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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

REBECCA SCOFIELD,

Plaintiff,

v.

ASHLEY GUILLARD,

Defendant.

Case No.

COMPLAINT AND DEMAND FOR
JURY TRIAL

I. INTRODUCTION

1. In November 2022, four students at the University of Idaho were murdered at a home near the campus. The tragedy has garnered attention, and inflicted great sorrow, throughout the University, the State, and the country. Defendant Ashley Guillard—a purported internet sleuth—decided to use the community’s pain for her online self-promotion. She has posted many videos on TikTok falsely stating that Plaintiff Rebecca Scofield (a professor at the University) participated in the murders because she was romantically involved with one of the victims. Guillard’s statements are false. Professor Scofield did not participate in the murders, and

she had never met any of the victims, let alone entered a romantic relationship with them.

Guillard's videos have been viewed millions of times, amplifying Guillard's online persona at the expense of Professor Scofield's reputation. Professor Scofield now sues Guillard for defamation.

II. PARTIES

1. Plaintiff Rebecca Scofield ("Professor Scofield") is an individual residing in Idaho. She is an associate professor and the chair of the history department at the University of Idaho in Moscow, Idaho.

2. Defendant Ashley Guillard ("Guillard") is an individual residing in Texas. She is a TikTok personality who purports to solve crimes online.

III. JURISDICTION AND VENUE

3. Jurisdiction is proper under 28 U.S.C. § 1332 because there is diversity of citizenship and the amount in controversy exceeds \$75,000.

4. Venue is appropriate under 28 U.S.C. § 1391 because Professor Scofield is an Idaho resident and a substantial part of the events giving rise to the claims occurred in Idaho.

IV. FACTUAL ALLEGATIONS

5. In the early morning hours of November 13, 2022, four students at the University of Idaho were tragically murdered in a home near the campus. It is a tragedy that has gripped the entire university community, forever affected the students' families, brought tremendous sorrow throughout the State of Idaho, and garnered national media attention. To respect the privacy of the victims and their families, this Complaint refers to the victims by their initials: K.G., M.M., X.K., and E.C.

6. Professor Scofield was not in Moscow, Idaho, when the murders occurred. She and her husband were in Portland, Oregon, visiting friends. They stayed in a hotel, checking out in the

morning on November 13, after the murders occurred. They drove from Portland to Moscow, a drive of more than five hours, arriving after law enforcement officers had discovered the murders.

7. Professor Scofield did not commit or in any way participate in the murders of the four students.

8. Professor Scofield has taught at the University of Idaho since January 2016. She became the chair of the history department in July 2021.

9. None of the four students who were murdered ever took a class from Professor Scofield. Although the University of Idaho is a relatively small university, she does not recall ever meeting any one of these students.

10. Professor Scofield has also never met Ashley Guillard.

11. Ashley Guillard promotes herself on Amazon and TikTok as an Internet sleuth that solves high-profile unsolved murders by consulting Tarot cards, and performing other readings, to obtain information about the murders. She has purported to solve the murders of musician Kirshnik Khari Ball (a.k.a. Takeoff), Shanquella Robinson, Tiffany Valiante, Kevin Samuels, and the November murders at the University of Idaho.

12. TikTok is a social media platform through which persons can post short videos, typically of no more than 1 or 2 minutes. “TikToks” primarily are recorded by a person using her own cell phone to record a video, and then posting through the person’s account on the TikTok platform. Individuals with TikTok accounts can review other people’s TikTok accounts, can post comments on the various TikToks, and can repost another TikTok user’s posts.

13. On or about November 22, 2022, Guillard began posting TikTok videos about the November murders at the University of Idaho. She asserted that the murderer had some history

with one or more of the victims, and that the murderer was someone who previously was involved with one of the victims, “possibly an ex.”

14. On information and belief, Guillard has never been to Moscow, Idaho or to any other location in Idaho, and that she had no basis to make factual statements about any of the events that have occurred there.

