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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

RUSSELL G. GREER,

Plaintiff,

v.

JOSHUA MOON, an individual, and KIWI
FARMS, a website.

Defendants.

**REPLY MEMORANDUM TO
PLAINTIFF'S OPPOSITION TO
DEFENDANT'S 12(b)(6) MOTION TO
DISMISS ALL CLAIMS**

Case No. 2:20-CV-00647

Judge Tena Campbell
Magistrate Judge Jared C. Bennett

Defendants, Joshua Moon and Kiwi Farms, by and through their attorney of record hereby file this Reply Memorandum to Plaintiff's Opposition to Defendants' 12(b)(6) Motion to Dismiss all Claims and submits as follows:

ARGUMENT

I. PLAINTIFF HAS NOT PROVIDED FACTS THAT SHOW HE IS ENTITLED TO LEGAL RELIEF.

Plaintiff's claims should be dismissed, not because Plaintiff fails to state a claim, but because Plaintiff fails to state a claim upon which relief can be granted. Defendants do not dispute that Plaintiff has provided the court with copious alleged facts regarding conduct of

Defendants, but Plaintiff has failed to show how those alleged facts entitled him to any sort of legal relief. As shown in Defendants' *Motion to Dismiss*, Plaintiff's claims fail because of the statute of limitations and because Plaintiff has failed to show a prima facie case for his claims. Therefore, the alleged facts fail to show how Defendants' alleged conduct amounts to damages the Court can provide relief for.

II. BECAUSE THE STATEMENTS WERE NOT UNTRUE, PLAINTIFF HAS FAILED TO BRING A PRIMA FACIE CASE OF DEFAMATION OR FALSE LIGHT AGAINST DEFENDANTS.

While it is still Defendants' belief the Defamation and False Light claims fall victim to the Statute of Limitations, even if they did not, these claims should still be dismissed under Rule 12(b)(6), because Plaintiff has failed to bring a prima facie case for both.

Plaintiff has failed to show that the opinion Plaintiff did not want a mental health evaluation was defamatory. Plaintiff's claim that the term "victims" was defamatory also fails because it is a true statement.

Despite Plaintiff's belief that the woman he threatened and caused to fear for her safety in his criminal matter was not a "victim" the Court saw otherwise and granted a Protective Order against Plaintiff. *Exhibit A*. Plaintiff has also done more than merely "reach out to celebs for autographs." He has victimized not less than two well known celebrities by bringing baseless claims against them in court. *Exhibit B*. These facts were well known in the Kiwi Farms community. While much of Kiwi Farms online content is distasteful, to say the least, the statements made by Kiwi Farms users were opinions based upon the verifiable conduct of Plaintiff. Plaintiff cannot bring claims of defamation and false light against Defendants for statements made by Kiwi Farm users that are true and expect the Court to grant any sort of relief.

Because the statements made by Kiwi Farm users were in fact true, Plaintiff's claims of

defamation and false light fail to state a claim upon which relief can be granted and the Court should dismiss all such claims.

III. THE CDA IS CONSTITUTIONAL AND WAS ENACTED TO PROTECT DEFENDANTS FROM THESE TYPES OF CLAIMS.

Plaintiff alleges the Communications Decency Act (17 U.S.C. §230) is unconstitutional for vagueness or because it now extends beyond the legislative intent from when it was enacted. Plaintiff is correct that when the Act was first enacted, forums like Kiwi Farms may not have been in the legislators' realm of perceived realities, but the law provides for such an occurrence. Indeed, 17 U.S.C. §230 was amended as recently as 2018 "to clarify . . . [the] Act does not prohibit enforcement against providers and users" for acts "relating to sexual exploitation of children or sex trafficking." 2018 Enacted H.R. 1865. There have also been also multiple bills introduced this year to amend §230. Keeping this Act in line with the realities of today's world is of great concern to the legislative body, yet they have chosen not to prohibit protection for sites such as Kiwi Farms, even though sites much like Kiwi Farms have been active for years. Furthermore, the Courts have consistently relied on the Act to protect the First Amendment rights of users on these online forums and protect service providers from liability. *See; Zeran v. Am. Online, Inc.*, 129 F.3d 327, *cert. denied*, 524 U.S. 937 (U.S. June 22, 1998) (No. 97-1488). Should Defendants be forced to monitor and delete any posts on Kiwi Farms per government regulation, many users First Amendment rights would be violated.

