

VORYS

Vorys, Sater, Seymour and Pease LLP
Legal Counsel

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Cincinnati, Ohio 45202

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Founded 1909

Adam C. Sherman
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January 11, 2017

VIA OVERNIGHT CARRIER

Google, Inc.
c/o CSC – Lawyers
2710 Gateway Oaks Drive, Suite 150 N.
Sacramento, CA 95833

Re: *Christopher Brummer v. Benjamin Wey, et al.*
New York County Supreme Court – New York, NY
Case No. 153583/2015

Dear Sir or Madam:

Enclosed please find a subpoena requesting documents and/or information relating to the above-referenced legal action, which is pending in New York County Supreme Court, New York, NY.

Please contact me as soon as possible regarding the information requested. You may provide the requested information via e-mail to acsherman@vorys.com. Thank you for your prompt attention to this matter.

Very truly yours,



Adam C. Sherman

ACS/mas
Enclosures

SUBP-035

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Adam C. Sherman (224979) 301 E. Fourth Street, Great America Tower, Suite 3500 Cincinnati, OH 45202 TELEPHONE NO.: 513-723-4680 FAX NO.: 513-852-8468 E-MAIL ADDRESS: acsherman@vorys.com ATTORNEY FOR (Name): Christopher Brummer	FOR COURT USE ONLY
Court for county in which discovery is to be conducted: SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 N. 1st Street MAILING ADDRESS: CITY, STATE, AND ZIP CODE: San Jose, CA 95113 BRANCH NAME:	
Court in which action is pending: Name of Court: New York County Supreme Court STREET ADDRESS: New York County Courthouse MAILING ADDRESS: 60 Centre Street CITY, STATE, AND ZIP CODE: New York, NY 10007 COUNTRY:	
PLAINTIFF/PETITIONER: Christopher Brummer DEFENDANT/RESPONDENT: Benjamin Wey, et al.	CALIFORNIA CASE NUMBER (if any assigned by court):
SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS IN ACTION PENDING OUTSIDE CALIFORNIA	CASE NUMBER (of action pending outside California): 153583/2015

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
Google Inc. c/o CSC – Lawyers, 2710 Gateway Oaks Dr., Suite 150N, Sacramento, CA 95833

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in Item 3, as follows:

To (name of deposition officer): Adam C. Sherman (224979) On (date): February 10, 2017 At (time): 9:00 a.m. Location (address): 301 E. Fourth St., Ste. 3500 Cin., OH 45202
Do not release the requested records to the deposition officer prior to the date and time stated above.

- ☐ by delivering a true, legible, and durable **copy** of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
 - ☒ by delivering a true, legible, and durable **copy** of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
 - ☐ by making the **original** business records described in item 3 available for inspection at your business address by the attorney's representative and permitting **copying** at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records must be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):

☒ Continued on Attachment 3 (use form MC-025).

4. Attorneys of record in this action or parties without attorneys are (name, address, telephone number, and name of party represented):

☐ Continued on Attachment 4 (use form MC-025).

SUBP-035

PLAINTIFF/PETITIONER: Christopher Brummer	CASE NUMBER (of action pending outside California):
DEFENDANT/RESPONDENT: Benjamin Wey, et al.	153583/2015

5. If you have been served with this subpoena as a custodian of consumer or employee records under Code of Civil Procedure section 1985.6 and a motion to quash or an objection has been served on you, a court order or agreement of the parties, witnesses, and consumer or employee affected must be obtained before you are required to produce consumer or employee records.

6. ☐ Other terms or provisions from out-of-state subpoena, if any (specify):


☐ Continued on Attachment 6 (use form MC-025).

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: January 11, 2017

Adam C. Sherman

(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for Plaintiff

(TITLE)

**PROOF OF SERVICE OF SUBPOENA FOR
PRODUCTION OF BUSINESS RECORDS**

1. I served this Subpoena for Production of Business Records in Action Pending Outside California by personally delivering a copy to the person served as follows:

a. Person served (name):

b. Address where served:

c. Date of delivery:

d. Time of delivery:

e. Witness fees and mileage both ways (check one):

(1) ☐ were paid. Amount: \$ _____

(2) ☐ were not paid.

(3) ☐ were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (specify): \$ _____

f. Fee for service: \$ _____

2. I received this subpoena for service on (date):

3. ☐ I also served a completed Proof of Service of Notice to Consumer or Employee and Objection (form SUBP-025) by personally delivering a copy to the person served as described in 1 above.

4. Person serving:

a. ☐ Not a registered California process server

b. ☐ California sheriff or marshal

c. ☐ Registered California process server

d. ☐ Employee or independent contractor of a registered California process server

e. ☐ Exempt from registration under Business and Professions Code section 22350(b)

f. ☐ Registered professional photocopier

g. ☐ Exempt from registration under Business and Professions Code section 22451

h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(For California sheriff or marshal use only)

I certify that the foregoing is true and correct.

Date:

(SIGNATURE)

(SIGNATURE)

MC-025

SHORT TITLE: Christopher Brummer v. Benjamin Wey, et al.	CASE NUMBER: 153583/2015
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ATTACHMENT (Number): 3

(This Attachment may be used with any Judicial Council form.)

As used in this subpoena, "Gmail Accounts" refers, collectively, to the accounts associated with the following Gmail addresses:

- talmanaharris@gmail.com
- mrbenjaminwey@gmail.com
- lingerlavender@gmail.com
- kashkash888@gmail.com
- wscholander@gmail.com
- williamscholander123@gmail.com
- jamesnbaxter@gmail.com
- wraithi@gmail.com
- charleshighsmith@gmail.com

ITEMS TO BE PRODUCED

Please produce documents containing the following subscriber data related to each of the Gmail Accounts:

1. First and Last Names associated with the Gmail Accounts;
2. Mobile phone numbers provided to register the Gmail Accounts;
3. Alternate email addresses provided to register the Gmail Accounts;
4. Dates the Gmail Accounts were registered;
5. Dates, if any, that the Gmail accounts were deleted;
6. Internet Protocol addresses from which the Gmail Accounts were created; and
7. All Internet Protocol address history logs for the Gmail Accounts.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 3 of 3

(Add pages as required)

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

Christopher Brummer,

Plaintiff

against

Benjamin Wey, et al.,

Defendants

Index No.: 153583/2015

Calendar No.

