

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

DANNY GALLAGHER,

Plaintiff,

vs.

MATERNITYWISE INTERNATIONAL,  
LLC, ANNE CROUDACE, ELIZBETH  
ANOATUBBY, EMILEE SALDAYA,  
RACHAEL BROWN, JENNA CHIDESTER,  
STEPHANIE GILBERT, JORDAN ASHLEY  
HOCKER, BETHANY KIRILLOVA,  
SAMANTHA LAJOIE, AERIN LUND,  
KATE PAVLOVSKY, CHANNA JAYDE  
WALZ, MADDISON WEIKLE, ESME  
WHITENOUR, NICOLETTE RAYMOND,  
ELIZABETH GEFTAKYS, JULIE BELL,  
CARA GWIZD, HOLLY LEPPARD-  
WESTHAVER, ELOISE VICTORIA,  
JANE DOE ONE, JANE DOE TWO,  
JANE DOE THREE, DOES 1-10,  
INCLUSIVE;

Defendants.

CIV. NO. 18-00364 LEK-KJM

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII  
NOV 02 2022  
at 3 o'clock and 30 min P M  
John A. Mannie, Clerk

**SPECIAL JURY VERDICT FORM**

You must answer all the questions, unless otherwise directed in the instructions. You should read the entire Special Jury Verdict Form before proceeding to answer.

Answer the questions in numerical order. Follow all directions carefully. Each answer requires the unanimous agreement of all members of the jury. If you do not understand any question or wish to communicate with the court, you must do so only in writing through the bailiff.

**SECTION I: AFFIRMATIVE DEFENSE OF TRUTH**

- 1. Has any Defendant shown by a preponderance of the evidence that the statement or statements made by that particular Defendant about Plaintiff were true or substantially true?

Vivian Chau Best

Vivian Best  
2 hrs

In case you come across from him, please don't accept a friend request from Danny Gallagher.

I just found out some very upsetting information about someone who has many PSI friends in common with me. I had to let you know. Warning. Danny Gallagher is a predator who has infiltrated the birth world and needs to be removed immediately. He has been removed from the big groups and the admins of Doula Talk are reporting him to his certifying board. He has been caught victimizing women and his scheme has been exposed. He trawls birth groups for women who are insecure or unstable in terms of birth groups for women who are insecure or unstable in terms of their financial security, self esteem or in need of sexual validation. He contacts them privately, wins their trust, makes enticing promises, and grooms them to provide naked photos of themselves to sell to a select audience of men. He's the broker. He is a predatory pimp, he is not a doula. He has harassed a number of women online to sell them their used panties. This has all been confirmed.

I see that we have many friends in common who are PSI grads and wanted you to know. This is very serious, he is a sexual predator and is dangerous. Please help me in shutting this shit down.

Exhibit P-1/PC 000618

Answer: Yes \_\_\_\_\_

No  \_\_\_\_\_

Stephanie Byers

Stephanie Byers  
4 June at 01:20

Danny Gallagher is a predator. Women have been his prey for a specific audience he gets compromising photos for, and he is NOT a

doula of any kind. Be warned and steer clear. Political correctness has blinded so many into acceptance or predators into supposed safe spaces. Don't worry, I have never accepted his requests to join any of my groups, and he is being exposed as we speak. If you are a moderator or admin for a birth group, I compel you to give him the boot immediately. He is a PIMP. NOT a doula

Exhibit P-6 /PC 000549

Answer: Yes \_\_\_\_\_ No  \_\_\_\_\_

Stephanie Byers reviewed Danny the Doula  
June 5 at 4:18 a.m.

Every interaction I have witnessed from Danny on social media has been passive-aggressive, gaslighting, and an attempt to gain sympathies from those struggling with internalized misogyny. There are so many women who are left feeling violated by his actions, but nobody is bothering to validate the subtle abuse happening to them, only kowtowing to this presumptuous act Danny puts on. Red flags are all over this guy.

Exhibit P-7 /PC 000577

Answer: Yes  \_\_\_\_\_ No \_\_\_\_\_

Jane Hopaki

Jane Yaakni Hopaki  
June 3 at 6:32 a.m.