The CDA is not unconstitutional and Defendants fall under its protection, therefore Plaintiff's claims should be dismissed.

IV. CLAIBORNE AND GERSH PROVIDE A BASIS FOR DISMISSING THE CLAIMS.

Plaintiff cites to *Gersh v. Anglin*, to provide support to his claims. Not only does *Gersh*

stem from merely a persuasive court, it can be easily distinguished in our case. The Supreme Court case, *NAACP v. Claiborne Hardware*, also cited by Plaintiff, offers controlling precedent as to why Plaintiff's claims should be dismissed.

In *Gersh*, The Defendant actively encouraged “confrontation” and “action” from the users of the defendant’s website. *Gersh v. Anglin*, 353 F.Supp.3d 958, 963. The court also found that the speech involved in *Gersh* was not a matter of “public concern” meaning any First Amendment protections would not be “particularly strong.” *Id* at 964. A matter is of public concern as determined by the “circumstances of the case.” *Id*. “The standard is met when the speech centers on a subject of legitimate news interest” or “a subject of general interest and of value and concern to the public.” *Id* (quoting *City of San Diego v. Row*, 543 U.S. 77, 83-84) (internal quotation marks omitted). Speech can also involve a matter of public concern when it relates to a “general public figure” or “one with pervasive fame or notoriety”. *Id* at 966 (quoting *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 351) (internal quotation marks omitted). Someone can also be considered a “limited purpose public figure” when they “voluntarily inject” themselves “into a particular public controversy and thereby become a public figure for a limited range of issues.” *Id*.

In our case, as the Plaintiff has acknowledged, Mr. Moon discourages any type of confrontation with the public figures discussed on Kiwi Farms’ forums. Furthermore, the discussions on Kiwi Farms are matters of public concern. Mr. Greer himself has pointed out news articles and YouTube broadcasts about him. Mr. Greer has also voluntarily injected his public lawsuits against women into a public controversy by authoring and publishing a book about why he sued Taylor Swift. Therefore, any of the discussions on Kiwi Farms regarding Mr. Greer’s legal pursuits are of public concern and are afforded particularly strong protections by

the First Amendment.

In *Claiborne* the Supreme Court declared that “a finding that he authorized, directed, or ratified specific” unlawful activity would “justify holding” anyone “responsible” for the illegal acts of another. *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 927. The Supreme Court also noted that the First Amendment does not create a “legal duty to repudiate” the unlawful acts of another “unless . . . an individual could be found liable for those acts.” *Id* at n. 69.

Mr. Greer points to no instances where Mr. Moon authorized any illegal activity from the users of his forum. Furthermore, Mr. Moon also had no duty to repudiate any questionably legal acts committed by Kiwi Farms users because Mr. Moon cannot be personally liable for any of the alleged acts of Kiwi Farm users.

Because Mr. Moon did not authorize any illegal actions, the speech on Kiwi Farms is strongly protected by the First Amendment, and Mr. Moon had no legal duty to repudiate the actions of Kiwi Farm users, Mr. Greer’s claims fail and should be dismissed.

V. DEFENDANTS DID NOT WAIVE THEIR SAFE HARBOR PROTECTIONS OR FAIR USE DEFENSES.

Mr. Greer asserts that because Mr. Moon told him he would waive his Safe Harbor Protection and because Defendants failed to assert the Fair Use Defense in their Motion to Dismiss that Defendants have now waived any right to those defenses. However, this is not a correct statement of the law.