JUDICIAL SUBPOENA
DUCES TECUM

The People of the State of New York

TO: Google Inc.
c/o CSC - Lawyers Incorporating Service
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

GREETING:

WE COMMAND YOU, That all business and excuses being laid aside, you and each of you (*check one box*)

☐ to appear and attend before

at

on

20

at

M, and at any recessed or adjourned date to give testimony in this action on the

part of the

and that you bring with you, and produce at the same time and place certain,

☐ to produce by 20 original documents for inspection and copying at the place where such items are originally maintained, certain

☒ deliver by February 10, 2017 to Adam C. Sherman, 301 E. Fourth Street, Great American Tower, Suite 3500, Cincinnati, OH 45202 (acsherman@vorys.com).

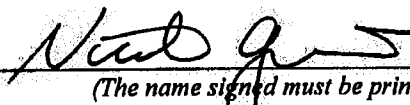
complete and accurate copies of certain:
See Attachment 3 (MC-025)

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises.

Failure to comply with this subpoena is punishable as a contempt of Court and shall make you liable to the person on whose behalf this subpoena was issued for a penalty not to exceed fifty dollars and all damages sustained by reason of your failure to comply.

Dated: January 10, 2017

A copy of this subpoena must
accompany all papers or other
items delivered to the court.


(The name signed must be printed beneath)

Nicole L. Gueron, Esq. (NY 2720670)
Attorney for Plaintiff
Office and Post Office Address
Clarick Gueron Reisbaum LLP
220 Fifth Avenue, 14th Floor
New York, NY 10001

Unless the subpoena duces tecum directs the production of original documents for inspection and copying at the place where such items are usually maintained, it shall be sufficient to deliver complete and accurate copies of the items to be produced. The reasonable production expenses of a non-party witness shall be defrayed by the party seeking discovery. CPLR § 3122(d).

STATE OF NEW YORK, COUNTY OF _____ ss.: The undersigned, being duly sworn, deposes and says,
 That on _____ deponent is not a party herein, is over 18 years of age and resides at _____
 deponent served the within subpoena on _____ at _____ M., at _____
 _____ witness therein named,

- INDIVIDUAL by delivering a true copy to said witness personally, deponent knew the person so served to be the person described in said subpoena
1. ☐ CORPORATION a _____ corporation, by delivering thereat a true copy to personally, deponent knew said corporation so served to be the corporate witness and knew said individual to
2. ☐ SUITABLE AGE PERSON be _____ thereof by delivering thereat a true copy to _____ a person of suitable age and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state
3. ☐ AFFIXING TO DOOR, ETC. by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state.
4. ☐ Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE USE WITH 3 OR 4 Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to witness' last known residence, at _____ and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

5A. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of the same in a first class postpaid envelope properly addressed to witness at witness' actual place of business, at _____ in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the witness.

5B. ☐ DESCRIPTION USE WITH 1,2 OR 3

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ _____

the authorized traveling expenses and one day's witness fee.

Sworn to before me on _____

 Print name beneath signature

INDEX NO. _____

COURT _____

LICENSE NO. _____
 COUNTY OF _____

Subpoena Duces Tecum

LAW OFFICES OF _____

Against _____

Plaintiff

Attorney(s) for
 Office and Post Office Address

Defendant

It is stipulated that the undersigned witness is excused from attending at the time herein provided or at any adjourned date but agrees to remain subject to, and attend upon, the call of the undersigned attorney.

Dated: _____

 Witness

 Attorney(s) for

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

CHRISTOPHER BRUMMER,)	INDEX NO. 153583/2015
)	
Plaintiff,)	
)	
vs.)	
)	
BENJAMIN WEY, ET AL.,)	
)	
Defendants.)	<u>AFFIDAVIT OF ADAM SHERMAN</u>
)	

STATE OF OHIO)	
)	SS:
COUNTY OF HAMILTON)	

I, Adam C. Sherman, Esq., declare as follows:

1. I am over the age of 18 and am competent to testify, have personal knowledge of the facts set forth herein and, if called upon as a witness in this matter, I could and would competently testify to the following:

2. I am actively licensed to practice law in California (bar number 224979). I was first admitted to The State Bar of California on June 2, 2003, and after previously being Inactive, I have been Active in California since March 2, 2014.

3. I am an attorney with the law firm of Vorys, Sater, Seymour and Pease LLP, which represents plaintiff Christopher Brummer ("Plaintiff") in an action against the defendants based on numerous false and defamatory statements that have damaged Plaintiff's personal and professional reputations. The underlying allegations are described in the attached Complaint.

4. Plaintiff seeks to confirm the identities of the authors of the many defamatory statements anonymously or pseudonymously published about him on various websites online.

5. This includes serving a subpoena on Google Inc. ("Google") in California for certain business records, namely documents containing identifying information relating to several Google-owned email accounts ("Gmail Accounts") which were identified by the domain registrar company GoDaddy.com, LLC and domain privacy services company Domains By Proxy, LLC, in response to prior subpoenas in this matter. A list of the specific Gmail Accounts is contained in Attachment 3 (MC-025) of the subpoena.

6. Specifically, Plaintiff seeks to obtain identifying information associated with the Gmail Accounts such as names, phone numbers, recovery email addresses, and Internet Protocol addresses. Plaintiff could then use that information to identify the individual(s) responsible for the anonymous or pseudonymous defamatory statements.

