in the free marketplace of ideas (Disk Horse) (heretofore identified as "Video 4").

454. In Video 4, the Defendant and Mx. Jasenak review and comment on a video posted to YouTube by a friend of theirs, who goes by the username RedLianaK. The video they are reviewing is titled, "Lies! Delicious Lies! Feedback Friday".

455. At the forty-nine (49) minute and one (1) second mark in the video, the Defendant states, "By weaponizing my rapist - by continuing this harassment campaign, she was pushing me towards this end. Oh yeah, and remember I have screenshots showing her saying that Noeh did assault me.".

456. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped and assaulted the Defendant.

457. Defendant knew or should have known that such defamatory statements were false.

458. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

459. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crimes of rape and sexual assault.

460. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped and sexually assaulted the Defendant.

461. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of

monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

462. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND N0/100 DOLLARS** (\$1,500.00).

COUNT FORTY: DEFAMATION *PER SE* (LIBEL)

463. The Plaintiff realleges and incorporates ¶¶1 – 462 of this Complaint.

464. In Video 4, at the forty-nine (49) minute and thirty-four (34) second mark, the Defendant states, "Like the Australian girl I mentioned, who I love and care about ... Her name is, her name is Tallow ... She's dating Noah . . . I noticed she had blocked the channel account, so what I did is I reached out as a fellow human being and said, 'Hey, I know all this other shit is, like, really big and clearly, you're dating the woman that I have accused of rape, that - this is complicated. I need to make sure you're ok because I care about you.'".

465. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped the Defendant.

466. Defendant knew or should have known that such defamatory statements were false.

467. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

468. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crime of rape.

469. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped the Defendant.

470. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages in the amount of **ONE THOUSAND AND N0/100 DOLLARS** (\$1,000.00) and other relief.

471. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

COUNT FORTY-ONE: DEFAMATION *PER SE* (LIBEL)

472. The Plaintiff realleges and incorporates ¶¶1 - 471 of this Complaint.

473. In Video 4, at the one (1) hour, three (3) minute and forty (40) second mark, the Defendant states as an aside to discussion of her sexual encounter with Plaintiff, "So, and I just wanna - I've said this before and I'll say it again, the terms rape and sexual assault are both descriptions of behavior that are morally repugnant and they are also legal terms. I'm not making a legal argument. I attempted that and the, the, the police report went nowhere. Morally speaking, what happened to me was a violation. My mental illness, the near breakup and the lying created a situation that looked like consent. And then when everything kinda came down the way it did, I would never have consented to this action, having known everything that I know afterwards."

474. These statements are untrue and defamatory in that they falsely allege that the Plaintiff raped and/or sexually assaulted the Defendant.

475. Defendant knew or should have known that such defamatory statements were false.

476. Defendant made such defamatory statements with knowledge of their falsity and/or with a reckless disregard for their truth or falsity.

477. Defendant's statements constitute defamation *per se* because they impugn Plaintiff's character, accusing her of the heinous crimes of rape and/or sexual assault.

478. As a direct and proximate result of Defendant's defamation, the Plaintiff has suffered, and continues to suffer, from humiliation, loss of standing in the community, loss of self-esteem and public esteem, public disgrace and emotional distress, particularly in online spaces where her name is forever tied to allegations that she raped and/or sexually assaulted the Defendant.

479. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of

monetary damages in the amount of **ONE THOUSAND AND NO/100 DOLLARS** (\$1,000.00) and other relief.