Birthy women, beware 'male doula' Danny Gallagher. He has been reported to his certifying body for his behavior in person and online with pregnant women. This man is a predator who has been on my radar and the radars of some very intelligent birthworker friends of mine for quite some time. Always beware men who inject themselves into women's spaces. The male ego and male gaze have no place in the sacred world of birth

blissful.herbs Please watch out for a predator infiltrating natural birth groups on social media. This is his MO: he gets permission from the group moderator. Then he posts an intro full of heart-rending tales of disadvantage and trauma. This incites sympathy from women

conditioned to be caring. Having gained access to the group, he then makes ego-centric and grandiose posts. This hooks into the way that women are socialized to praise, adulate and stroke the egos of men, and to show humility in the face of male bragging. Around this time, any women in the group with finely tuned radars for narcissism, bullshit or perve are likely to call him on a breach of confidentiality or some other crossing of basic boundaries. At this point, he arcs us defensively out of proportion to the issue. Then some women in the group are likely to rush to his defense and make allowances for him. The ones with misgivings then start to doubt themselves and back down a little so as not to cause upset within the group. Then he posts polls about whether he should stay in the group or leave. This appeals to women's eagerness to express an opinion and to cast a vote in a culture that has often curtailed women's expression in this respect. He then incites division in the group. He plays the misunderstood, misjudged victim and those whose alarm bells are loudly clanging are not only depicted by him as mean, judgmental, non-inclusive and sexist – but other women, desperate to not be written off

blissful.herbs (cont. from above)... which is to trawl the group for women who are insecure or unstable in terms of their financial security, self esteem or in need of sexual validation. He contacts them privately, wins their trust, makes enticing promises, and grooms them to provide naked photos of themselves to sell to a select audience of men. Guess who is the broker. He is a predatory pimp. He is not a doula. The point of this post is not only to warn about this individual and others like him. It's also so we can question, and examine, how we as women – from the naïve ingenues to the jaded, skeptical crones, can be so easily manipulated, exploited and turned on each other – and the forces that undermine us. Art credit: Arna Baartz.

Exhibit P-15 /PC 000647

Answer: Yes \_\_\_\_\_ No ✓ \_\_\_\_\_

Bethany Kirillova

Bethany Kirillova reviewed Danny the Doula  
June 4, 2018

There is much screenshotted evidence that this guy is luring vulnerable women into doing sexual videos and photography. He has used birth photos without permission and refuses to take them down. I have heard account after account that this guy is targeting pregnant

and financially vulnerable victims. The truth has come out and he was never a birth worker in the first place. Do not let this man into your birthing space. He uses the word “doula” to gain women’s trust. A doula literally means “woman servant”. This person is not a servant of women. He is very cunning in the way he lures and traps his victims. They feel he is charming and very helpful up front when in reality it’s a way for him to profit off his sickness. He has a strange sexual fetish for women giving birth. He makes many ladies very uncomfortable and a few were brave enough to come forward with their evidence. He toots his horn in a way to show how “progressive” he is as a “male” doula. “I am special because I am a man interested in birth. Let me grace you with my presence.” many are afraid to call him out for what he is because they like the idea of accepting a male doula and they do not want to discriminate because he is a man. I however have no issue calling it what it is. Preying on women. Selling their birth pictures. Using their bodies as a financial gain without permission. No sir. Birth still belongs to women and you’re not invited! Down with the patriarchy!

Exhibit P-19 /PC 000196

Answer: Yes \_\_\_\_\_ No  \_\_\_\_\_

Kate Pavlovsky

Opal Essence

You shouldn’t get involved if you don’t know wtf you are talking about.

This man attempted to lure me into sex work. He has done the same to many women. He is a REAL DANGER to women in his local community. This man is a predator and solicits women for nude photos and amateur porn involving pregnant women and lactating women. Everyone who is calling him out has proof of his actions, but not everyone wants to spread it all over the internet.

This is not petty. This man is a sexual predator. He should never be allowed in a birth room as it has been made clear he is very aroused by birth, pregnancy, and breastfeeding. We are not trying to tear him down. He is not a victim. We are trying to protect the true victims in this situation – the women who he will prey upon.

Exhibit P-23 /Matwise 000106

Answer: Yes       ✓       No                     

6/3/18

Kate Pavlovsky –Doula, Birth Photographer, Massage Therapist shared a post. June 3 at 4:15 p.m.