7. Good cause exists for Plaintiff to conduct discovery on Google and for the production of the requested documents because each of the Gmail Accounts is associated with the websites on which many of the allegedly defamatory statements about Plaintiff were published.

8. This information is critical to the advancement of this case, in that it will aid in the identification of the author(s) of the defamatory content at the heart of this matter, and Plaintiff has no other means of obtaining this information.

9. Moreover, in response to subpoenas to Google in other matters with which I have been involved, Google has produced precisely the type of information Plaintiff is requesting here.

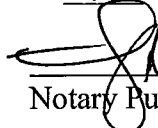
10. Based on my experience, it is my understanding that the requested information is kept by Google in the ordinary course of its business. Google has the desired information in its possession and it, therefore, would not be burdensome for Google to produce such information.

FURTHER AFFIANT SAYETH NAUGHT.



Adam C. Sherman, Esq.

Sworn to and subscribed before me this 11 day of January, 2017.



Notary Public

My commission expires: October 20, 2019



ELIZABETH A. RICHMOND
Notary Public, State of Ohio
My Commission Expires
October 20, 2019

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

CHRISTOPHER BRUMMER,

Plaintiff,

-against-

BENJAMIN WEY, FNL MEDIA LLC, and
NYG CAPITAL LLC d/b/a
NEW YORK GLOBAL GROUP,

Defendants.

Index No.: 153583/2015

COMPLAINT

Plaintiff designates New York
County as the venue for trial based
upon the residence of defendants
and the place where the causes of
action arose.

Plaintiff Christopher Brummer, by his attorneys, Lynch Daskal Emery LLP, for his
Complaint against defendants Benjamin Wey, FNL Media LLC, and NYG Capital LLC d/b/a
New York Global Group in this action alleges as follows:

INTRODUCTION

1. This action arises out of the vindictive and mendacious conduct of defendant Benjamin Wey (the self-described "Saint of Wall Street, Journalist, Financier") and the defendant companies he controls, which, because Defendant Wey disagreed with a decision rendered by the Financial Industry Regulatory Authority, Inc. ("FINRA"), have been waging a retaliatory internet defamation campaign against FINRA, the FINRA panelists who issued the decision, and members of the advisory council that upheld FINRA's decision on appeal.

Plaintiff Christopher Brummer, a Professor of Law at Georgetown University Law Center, served on that advisory council.

2. One of many weapons in defendants' arsenal of defamatory internet publications is "TheBlot Magazine" ("TheBlot"),¹ a digital magazine published by Defendant Wey that purportedly "brings traditional journalism to the modern day" but that Defendant Wey, in fact, utilizes to maliciously defame, harass, and intimidate private individuals under the guise of legitimate investigative journalism. Here, Defendant Wey has used TheBlot to sling knowingly false information in various articles about Professor Brummer specifically intended to blot Professor Brummer's character, destroy his reputation, harass and intimidate him, and incite others to harass him (e.g., by publishing his telephone number and email address).

Defendant Wey has also spewed falsehoods about Professor Brummer that seep into each category of the cause of action for defamation *per se* except for the "loathsome disease" category (e.g., "Chris Brummer, charged with regulatory abuses, FINRA's 'Uncle Tom,'" "Chris Brummer, caught in multiple fraud," "Georgetown Law School Chris Brummer caught lying, exaggerated biography," and "In December 2014, Brummer was caught messing with another man's wife"). In an effort to inflict maximum damage on his victims, Defendant Wey has even gone to such outrageous lengths as to perform internet search engine optimization to increase the exposure of his defamatory articles and to create phony names for reporters and post sham comments about their articles to intensify the illusion of legitimate journalism and thereby lend an air of credibility to his knowing and malicious libel.

¹ Blot (blōt) n. An association of disgrace with one's character or reputation. See *The American Heritage Dictionary of the English Language*, Houghton Mifflin Harcourt Publishing Company (5th ed. 2014).

3. Professor Brummer accordingly seeks, among other things, compensatory and punitive damages and an order enjoining defendants from continuing their deliberate and relentless campaign of defamation, harassment, and intimidation, and from further tarring Professor Brummer's reputation.

PARTIES

4. Plaintiff Christopher Brummer, a natural person who resides in Washington, D.C., is a Professor of Law at Georgetown University Law Center.

5. Defendant NYG Capital LLC, doing business as New York Global Group (collectively, "NYGG"), purports to be a U.S. and Asia-based strategic market entry advisory, venture capital, and private equity investment group that services clients worldwide in the areas of corporate finance, direct investments, China strategic advisory, and market entry advisory. Defendant NYGG is a company organized and existing under the laws of the State of New York with its principal place of business in New York, New York.

6. Defendant FNL Media LLC ("FNL Media") is, on information and belief, a division of and/or the wholly-owned subsidiary of Defendant NYGG. FNL Media is the owner of TheBlot website (www.theblot.com), a digital magazine that purports to combine investigative journalism with reader-submitted opinion pieces. Defendant FNL Media is a company organized and existing under the laws of the State of New York with its principal place of business in New York, New York.

7. NYGG and FNL Media operate in concert as a joint enterprise. They share the same offices, management, and ownership, and employees of both defendant companies meet to discuss and plan TheBlot's business and publications. NYGG exercises complete dominion and control over FNL Media and uses TheBlot to further its business interests by bolstering its own

reputation and by destroying the reputations of its actual and perceived adversaries through defamation, harassment, and intimidation.