15. On or about November 24, 2022, Guillard posted six TikTok videos to her account, [ashleyisinthebookoflife](#),¹ in which she falsely stated that Professor Scofield, the chair of the history department, was responsible for the four students’ deaths. Two of the TikToks directly and falsely state that Professor Scofield ordered the execution of the four students. Three of the TikToks either falsely implied or directly stated that Professor Scofield had been involved in a relationship with one of the murdered students, K.G.

16. Three of the TikToks Guillard posted to her website on November 24, 2022, also used Professor Scofield’s photo from the University of Idaho website. Upon information and belief, Guillard did not ever receive permission to use Professor Scofield’s official university photograph.

17. Guillard’s November 24, 2022, TikToks were not based on any facts, or any information known to Guillard. Her statements that Professor Scofield ordered the murders, and that Professor Scofield had a relationship with one of the victims, are false.

18. On the following day, November 25, 2022, Guillard posted an additional five TikTok videos falsely alleging that Professor Scofield ordered and planned the murders of the four students. In three of the videos Guillard falsely stated that Professor Scofield and a student at the

¹ Given the continuing nature of Guillard’s tortious conduct, a hyperlink to Guillard’s TikTok account has been provided. Professor Scofield prays for relief against all such false statements whether specifically referenced herein or created after the filing of this Complaint.

University of Idaho, J.D.,² together planned the murders of the four students. Professor Scofield has not met student J.D. and has not ever had him in a class. She has never partnered with him on anything. She did not partner with him to murder the four University of Idaho students.

19. Guillard's November 25, 2022, TikToks were not based on any facts, or any information known to Guillard. Her statements that Professor Scofield partnered with another student to plan or carry out the murders are false.

20. On November 28, 2022, Guillard posted six TikTok videos in which she falsely alleged, either by explicitly stating so or posting text with her videos, that Professor Scofield participated in, or was otherwise responsible for the murders of the four University of Idaho students and that she did so because of per prior relationship with K.G. In one video she wrote the words, "Rebecca Scofield's thoughts as she ordered the murder of the 4 University of Idaho students."

21. Guillard's November 28, 2022, TikToks were not based on any facts, or any information known to Guillard. Her statements that Professor Scofield ordered or in any way participated in the murders or that she was involved in a personal relationship with K.G. are false.

22. By November 28, 2022, Guillard had been directly informed that her TikTok videos alleging that Professor Scofield was involved in the murders were false. Nevertheless, she continued posting her TikTok videos, aware that they were false. In one TikTok video she wrote, "I don't care what y'all say . . . [J.D.] & Rebecca Scofield killed [K.G., M.M. E.C. & X.K.] . . . REBECCA WAS THE ONE TO INITIATE THE PLAN & HIRED [J.D.]"

23. On November 29, 2022, Professor Scofield, through counsel, sent Guillard a cease and desist letter, informing her that her TikTok videos stating that Professor Scofield was involved

² The Complaint uses the initials J.D. to protect the individual's privacy and not perpetuate Guillard's false statements.

in the murders or that she had a romantic relationship with K.G. were false and defamatory, demanding that she take down her defamatory videos, demanding that she cease making such videos, and demanding that she issue an apology to Professor Scofield.

24. Guillard did not stop posting defamatory TikToks falsely stating that Professor Scofield was involved in the murders or that she had a romantic relationship with K.G.

25. On November 29, 2022, and November 30, 2022, Guillard posted additional TikTok videos falsely stating that Professor Scofield was involved in ordering and directing the execution of the murders of the four students. She was not.