Mr. Greer is correct that any affirmative defenses not raised in a responsive pleading are deemed waived, but a 12(b)(6) Motion to Dismiss is not a responsive pleading under the Federal Rules of Civil Procedure. Fed. R. Civ. P. 12(b). Should the Court deny Defendants’ Motion to Dismiss or grant partially, Defendants’ will still be afforded the opportunity file their Answer, or responsive pleading, to Mr. Greer’s Complaint. Defendants will then be able to assert any legal

defenses they may have against Mr. Greer's claims. Until the Answer is filed, or the time to file has passed, no defenses will be deemed waived by the court.

Therefore, Defendants have not waived any protections or defenses the law may afford them against Mr. Greer's claims.

CONCLUSION

Mr. Greer has failed to state any claims upon which this court can grant relief. He has failed to state a prima facie case for defamation and false light, Defendants are protected under the CDA, and the speech on Kiwi Farms is protected under the First Amendment. Therefore, Mr. Greer's claims should be dismissed with prejudice.

DATED this the 19th day of May 2021.

SKORDAS & CASTON, LLC

/s/ Gregory G. Skordas
Gregory G. Skordas

EXHIBIT A

OREM CITY JUSTICE COURT
UTAH COUNTY, STATE OF UTAH

OREM CITY vs. RUSSELL G GREER

CASE NUMBER 201900105 Other Misdemeanor

CHARGES

Charge 1 - 76-9-201(2) - ELECTRONIC COMMUNICATION HARASSMENT - Class B Misdemeanor

Offense Date: December 15, 2019

Location: Orem, Utah

Plea: September 16, 2020 Guilty

Disposition: September 16, 2020 {Guilty}

Charge 2 - 76-9-201(2) - ELECTRONIC COMMUNICATION HARASSMENT - Class B Misdemeanor

Offense Date: January 14, 2020

Location: Orem, Utah

Disposition: September 16, 2020 Dismissed (w/o prej)

CURRENT ASSIGNED JUDGE

REED PARKIN

PARTIES

Plaintiff - OREM CITY

Represented by: D SUMMERS

Defendant - RUSSELL G GREER

Represented by: HARVEY GAILEY

DEFENDANT INFORMATION

Defendant Name: RUSSELL G GREER

Offense Tracking Number: 59762799

Date of Birth: March 07, 1991

Law Enforcement Agency: OREM CITY POLICE

LEA Case Number: 20OR00776

Officer Name: NATHAN NEWELL

Prosecuting Agency: OREM CITY

Arrest Date: December 15, 2019

Violation Date: 12-15-2019

ACCOUNT SUMMARY

| | |
|---------------------------|--------|
| Total Revenue Amount Due: | 510.35 |
| Amount Paid: | 410.35 |
| Amount Credit: | 0.00 |
| Balance: | 100.00 |

Time Pay: 50.00 monthly on the 16th.

Most Recent Payment: May 14, 2021

Final Payment: July 16, 2021

REVENUE DETAIL - TYPE: PLEA ABEY. MISDMNR

CASE NUMBER: 201900105 Other Misdemeanor

| | |
|---------------------------------|---------------------------------------|
| Original Amount Due: | 680.00 |
| Amended Amount Due: | 0.00 |
| Amount Paid: | 0.00 |
| Amount Credit: | 0.00 |
| Balance: | 0.00 |
| Account Adjustments Sum To Date | Amount Reason |
| 2020-07-21 | -680.00 Per order 7/20/2020 |
| REVENUE DETAIL - TYPE: Interest | |
| Amount Paid: | 10.35 |
| Amount Credit: | 0.00 |
| Balance: | 0.00 |
| Account Adjustments Sum To Date | Amount Reason |
| 2020-07-21 | -1.92 Per order 7/20/2020 |
| 2021-05-14 | 12.27 Criminal post judgment interest |
| REVENUE DETAIL - TYPE: FINE | |
| Original Amount Due: | 500.00 |
| Amended Amount Due: | 500.00 |
| Amount Paid: | 400.00 |
| Amount Credit: | 0.00 |
| Balance: | 100.00 |