8. Defendant Benjamin Wey is the Chief Executive Officer of NYGG and the publisher of and a regular contributor to TheBlot. At NYGG, Defendant Wey purports to specialize in strategic market entry and crisis management issues for Chinese companies. At TheBlot, Defendant Wey uses his significant resources to attack, defame, harass, and intimidate persons he perceives to be adverse to him and/or the interests of NYGG and FNL Media. Defendant Wey resides and works in New York, New York. As the publisher of TheBlot, Defendant Wey has complete control of all content produced by TheBlot.

VENUE

9. Based on the residence of the defendants and the place where defendants committed their tortious acts, venue is proper in New York County.

BACKGROUND

TheBlot Magazine

10. Defendant Wey wages numerous defamatory campaigns on several fronts, including via TheBlot Magazine, which holds itself out as a serious publication that “strive[s] to uphold the timeless journalistic practice of revealing the truth.” “Read by millions of readers each year,” TheBlot states that its policy is “to be respectful of other people” and claims not to authorize the publication of any content that (i) “is defamatory, abusive, obscene, profane or offensive”; (ii) “is threatening, harassing or that promotes racism, bigotry, hatred or physical harm of any kind against any group or individual”; (iii) “is inaccurate, false or misleading in any way”; and (iv) “contains personal information of any party such as phone numbers, addresses, license plate numbers (*sic*) etc.”

11. Contrary to defendants' own written policies, Defendant Wey and his co-defendants use TheBlot to publish vicious and defamatory articles attacking Defendant Wey's perceived enemies. Defendant Wey has delivered (and, upon information and belief, still delivers) these articles to his staff via USB or flash drive and has demanded (and, upon information and belief, still demands) that they be published despite the fact that they were (and are) abusive, obscene, profane, offensive, threatening, harassing, promote racism, bigotry, and hatred, are filled with falsehoods, and contain personal information such as phone numbers and email addresses. Defendant Wey attacks the character and professional credentials (and even the physical appearance) of the individuals he targets for harassment and intimidation.

12. To hide his own authorship of these articles and give the false appearance that there were multiple reporters drafting them, Defendant Wey instructs his staff to attach fake bylines to the articles he delivers, including those in which Defendant Wey attacks Professor Brummer, as described herein.

13. In a malicious effort to maximize the reputational damage he causes, Defendant Wey has hired an internet specialist to perform Search Engine Optimization so that his defamatory articles appear near the top of any Google search of a given individual's name, including Professor Brummer's, as described herein.

14. TheBlot, in addition to publishing purportedly journalistic content, encourages reader comments, as legitimate on-line publications largely do. TheBlot's policies with respect to reader comments include: (i) "Hate speech: Racism, sexism and homophobia may not be tolerated"; (ii) Language and Threats: Please watch your language and respect other people's (*sic*) views, beliefs and emotions"; (iii) "Smear Tactics: We will distinguish between constructive arguments and smear tactics"; and (iv) "Quality: We encourage you to take

responsibility for the quality of the conversations in which you're participating. Maintain intelligent discussions in the TheBlot community by being respectful and considerate."

15. Contrary to defendants' own written policies, Defendant Wey and his co-defendants require TheBlot's staff to add fake names to fake comments about defamatory articles to give the false appearance that other people agreed with the false statements contained in Defendant Wey's articles and to prime the articles so that they appear higher in search results, giving even greater exposure to Defendant Wey's false and malicious attacks. These comments often incorporate hate speech, threats, and smear tactics, among other things that violate defendants' policies.

16. Defendant Wey and his co-defendants use their malicious tactics to tar perceived enemies, which have included several journalists and a former employee who sued defendants for sexual harassment and wrongful termination, along with the lawyers and witnesses in that ongoing litigation. Beginning in 2013, Defendant Wey and his co-defendants began employing these same tactics against FINRA and people associated with FINRA after FINRA issued a decision that prohibited Wey's associates from associating with FINRA due to their commission of fraud.

Plaintiff Christopher Brummer, Professor of Law at Georgetown University Law Center

17. Plaintiff Christopher Brummer, a Professor of Law at Georgetown University Law Center, is an expert in business organization and securities regulation, international finance, and international law. Professor Brummer earned his J.D. from Columbia Law School, where he graduated with honors, and received a Ph.D. in Germanic Studies from the University of Chicago. Before becoming a law professor, Professor Brummer practiced law in the New York

and London offices of Cravath, Swaine & Moore LLP. He earned his undergraduate degree *summa cum laude* from Washington University in St. Louis.

18. Prior to joining Georgetown University Law Center's faculty with tenure in 2009, Professor Brummer was an assistant professor of law at Vanderbilt Law School.

Professor Brummer has also taught at several leading universities as a visiting professor including the universities of Basel and Heidelberg and the London School of Economics.

19. Professor Brummer's work has been published in leading academic journals, including the *Columbia Law Review* (note), *California Law Review*, *Georgetown Law Journal*, *Southern California Law Review*, *University of Chicago Law Review*, and *Vanderbilt Law Review*. He also has an upcoming article in the *Fordham Law Review*. Professor Brummer has testified for U.S. and foreign governments to offer his perspective on international regulatory policy.

20. Professor Brummer serves on FINRA's National Adjudicatory Council ("NAC"), which is charged with hearing the appeals of disciplined FINRA members.

FINRA

21. FINRA is a not-for-profit national organization authorized by Congress to regulate the securities industry and protect investors and dedicated to investor protection and market integrity through effective and efficient regulation of the securities industry. FINRA fulfills its mandate by writing and enforcing rules governing the activities of more than 4,000 securities firms with approximately 637,700 brokers, examining firms for compliance with those rules, fostering market transparency, and educating investors.

22. In 2014 alone, FINRA brought 1,397 disciplinary actions against registered brokers and firms. It levied \$134 million in fines and ordered \$32.3 million in restitution to

harm investors. FINRA also referred more than 700 fraud and insider trading cases to the SEC and other agencies for litigation and/or prosecution.