26. Since December 1, 2022, Guillard has continued making false statements in her TikTok videos falsely asserting Professor Scofield's involvement in the murder of the four University of Idaho students and falsely stating that Professor Scofield was involved in ordering the murders and was present in Moscow, Idaho, to ensure they were carried out. She falsely stated, inter alia, that: (a) "Rebecca Scofield is going to prison for the murder of the 4 University of Idaho Students whether you like it or not" (December 1, 2022); (b) "I'm not worried about Rebecca Scofield suing me because she will be using her resources to fight four murder cases" . . . "She ordered the execution, the murders of [K.G.], [M.M.], [X.K.] and [E.C.]." (December 1, 2022); (c) that Professor Scofield's motive in ordering the murders and finding someone to carry it out was because she was dating a student (December 4, 2022); (d) Professor Scofield decided to kill the students because K.G. wanted to take a break in their relationship (December 5, 2022); (e) Professor Scofield was going to help the person she hired to carry out the murders achieve the person's dream of playing on the University of Idaho tennis team. (December 5, 2022); (f) J.D. killed the four students because "Becca told me to." (December 6, 2022); and (g) a reporter with

the Spokesman Review newspaper was “protecting the killer” in the article suggesting the TikToks were false (December 12, 2022).

27. As with Guillard’s prior TikToks falsely stating that Professor Scofield was involved in or ordered the murders, Guillard’s December TikToks had no basis in fact. They were false.

28. Persons with TikTok accounts can comment on the TikTok posts of others they follow. Many TikTok users warned Guillard that her statements were false and that she was defaming Professor Scofield, among others. Guillard did not stop making false and defamatory TikToks despite being warned of their falsity multiple times by persons commenting on her TikToks.

29. Equally concerning, other TikTok users commented that they believed Guillard’s false statements that Professor Scofield ordered the murder of K.G., M.M., X.K. and E.C., that Professor Scofield was romantically involved with K.G., and that they have wondered when Professor Scofield would be brought to justice.

30. On December 8, 2022, Professor Scofield, through counsel sent a second cease and desist letter, enclosing the first, and again demanding that Guillard take down her defamatory posts and that Guillard stop making defamatory TikToks.

31. Rather than change her conduct, Guillard made a TikTok showing the cease-and-desist letter (acknowledging she received it) and explaining that if Professor Scofield, through counsel, believed that Guillard was making false statements, counsel would need to “file actual legal documents in a federal court...asking me to remove it. A judge will then determine if I need to remove it.”

32. Also, after receiving the cease-and-desist letter, Guillard on December 18 and 19, 2022, posted more than twenty new TikTok videos falsely stating that Professor Scofield was involved with K.G. and that Professor Scofield's motive for the murders was to keep K.G. from making their relationship public.

33. Guillard has continued to publish false statements about Professor Scofield on TikTok despite having no basis for making the statements and despite being notified numerous times that her statements are false.

34. Professor Scofield has never met Guillard. She does not know her. She does not know why Guillard picked her to repeatedly falsely accuse of ordering the tragic murders and being involved with one of the victims. Professor Scofield does know that she has been harmed by the false TikToks and false statements.

35. Guillard's false TikToks have damaged Professor Scofield's reputation. They have caused her significant emotional distress. She fears for her life and for the lives of her family members. She has incurred costs, including costs to install a security system and security cameras at her residence. She fears that Guillard's false statements may motivate someone to cause harm to her or her family members.

V.

**FIRST CLAIM FOR RELIEF
(DEFAMATION– FALSE STATEMENTS REGARDING MURDERS)**

36. Professor Scofield re-alleges and incorporates by reference all prior paragraphs of this complaint as if set forth in full herein.

37. In her TikTok posts between November 24, 2022, and present³, Guillard made false and defamatory statements implicating Professor Scofield in the murders of the four University of Idaho students more than forty times.

38. As Guillard's false statements involve criminal accusations, they are *per se* defamatory in nature.

39. Guillard knew her statements were false because she had no knowledge about anything happening in Moscow in and around November 13, 2022. Guillard further knew her statements were false because they were not based on any facts, because persons commenting on her posts told her that they were false, and because Professor Scofield twice sent Guillard cease and desist letters regarding the false and defamatory posts.