Melbourne Doula Birth Support – Julie Bell, wise-woman doula & herbalist said it best. For those of you who saw my earlier post, I 100% stand by what I said. However, I am not the only victim of this predator and I do not feel like being singled out. I do not wish for the burden of proof to fall only on me. This person is dangerous and detrimental to the birth realm. Please beware. Also, victim blaming is not ok. Distrusting victims is not ok. This is creating a rift among birthworkers while this predator walks free to cause harm. It's sickening to say the least.

Thank you to everyone who reached out in support. I love you all very much; you are special people.

Melbourne Doula Birth Support – Julie Bell, wise-woman doula & herbalist  
June 3 at 3:33 p.m.

Please watch out for a predator infiltrating natural birth groups on social media. This is his MO:

1. He gets permission from the group moderator. Then he posts an intro full of heart-rending tales of disadvantage and trauma. This incites sympathy from women conditioned to be caring.

2. Having gained access to the group, he then makes ego-centric and grandiose posts. This hooks into the way that women are socialized to praise, adulate and stroke the egos of men, and to show humility in the face of male bragging.

3. Around this time, any women in the group with finely tuned radars for narcissism, bullshit or perve are likely to call him on a breach of confidentiality or some other crossing of basic boundaries. At this point, he arcs up defensively out of proportion to the issue. Then some women in the group are likely to rush to his defense and make allowances for him. The ones with misgivings then start to doubt themselves and back down a little so as not to cause upset within the group.

4. He is a master at using women's strengths against them. He gives the impression that he is doing everything with the Moderator's permission. He infers that he has special favour and a special connection with the group leader, or any woman of prominence and influence. He piggy-backs on the trust and reliability that lead woman has with the group by invoking her. Members then feel constrained to complain about him or report him, because of their love and loyalty for the LEADER – and they don't want to seem to be questioning her judgement or second-guessing what is apparently her call (according to his claims). In this way, he subverts the loyalty of women and uses it against them. In one case, he claimed a leading midwife in his community was his "mentor". She wasn't. In our group, he claimed that he was in business with our leader and that she was collaborating with him. She wasn't.

5. Then he posts polls about whether he should stay in the group or leave. This appeals to women's eagerness to express an opinion and to cast a Vote. In our culture women are often not consulted, don't have access to forums and are thus under-represented, so this opportunity is highly attractive.

6. He then incites division in the group. He plays the misunderstood, misjudged victim and those whose alarm bells are loudly clanging are not only depicted by him as mean, judgmental, non-inclusive and sexist – but other women, desperate to not be written off by A Man as being a "nasty woman" quickly round on the dissenters and tip staggering dump-truck loads of internalized misogyny all over them. But this is merely a diversion. While he continues to stoke the drama and strife, he's actually quietly going about his real work.

7. Which is to trawl the group for women who are insecure or unstable in terms of their financial security, self esteem or in need of sexual validation. He contacts them privately, wins their trust, makes enticing promises, and grooms them to provide naked photos of themselves to sell to a select audience of men. Guess who is the broker. He is a predatory pimp. He is \*not\* a doula.

8. Fall-out from the above subversions are diverse. Some women may feel ashamed that they trusted him, (or that they pretended to trust him for a while in order to figure out if he was legit or not). Vulnerable women talk about how nice and kind he was to them, not aware that he is grooming them. Other women turn on



those who express a negative or distrustful opinion of him, to the point of screen-shotting their posts and sending them to him, seemingly unaware that he was manipulating them in acting as his handmaids. He acts gracious in the face of criticism publically, while privately attacking those who confront him venomously.

The point of this post is not only to warn about this individual and others like him. It's also so we can question, and examine, how we as women – from the naïve ingenues to the jaded, skeptical crones, can be so easily manipulated, exploited and turned on each other – and the forces that undermine us. Art credit: Arna Baartz.”

Exhibit P-20 /PC 000654, PC 0001544-1545

Answer: Yes  No

Emilee Saldaya

Emilee Saldaya  
Jun 3, 2018 at 10:58 AM

Warning. Danny Gallagher is a predator who has infiltrated the birth world and needs to be removed immediately. He has been removed from the big groups and the admins of Doula Talk are reporting him to his certifying board. He has been caught victimizing women and his scheme has been exposed. He trawls birth groups for women who are insecure or unstable in terms of their financial security, self esteem or in need of sexual validation. He contacts them privately, wins their trust, makes enticing promises, and grooms them to provide naked photos of themselves to sell to a select audience of men. He's the broker. He is a predatory pimp, he is not a doula. He has harassed a number of women online to sell them their used panties. This has all been confirmed.