23. FINRA performs its regulatory responsibilities through its employees and qualified, public-minded but private individuals such as Professor Brummer, who assist FINRA's mission of effectively regulating the securities markets and protecting investors.

Defendant Wey's Retaliation for
a FINRA Decision that Punished His Associates For Acts of Fraud

24. In August 2013, after a fully-litigated proceeding, a FINRA hearing panel found that two of Defendant Wey's business associates (William Scholander and Talman Harris) had violated Section 10(b) of the Securities Exchange Act of 1934, SEC Rule 10b-5, and FINRA Rules 2020 and 2010. This decision (the "Hearing Panel Decision") prohibited the parties from associating with any FINRA firm in any capacity. This Hearing Panel Decision was appealed to the NAC and ultimately affirmed on December 29, 2014. Professor Brummer served on the NAC panel that issued this decision (the "NAC Decision").

25. The Hearing Panel Decision that was issued in August 2013 referred to Defendant Wey's involvement in the activities of Scholander and Harris. On August 29, 2013, Defendant Wey's legal counsel wrote a letter to FINRA demanding that Defendant Wey's name be removed from the Hearing Panel Decision. FINRA accommodated that request.

26. On or about September 24, 2013, Defendant Wey emailed one of the FINRA hearing panelists, falsely accusing the panelist of participating in a racist, baseless, and vindictive decision. Defendant Wey wrote, "Read this media story, it is disgusting" and provided a link to an article he had written for TheBlot under a fake name falsely maligning FINRA. Defendant Wey threatened to "start talking to the New York times (*sic*) and other media

organizations” and to tell those organizations that the FINRA panelist was racist and had called Defendant Wey a “Chinese negro,” which Defendant Wey well knew to be false.

27. In furtherance of their retaliation against the Hearing Panel Decision, defendants, via TheBlot, began publishing vicious, defamatory, and false stories about FINRA and individuals associated with FINRA, such as:

- “FINRA REGULATORS JEFFREY P. BLOOM, LUCINDA O. MCCONATHY IMPLICATED IN RONEN ZAKAI FELONY.”²
- “OP-ED: SEX, LIES AND IMPOTENT FINRA REGULATOR JEFFREY BLOOM MISSED NEW BERNIE MADOFF.”³
- “MYLES EDWARDS, DISGRACED CONSTELLATION WEALTH ADVISOR LAWYER IMPLICATED IN RONEN ZAKAI FELONY CONVICTION.”⁴
- “CAPTURED: FACEBOOK CRIMINAL RONEN ZAKAI, THE NEW BERNIE MADOFF FRAUD.”⁵
- “AEGIS CAPITAL FIGHTS BACK AT FINRA BLACKMAIL, RACISM.”⁶

² <http://www.theblot.com/finra-regulators-jeffrey-p-bloom-lucinda-o-mcconathy-implicated-ronen-zakai-felony-777110>

³ <http://www.theblot.com/op-ed-sex-lies-impotent-finra-regulator-jeffrey-bloom-missed-new-bernie-madoff-774216>

⁴ <http://www.theblot.com/myles-edwards-disgraced-constellation-wealth-advisor-lawyer-implicated-ronen-zakai-felony-conviction-777695>

⁵ <http://www.theblot.com/captured-facebook-criminal-ronen-zakai-new-bernie-madoff-fraud-771524>

⁶ <http://www.theblot.com/aegis-capital-fights-back-at-finra-blackmail-7728404>

These articles falsely and maliciously accused various FINRA employees and associates with making false statements, being implicated in various frauds, and making racist and bigoted comments.

28. On or about January 9, 2014, Defendant Wey created a fake email in an effort to impersonate Michael Dixon, a FINRA enforcement attorney, and make it appear as if Mr. Dixon were sending one of the articles above to another FINRA enforcement attorney, Jeffrey Bloom, with the question, "Is this true?"

29. On or about February 11, 2014, February 27, 2014, and March 8, 2014, Defendant Wey created further fake emails to Jeffrey Bloom that he falsely attributed to Maureen Gearty, a witness whose testimony was cited in the Hearing Panel Decision. In these emails, Defendant Wey made it appear as if Ms. Gearty were writing such things as: (i) "I have lied many times. Sorry that you were duped also. Maureen"; (ii) "Jeffrey, I have run out of money. Could you pay me again? Sorry that I have lied many times to you and duped FINRA. Maureen"; and (iii) "Jeffrey, you have screwed me so bad. Then you left me alone in the cold. You are an evil person."

30. By fabricating these emails, Defendant Wey manufactured evidence that a witness had lied during her testimony about Scholander and Harris and that FINRA's employees had engaged in wrongdoing by paying for this false testimony. Defendant Wey fabricated this evidence for the purpose of obstructing FINRA's adjudicatory process and any appeal of FINRA's decision-making to the SEC. Upon information and belief, Defendant Wey has manufactured other kinds of false evidence in order to undermine these and other proceedings.

31. Defendant Wey's associates, Scholander and Harris, appealed the NAC decision to the SEC in January 2015. FINRA submitted a brief concerning the circumstances of the

disciplinary action to the SEC. On February 27, 2015, Defendant Wey called Michael Garawski, Associate General Counsel at FINRA, and left a threatening voicemail, transcribed here: "Hey, Michael, hi, this is Benjamin Wey from New York. I'm calling regarding a publicly-available document, searchable on the SEC website regarding FINRA v. Talman Harris. My name is mentioned as a stock promoter. What is the basis for that mentioning? I'm an investigative reporter. I'm investigating you, and your parties involved. Remove my name or you will face litigation. Okay? Call me back. Be a man, not a coward. 212-566-0499. This is 2:37 pm, Friday, February 27th."

32. This voicemail is but one more example of defendants' using the power of TheBlot to spread falsehoods about FINRA and its employees and affiliates in retaliation for the enforcement actions against Scholander and Harris and as unlawful leverage to attempt to get FINRA to abandon and/or rescind the sanctions against them.