40. Guillard's false TikToks defamed Professor Scofield because they were viewed millions of times and widely reposted by other TikTok users, resulting in Professor Scofield's name being linked to "murder" in a basic internet search. As a result of Guillard's false statements, Professor Scofield's reputation was injured, and she was subject to online ridicule and threats from Guillard's online commenters. She also fears that she or her family will be the target of physical violence.

41. The online nature of Guillard's false statements continues to harm and damage Professor Scofield. Guillard's TikTok account has more than 100,000 followers, and some of her TikToks defaming Professor Scofield have 2.5 million "likes", indicating that the person has viewed the video and "liked" it.

42. Professor Scofield has been damaged by Guillard's false statements. Her reputation has been tarnished, and she has suffered extreme emotional distress from the constant public

³ fn.1, *supra*.

attention and the ongoing online conversation regarding her “role” in the murders, as falsely alleged by Guillard.

**SECOND CLAIM FOR RELIEF
(DEFAMATION –FALSE STATEMENTS REGARDING RELATIONSHIP)**

43. Professor Scofield re-alleges and incorporates by reference all prior paragraphs of this complaint as if set forth in full herein.

44. In her TikTok posts between November 24, 2022, and the date of this Complaint, Guillard made false and defamatory statements that Professor Scofield was or had been romantically involved with one of the murdered students, K.G.

45. As Guillard’s statements involve moral turpitude, a professor being involved with a student, they are *per se* defamatory in nature.

46. Guillard knew her statements were false because she had no knowledge about anything happening in Moscow, Idaho, or at the University of Idaho. She does not know Professor Scofield, and did not know K.G. Guillard further knew her statements were false because they were not based on any facts, because persons commenting on her posts told her that they were false, and because Professor Scofield twice sent Guillard cease and desist letters regarding the false and defamatory posts but Guillard continued thereafter to post additional TikTok videos with false statements.

47. Guillard’s false TikToks defamed Professor Scofield because they were viewed millions of times and widely reposted by other TikTok users. Guillard’s false statements defamed Professor Scofield’s professional reputation and career at the University of Idaho as university policy prohibits faculty members from having romantic relationships with university students. As a result of Guillard’s false statements, Professor Scofield’s reputation was injured, and she was subject to online ridicule and threats from Guillard’s online commenters.

48. Professor Scofield has been damaged by Guillard's false statements. Her reputation has been tarnished, and she has suffered extreme emotional distress from the constant public attention and the ongoing online conversation discussing the false relationship with a student, as falsely alleged by Guillard.

VI. ATTORNEY'S FEES

49. As a result of Guillard's conduct, Professor Scofield has been required to retain the services of Stoel Rives LLP. Plaintiff requests that she be reimbursed for all reasonable attorney's fees and costs as permitted under federal and state law.

VII. PRAYER FOR RELIEF

Professor Scofield prays for judgment in her favor and against Guillard, as well as:

1. Compensatory and punitive damages in an amount to be proved at trial;
2. Attorney's fees, costs, and disbursements incurred here;
3. Pre-judgment and post-judgment interest; and
4. All such other relief as the Court deems just and equitable.

VIII. DEMAND FOR JURY TRIAL

Professor Scofield requests trial by jury of not less than 12 persons as to all issues triable to a jury.

DATED: December 21, 2022.

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson

Elijah M. Watkins

Cory M. Carone

Attorneys for Plaintiff

District of Idaho

Defendant(s)

Civil Action No.

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Rebecca Scofield

(b) County of Residence of First Listed Plaintiff Latah County, Idaho
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Wendy Olson, Elijah Watkins, Cory Carone, Steel Rives
LLP, 101 S. Capitol Blvd., Ste. 1900, Boise, ID 83702;
208-389-9000

DEFENDANTS

Ashley Guillard

County of Residence of First Listed Defendant Harris County, Texas
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1332

Brief description of cause:

Defendant made false and defamatory statements about Plaintiff on social media

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

more than \$75,000 and injunctive relief

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

Dec 21, 2022

SIGNATURE OF ATTORNEY OF RECORD

/s/ Wendy J. Olson

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.