I see that you're internet friends with him and wanted you to know. This is very serious, he is a sexual predator and is dangerous. Please help me in shutting this shit down.

Exhibit P-32/PC 003345; Exhibit P-34/ES 000041; Exhibit P-37/ES 000077

Answer: Yes  No



Part of Emilee Saldaya's direct messages to Mychal Balaza Doula  
6/3/18, 3:41 PM

Yes we are already on the dona tip the admins of doula talk are  
handling all of that and yes I have a shit ton of proof!

Over 50 women have contacted me

The long and short of it is he is a porn agent that is targeting low  
income and single moms manipulating them and pressuring him into  
selling their panties and setting up nude sites and offering to  
photograph them for free women have contacted me having done this  
and never got their photos it's a ton of shit it's absolutely crazy

Exhibit P-34/ES 000143

Answer: Yes \_\_\_\_\_ No

Part of Emilee Saldaya's direct messages to Augustine Colebrook  
6/3/18, 12:58 PM

A friend is compiling a ton of stuff

hes [sic] a porn agent with a pregnancy niche

what's your email?

Exhibit P-34/ES 000181

Answer: Yes \_\_\_\_\_ No

Comment by Emilee Saladaya  
1:46 pm facebook.com

Here's some wonderful evidence of Danny being a porn agent!  
I have received over 50 accounts of personal stories (some with screen  
shots some just personal narratives) of the many ways he has  
harassed, manipulated and victimized women.

Exhibit P-6/PC 000568

Answer: Yes \_\_\_\_\_ No

Comment by Emilee Saladaya  
1:47 pm facebook.com

Please remember predators are often charming, smart, and nice. They know how to push just enough. This in one of the many exchanges women had reluctantly with him. Many women do not want to share their story of details publicly.

Exhibit P-6/PC 000573

Answer: Yes  No

If you answered "Yes" as to all Defendants in Section I, Question No. 1, then do not answer any more questions, and sign and date the form.

If you answered "No" as to any Defendant's statement in Section I, Question No. 1, then proceed to Section II to answer questions for that Defendant's statement about which you have answered "No" to Section I, Question No. 1. Do not answer any more questions as to any Defendant for whom you answered "Yes" to all of her statements listed in Section I, Question No. 1.

**SECTION II: LIBEL PER SE CLAIM**

1. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants made a false and defamatory statement about him?

Vivian Chau Best	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stephanie Byers	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Jane Hopaki	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Bethany Kirillov	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Kate Pavlovsky	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Emilee Saldaya	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If you answered "Yes" as to any of the Defendants in Section II, Question No. 1, then proceed to answer Section II, Question No. 2 as to that Defendant or Defendants. If you answered "No" as to all the Defendants in Section II, Question No. 1, then do not answer Section II, Question No. 2 but proceed to Section III.

2. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants acted negligently in making the false and defamatory statement about him?

Vivian Chau Best	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Stephanie Byers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Jane Hopaki	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Bethany Kirillov	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Kate Pavlovsky	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Emilee Saldaya	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Proceed to Section III.

**SECTION III: FALSE LIGHT**

1. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants' statements identified in Section I, Question 1 placed him before the public in a false position?

Vivian Chau Best	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Stephanie Byers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Jane Hopaki	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Bethany Kirillov	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Kate Pavlovsky	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Emilee Saldaya	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

If you answered "Yes" as to any of the Defendants in Section III, Question No. 1, then proceed to answer Section III, Question No. 2 as to that Defendant or Defendants that you gave a "Yes" answer. If you answered "No" as to all the Defendants in Section III, Question No. 1, then proceed to answer Section IV and do not answer Section III, Question Nos. 2 and 3.

2. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants acted negligently in making the statements that placed him before the public in a false position?

Vivian Chau Best	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Stephanie Byers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Jane Hopaki	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Bethany Kirillov	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Kate Pavlovsky	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Emilee Saldaya	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

If you answered "Yes" as to any of the Defendants in Section III, Question No. 2, then proceed to answer Section III, Question No. 3 as to that Defendant or Defendants. If you answered "No" as to all the Defendants in Section III, Question No. 2, then do not answer Section III, Question No. 3 but proceed to Section IV.

3. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants' statements that placed him before the public in a false position caused injury to Plaintiff?