Defendants' Extreme and Outrageous Defamatory Attacks of Professor Brummer

33. After the NAC Decision was issued, defendants turned their attention to Professor Brummer, unleashing their most vicious, false, and defamatory attack yet. On or about January 21, 2015, TheBlot published: "WANT TO GET RICH FROM A CRIMINAL? ASK CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR." A copy of this article is attached as Exhibit A.

34. In addition to falsely presenting Professor Brummer as a criminal and stating that "he was implicated in a fraud," the article falsely refers to Professor Brummer as a "racist" and an "Uncle Tom." TheBlot additionally falsely states, "In December 2014, Brummer was caught messing with another man's wife." The report also uses defamatory headlines declaring "Chris Brummer, The Pumper and Dumper, Caught" and falsely states that Professor Brummer

endorsed biotech stocks as part of an illegal scheme causing “[m]any investors lost their life savings, thanks to Chris Brummer’s endorsement.” The article also falsely states that Professor Brummer was “implicated in Michael Milken Fraud Investigations,” engages in malicious race-baiting and false reporting by stating that Professor Brummer called Mr. Milken a “Master” of his universe, and falsely states that Professor Brummer was “courting the criminal fraud.” The article further falsely states that Professor Brummer had been caught lying and had exaggerated his credentials.

35. The article sets forth further lies about Professor Brummer and fabricates quotes that it attributes to Professor Brummer, such as: (i) “‘This is Professor Chris Brummer, what can I do for you, and what’s there for me?’ asked the soft-spoken Chris Brummer, Georgetown Law School academic as he laid his eyes on a pair of naked legs of a young woman working at Saxbys Coffee, a popular coffee joint near Georgetown University in Washington, D.C.”; (ii) “‘Damn it, I am black. I deserve to get into a law school ...’ Brummer allegedly yelled at a college admissions officer. After struggling through school, he was unable to land a single corporate client willing to pay for his poor legal work”; (iii) “Unable to get into a decent law school on a normal schedule, Chris Brummer squeezed himself into a part-time program by waiving the flag of ‘affirmative action’”; (iv) “‘When a man needed money, he had to do what he had to do...When is my next pay check?’ Chris Brummer reportedly said to a senior staffer at the Milken Institute, investigations reveal”; (v) “Chris Brummer is the typical bookworm who can’t survive a day in real life. Until he joined FINRA’s National Adjudicatory Council to further supplement his income. FINRA is the murky world of sleepy securities ‘watchdog’ called the Financial Industry Regulatory Authority. By joining FINRA’s rubber stamp National Adjudicatory Council, Brummer became the 21st century ‘Uncle Tom’ ruining the lives of

innocent men and women in the world of finance”; (vi) “Chris Brummer. ABUSER. FINRA RUBBER STAMP. Dumb Georgetown Academic. ABUSED MY LIFE WIFE”; and (vii) “The government’s fraud investigations against Milken also implicated Chris Brummer and Guggenheim Partners, a hedge fund outfit.”

36. The article also contains defamatory comments that appear to be written under false identities: (i) “Chris Bummer of Georgetown Law School is just an academic airhead trying to make a living selling people useless knowledge. He is no different from other academic idiots out there. The sad thing is Chris Brummer has destroyed people’s lives, implicated in criminal probes.” – Jonathan K, January 21, 2015; (ii) “This character Brummer who sits and beats his chest is a paid Uncle Tom house-boy who rubber stamps FINRA’s decision, 100 percent of the time. Why wouldn’t he, they pay him!” – Charles Zappa, January 21, 2015; and (iii) “Chris Brummer is the type of sick professor that could easily [sic] teach students nonsense and ruin people’s lives. Is Professor Chris Brummer for sale? Absolutely. Was Chris Brummer Implicated [sic] in the criminal conducts of Michael Milken? Absolutely.” – Richard Calder, January 26, 2015.

37. The article concludes by threatening Professor Brummer about future defamatory attacks and harassment and attempting to intimidate him and others from rendering decisions or otherwise acting contrary to Defendant Wey’s wishes: “Stay tuned, the Chris Brummer saga to be continued.”

38. Defendants have also hired an outside specialist to employ the tactics of Search Engine Optimization in order to ensure that the article above appears high on Google search results for Professor Brummer’s name. *See, e.g.*, “Chris Brummer” web search results page on Google, a copy of which is attached as Exhibit B.

39. Defendants have repeatedly modified and altered their defamatory articles about FINRA and its employees and associates, to include more defamatory attacks, including attacks on Professor Brummer. For example, after the NAC Decision-related articles described above, defendants altered the headline of an older article so that it read: "FINRA CEO RICK KETCHUM PLAYED LIKE A FOOL, SPONSORS RACISM, ABUSER JEFFREY BLOOM, GEORGETOWN 'UNCLE TOM' CHRIS BRUMMER CAUGHT PANTS DOWN." A copy of this article is attached as Exhibit C.

40. The article falsely accuses Professor Brummer of "complete[ly] destroy[ing] the lives of innocent black Americans." It falsely states that Professor Brummer was "Under Investigation for Fraud." It falsely refers to Professor Brummer as "dumb academic, FINRA 'Uncle Tom' Chris Brummer – a Georgetown Law School 'vacuum brain' that couldn't survive a minute in the real world." It falsely accuses Professor Brummer of being an "abuser" and falsely stated that he had been "Caught on Tape Lying." The article also falsely states that Professor Brummer was a racist who had been "Caught in Massive Fraud."