480. Defendant's defamatory statements were malicious, willful, wanton, and done with reckless disregard for Plaintiff's rights. As such, Plaintiff is entitled to an award of punitive damages in the amount of **ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS** (\$1,500.00).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment in her favor and against Defendant, containing the following relief:

A. A declaratory judgment that the actions, conduct and practices of Defendant complained of herein violate the laws of the State of New York;

B. An injunction and order permanently restraining Defendant and her romantic partners, officers, owners, agents, successors, employees and/or representatives, and any and all persons acting in concert with them, from engaging in any such further unlawful conduct;

C. An award of damages for any and all monetary and/or non-monetary losses suffered by Plaintiff, including, but not limited to, loss of income, reputational harm and harm to professional reputation, in an amount to be determined at trial, plus prejudgment interest, but for no less than **FORTY-TWO THOUSAND AND NO/100 dollars** (\$42,000.00);

D. An award of punitive damages, and any applicable penalties and/or liquidated damages in an amount to be determined at trial, but for no less than **SIXTY-FOUR THOUSAND AND NO/100 dollars** (\$63,000.00);

E. Prejudgment interest on all amounts due;

F. An award of costs that Plaintiff has incurred in this action, including, but not limited to, expert witness fees, as well Plaintiff's reasonable attorneys' fees and costs to the fullest extent permitted by law; and,

G. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

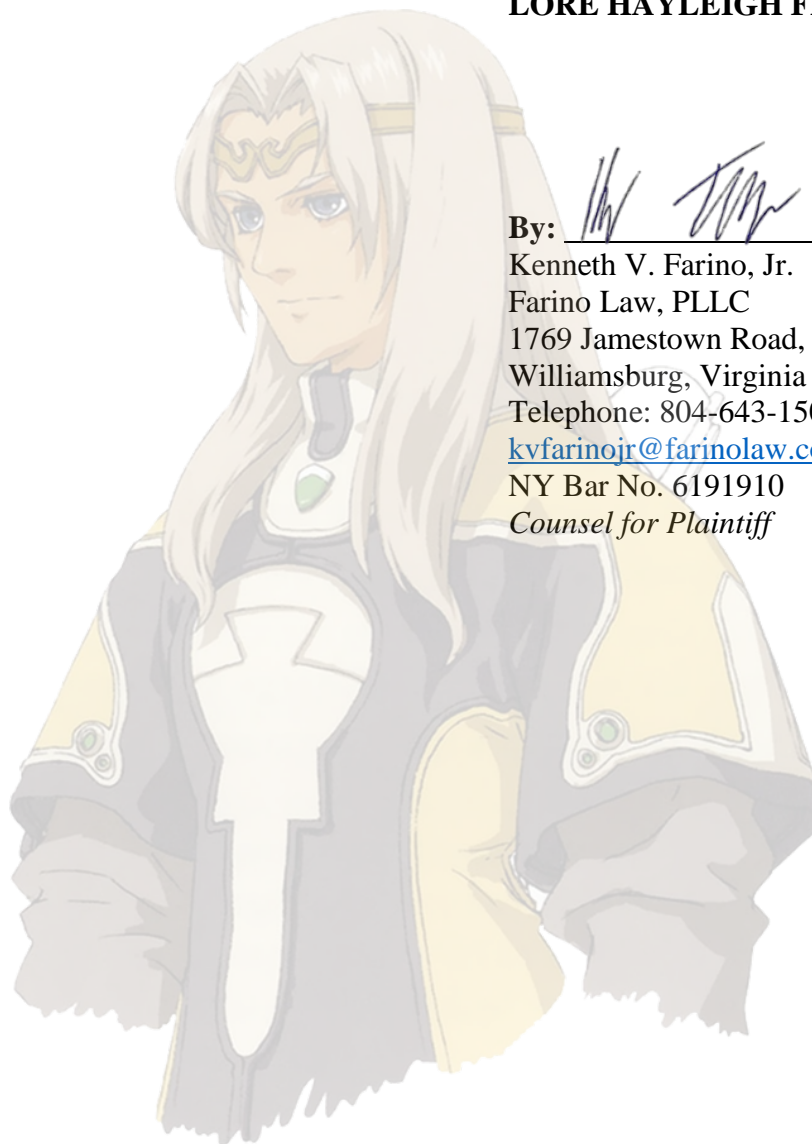
Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: April 7, 2025

Chemung County, New York

Respectfully submitted,

LORE HAYLEIGH FLETCHER



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