Vivian Chau Best	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Stephanie Byers	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Jane Hopaki	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Bethany Kirillov	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Kate Pavlovsky	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Emilee Saldaya	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Proceed to Section IV.

**SECTION IV: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

If, as to any Defendant, you answered "yes" to all of the questions in any section in Sections II or III, then proceed to answer Question No. 1 in Section IV as to that Defendant or Defendants you answered "Yes" in any section in Sections II or III.

If you answered "no" to any question in all sections of Sections II and III, then proceed to Section V and do not answer the questions in Section IV.

1. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants' negligence caused Plaintiff extreme emotional distress?

Vivian Chau Best	Yes _____	No <input checked="" type="checkbox"/> _____
Stephanie Byers	Yes _____	No <input checked="" type="checkbox"/> _____
Jane Hopaki	Yes _____	No <input checked="" type="checkbox"/> _____
Bethany Kirillov	Yes _____	No <input checked="" type="checkbox"/> _____
Kate Pavlovsky	Yes _____	No _____
Emilee Saldaya	Yes _____	No <input checked="" type="checkbox"/> _____

If you answered "Yes" as to any of the Defendants in Section IV, Question No. 1, then proceed to answer Section IV, Question No. 2 as to that Defendant or Defendants. If you answered "No" as to all the Defendants in Section IV, Question No. 1, then proceed to answer Section V and do not answer Section IV, Question No. 2.

2. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants' negligence caused actual harm to Plaintiff's person or property?

Vivian Chau Best	Yes _____	No _____
Stephanie Byers	Yes _____	No _____

Jane Hopaki	Yes _____	No _____
Bethany Kirillov	Yes _____	No _____
Kate Pavlovsky	Yes _____	No _____
Emilee Saldaya	Yes _____	No _____

Proceed to Section V.

**SECTION V: INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS**

1. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants committed an act that caused him harm and that act was intentional or reckless?

Vivian Chau Best	Yes <u>✓</u>	No _____
Stephanie Byers	Yes <u>✓</u>	No _____
Jane Hopaki	Yes <u>✓</u>	No _____
Bethany Kirillov	Yes <u>✓</u>	No _____
Kate Pavlovsky	Yes _____	No _____
Emilee Saldaya	Yes <u>✓</u>	No _____

If you answered "Yes" as to any of the Defendants in Section V, Question No. 1, then proceed to answer Section V, Question No. 2 as to that Defendant or Defendants. If you answered "No" as to all the Defendants in Section V, Question No. 1, then do not answer Section V, Question No. 2 and proceed to Section VI.

2. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants' intentional or reckless act was outrageous?

Vivian Chau Best	Yes <u>✓</u>	No _____
Stephanie Byers	Yes <u>✓</u>	No _____
Jane Hopaki	Yes <u>✓</u>	No _____
Bethany Kirillov	Yes <u>✓</u>	No _____

Kate Pavlovsky	Yes _____	No _____
Emilee Saldaya	Yes <u>✓</u>	No _____

If you answered "Yes" as to any of the Defendants in Section V, Question No. 2, then proceed to answer Section V, Question No. 3 as to that Defendant or Defendants. If you answered "No" as to all the Defendants in Section V, Question No. 2, then proceed to Section VI and do not answer Section V, Question No. 3.

3. Has Plaintiff shown by a preponderance of the evidence that any of the Defendants' outrageous act caused Plaintiff extreme emotional distress?

Vivian Chau Best	Yes _____	No <u>✓</u>
Stephanie Byers	Yes _____	No <u>✓</u>
Jane Hopaki	Yes _____	No <u>✓</u>
Bethany Kirillov	Yes _____	No <u>✓</u>
Kate Pavlovsky	Yes _____	No _____
Emilee Saldaya	Yes _____	No <u>✓</u>

Proceed to Section VI.

**SECTION VI: DAMAGES**

If, as to any Defendant or Defendants, you answered "Yes" to all questions in any of Sections II, III, IV, or V, or all of them, then proceed to answer Section VI.

If, as to **all Defendants**, you answered "No" as to any question in all of Sections II, III, IV, or V, do not answer Section VI, and proceed to sign and date this form.

Please state the damages that Plaintiff has proven by a preponderance of the evidence:

General damages: \$ ~~\*~~ 1.00



Please stop, sign and date this form, and contact the Bailiff.

DATED at Honolulu, Hawai'i, 11/02/2022.

Signed: /S/ Foreperson