41. In the comments to the article, defendants falsely impersonated Robert Morris, a FINRA employee, to post the following defamatory comment about Professor Brummer: "Chris Brummer is a black man against the black people? What a dumb idiot professor. These FINRA pigs are destroying people's lives. This is time to expose them. Shameless Rick Ketchum, Jeffrey Bloom." Defendants intended to mislead their readers into thinking that this post came from a FINRA employee (clicking on Mr. Morris's name takes the reader to FINRA's website).

42. Defendants also altered and republished the January 21, 2015 article discussed above under the revised title, CHRIS BRUMMER, GEORGTOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, ABUSER CAUGHT. Changes to this

version of the article include more altered images of Professor Brummer, as well as new false accusations. For example, Defendants stated in one of the images' captions that Professor Brummer was "Under Investigation for Fraud." A copy of this revised article is attached as Exhibit D.

43. On or about February 10, 2015, Defendant Wey published another false and defamatory article in TheBlot, with the headline FINRA BARRED TWO INNOCENT BLACK BROKERS BASED ON BIAS, RACISM, TRASHES THE CONSTITUTION. This article, a copy of which is attached as Exhibit E, was linked to the other defamatory articles about Professor Brummer and again falsely alleged that Professor Brummer was implicated in and caught for fraud and abuse.

44. It is expected that plaintiff will uncover additional instances of defamation that were published and publicly available at various times.

45. Defendants' false statements described herein are defamatory because they allege that Professor Brummer is a criminal, that he has engaged in fraudulent activities, that he has lied about his academic and professional qualifications and experience, that he has cheated on his wife, and that he has other highly offensive character traits such that no one would want to work with him in any professional capacity. These statements are damaging on their face because they accuse Professor Brummer of serious crimes and misbehavior, and they are plainly injurious to the Professor Brummer's business and profession.

46. The defamatory statements described herein are presented on TheBlot as the product of "investigative journalism" in an effort to deceive readers into believing that the defamatory assertions are objective statements of fact that have been verified. Epithets were not merely hurled in these articles; they were falsely presented as having a basis in fact.

47. In February 2015, TheBlot's internet host provider suspended service to TheBlot for violating several provisions of its terms of service, including, but not limited to terms relating to the publication of defamatory and harassing materials, the use of photographs of third-parties without their permission, and the publication of personal information such as Social Security Numbers. After its service was suspended, TheBlot republished all of the defamatory articles described herein on a different hosting service and resurrected the fake comments that had been previously posted at the bottom of the articles.

48. In addition to the defamation described above, defendants have altered numerous photographs of Professor Brummer in an effort to tar him as an abusive racist and fraud and to harass and intimidate him. Examples of such photographs are attached as Exhibit F.

49. Defendants have engaged in search engine optimization manipulations to ensure that the altered images of Professor Brummer described above appear near the top of internet image searches. *See, e.g.,* "Chris Brummer" images search results page on Google, a copy of which is attached as Exhibit G.

50. Professor Brummer previously had an excellent professional and personal reputation. Defendants' defamatory and disparaging comments have caused him harm and have damaged his personal and business reputations.

51. Defendant Wey has published the defamatory statements described herein with full knowledge that they were false and with actual malice. He has done this with the intent of causing severe damage to Professor Brummer's reputation. He has done this with the intention of harassing and intimidating Professor Brummer. Defendant Wey's co-defendants were aware that Defendant Wey was publishing false and defamatory material, and they authorized, endorsed, and funded his actions and did so with actual malice.

52. Defendant Wey has published these defamatory attacks, in part, to further the business interests of Defendant NYGG, which has authorized and approved of Defendant Wey's defamation. Defendant Wey uses the NYGG offices and telephones to conduct the business of TheBlot and uses an NYGG email address for his work as publisher of TheBlot. Defendant Wey has advertised a "Media Relations" group at NYGG for purposes of furthering the defamatory attacks that appear on TheBlot.

53. Defendant Wey has published these defamatory attacks as an agent of FNL Media, which has profited from the publication and circulation of these defamatory articles.

54. In order to maximize the damage and distress inflicted upon Professor Brummer, Defendant Wey has republished Defendants' defamatory attacks on other internet sites, such as Twitter and Tumblr. *See, e.g.*, examples of Benjamin Wey's Twitter posts, relevant copies of which are attached as Exhibit H. As a result of these efforts, the defamatory articles have had wide circulation. Defendant Wey has nearly 85,000 Twitter followers who may have been exposed to the defamatory articles. Moreover, TheBlot receives thousands of hits every day.

55. Professor Brummer is a private individual and not a public figure.

56. Defendants' repeated and continuous publications of disparaging and knowingly false comments about Professor Brummer demonstrate an intent to harm, harass, and intimidate Professor Brummer and all others who would dare to disagree, even unknowingly, with Defendant Wey, demonstrate actual malice, and constitute extreme and outrageous conduct.

57. As a direct result of defendants' misconduct, Professor Brummer has suffered and continues to suffer economic loss in an amount to be proved at trial. For example, Professor Brummer has had to forgo a \$500 per hour consulting engagement for approximately one hour of work (*i.e.*, \$500) involving international banking regulations and has had to spend

\$882.83 to purchase internet domains to protect himself from and decrease the impact of defendants' past, current, and threatened future defamatory attacks, threats, which defendants have, in fact, carried out against others in different public contexts, including, as one of many examples, via defamatory attacks on a perceived enemy and her attorneys in connection with a case pending in the United States District Court for the Southern District of New York. Professor Brummer will continue to suffer economic losses such as internet-related expenses, lost consulting fees, and other lost professional development and advancement opportunities because of defendants' actions.

58. Defendants' misconduct described herein has been deliberate, outrageous, malicious, wanton, oppressive, reckless, grossly reckless, and intentional and evinces a high degree of moral turpitude and demonstrates such wanton dishonesty as to imply a criminal indifference to civil obligations. Defendants have further engaged in this misconduct with improper motives and with vindictiveness and with reckless and wanton disregard of Professor Brummer's rights and well-being.

FIRST CAUSE OF ACTION: DEFAMATION PER SE

(Against All Defendants)

59. Plaintiff incorporates paragraphs 1 – 58 as if fully restated herein.

60. The information the defendants published on the internet about plaintiff is false and defamatory, not the subject of any privilege, and is viewable by many third parties.

61. The defendants had actual knowledge that the information they published about plaintiff was false and knew or should have known that the information they published about plaintiff was false and defamatory.

62. The published false comments charge plaintiff with a serious crime, are of the type that tend to injure plaintiff in his trade, business, and profession, and impute salacious and immoral conduct to plaintiff.

63. The published false comments were made with the intent to harm plaintiff and with actual malice.

64. The defendants' unlawful conduct has caused and will continue to cause plaintiff imminent, irreparable injuries for which there are no adequate legal remedies. Accordingly, plaintiff is entitled to permanent injunctive relief.

65. Because defendants have placed plaintiff's personal character and reputation publicly at issue, plaintiff is entitled to a declaratory judgment that defendants' statements are false.

66. As a consequence of the defendants' conduct, plaintiff's reputation has been injured, and the plaintiff has suffered economic loss, as previously described. Furthermore, plaintiff has sustained conscious pain and suffering, shock, distress, and humiliating attacks to his personal and professional dignity.

67. As a consequence of the foregoing misconduct of the defendants, plaintiff has been damaged in an amount exceeding the jurisdictional requirements of this Court and is entitled to an award of compensatory and punitive damages in an amount to be determined at trial.

SECOND CAUSE OF ACTION: DEFAMATION

(Against All Defendants)

68. Plaintiff incorporates paragraphs 1 – 67 as if fully restated herein.

69. The information the defendants published on the internet about plaintiff is false and defamatory, not the subject of any privilege, and is viewable by many third parties.

70. The defendants had actual knowledge that the information they published about plaintiff was false and knew or should have known that the information they published about plaintiff was false and defamatory.

71. The published false comments were made with the intent to harm plaintiff and with actual malice.

72. The defendants' unlawful conduct has caused and will continue to cause plaintiff imminent, irreparable injuries for which there are no adequate legal remedies. Accordingly, plaintiff is entitled to permanent injunctive relief.

73. Because defendants have placed plaintiff's personal character and reputation publicly at issue, plaintiff is entitled to a declaratory judgment that defendants' statements are false.

74. As a consequence of the defendants' conduct, plaintiff's reputation has been injured, and the plaintiff has suffered economic loss, as previously described. Furthermore, plaintiff has sustained conscious pain and suffering, shock, distress, and humiliating attacks to his personal and professional dignity.

75. Plaintiff has been damaged in an amount exceeding the jurisdictional requirements of this Court and is entitled to an award of compensatory and punitive damages in an amount to be determined at trial.

**THIRD CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

(Against All Defendants)

76. Plaintiff incorporates paragraphs 1 – 75 as if fully restated herein.

77. As a consequence of the defendants' wholly unwarranted, unlawful, reckless, grossly reckless, and intentional conduct, including but not limited to their publishing knowingly false and defamatory statements about the plaintiff on the internet and their circulation of defamatory photographs of plaintiff, the defendants intentionally inflicted severe emotional distress upon plaintiff. The defendants, through a pattern of extreme and outrageous conduct beyond all possible bounds of decency and that is atrocious and utterly intolerable within a civilized society, have unlawfully engaged in a malicious campaign of harassment and intimidation against the plaintiff specifically intended to injure and humiliate him and cause him severe emotional distress.

78. As a consequence of the defendants' conduct, plaintiff's reputation has been injured, and the plaintiff has suffered economic loss, as previously described. Furthermore, plaintiff has sustained conscious pain and suffering, shock, distress, and humiliating attacks to his personal and professional dignity.

79. The defendants' unlawful campaign of harassment, intimidation, and other unlawful conduct has caused and will continue to cause plaintiff imminent, irreparable injuries

for which there are no adequate legal remedies. Accordingly, plaintiff is entitled to permanent injunctive relief.

80. As a consequence of the foregoing misconduct of the defendants, plaintiff has been damaged in an amount exceeding the jurisdictional requirements of this Court and is entitled to an award of compensatory and punitive damages in an amount to be determined at trial.

RELIEF REQUESTED

WHEREFORE, plaintiff requests the following relief:

- A. Trial by jury on all issues contained in this Complaint;
- B. An award of compensatory and punitive damages for the harm caused to the plaintiff;
- C. An injunction that issues the following orders against defendants, their agents, officers, members, managers, employees, representatives, and co-conspirators ("Restrained Parties"):
 - i. Prohibiting the Restrained Parties from any further acts of defamation or publishing of false statements, comments, or information regarding the plaintiff;
 - ii. Mandating that the Restrained Parties take all action including, but not limited to, removing from www.theblot.com (and other websites or internet services) all defamatory, disparaging, libelous, and false statements about plaintiff that the defendants posted including, but not limited to, taking all action necessary to remove the defamatory content in question; and
 - iii. Compelling the Restrained Parties to take all action, including, but not limited to, requesting removal from the Internet search engines including, but not limited to, Google, Yahoo!, and Bing, to remove all defamatory, disparaging, libelous, and false statements posted about plaintiff on the Internet, including, but not limited to, all postings at www.theblot.com.
- D. Declaratory judgment that the defendants' comments posted on the website www.theblot.com regarding the plaintiff are false;

E. A judgment in the plaintiff's favor and against the defendants for defamation per se, defamation, and intentional infliction of emotional distress;

F. Attorneys' fees, costs, and expenses as allowed by law; and

G. Such further relief as the Court deems just and proper.

Dated: April 21, 2015
New York, New York

Respectfully submitted,

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