CASE NOTE

PROCEEDINGS

01-28-2020 Filed: INFORMATION/INDICTMENT
01-28-2020 Filed: SUMMONS - TO ISSUE (PROPOSED)
01-28-2020 Case filed by efiler
01-28-2020 Filed: From an Information
01-28-2020 Judge REED PARKIN assigned.
01-29-2020 Issued: Summons Issued
Clerk MAYRA PAEZ
01-29-2020 Filed: Return of Electronic Notification
02-05-2020 Filed: Appearance of Counsel/Notice of Limited Appearance
02-05-2020 Filed: Return of Electronic Notification
03-05-2020 ARRAIGNMENT scheduled on April 08, 2020 at 09:30 AM with Judge REED PARKIN
03-05-2020 Filed: Promise to Appear
03-06-2020 Filed: Return of Electronic Notification
03-06-2020 Filed: Appearance of Counsel/Notice of Limited Appearance
03-06-2020 Filed: Return of Electronic Notification
03-12-2020 NOTICE for Case 201900105 ID 15594714
Judge: REED PARKIN
PRETRIAL CONFERENCE is re-scheduled.
Date: 04/13/2020
Time: 02:30 p.m.
Before Judge: REED PARKIN

CASE NUMBER: 201900105 Other Misdemeanor

The reason for the change is appearance filed, plea entered and case set for pre-trial conference..

03-12-2020

ARRAIGNMENT Modified

Reason: appearance filed, plea entered and case set for pre-trial conference.

03-12-2020

Filed: Notice for Case 201900105 MO: Judge REED PARKIN

03-12-2020

PRETRIAL CONFERENCE scheduled on April 13, 2020 at 02:30 PM with Judge REED PARKIN

03-12-2020

Filed: Return of Electronic Notification

03-31-2020

PRETRIAL CONFERENCE rescheduled on June 22, 2020 at 02:30 PM

Reason: Court Ordered

03-31-2020

NOTICE for Case 201900105 ID 15653142

Judge: REED PARKIN

PRETRIAL CONFERENCE is re-scheduled.

Date: 06/22/2020

Time: 02:30 p.m.

Before Judge: REED PARKIN

The reason for the change is Court Ordered.

Due to the pandemic response orders, this matter is continued. Since this situation changes from week to week, please use the calendar look up tool on the court website at court.orem.org to confirm your court date.

03-31-2020

Filed: Notice for Case 201900105 MO: Judge REED PARKIN

03-31-2020

Filed: Return of Electronic Notification

04-21-2020

Filed: Discovery Reply

04-21-2020

Filed: Return of Electronic Notification

06-22-2020

Charge 1 Disposition is Plea in abeyanc

06-22-2020

Charge 2 Disposition is Dismissed w/ Pr

06-22-2020

Charge 1 Plea is No Contest

06-22-2020

Fee Account created Total Due: 680.00

06-22-2020

Fee Account created

06-22-2020

Filed: Plea in Abeyance Minute Entry

06-22-2020

Note: Added to payment schedule 1459876

06-22-2020

Minute Entry - CHANGE OF PLEA

Judge: REED PARKIN

PRESENT

Clerk: caraleec

Prosecutor: SUMMERS, D

Defendant Present

Defendant's Attorney(s): GAILEY, HARVEY

Audio

Tape Count: 2:15

Change of Plea Note

Victims attorney is present.

The defendant is advised that this offense may be used as an enhancement to the penalties for a subsequent offense.

PLEA IN ABEYANCE

Defendant's plea is held in abeyance.

Conditions of Agreement:

Defendant is ordered to obey all laws, state, local, and federal, and have no further violations during the plea in abeyance/diversion period.

Defendant is to notify the court of a current address at all times, and report to the court when notified by mail, or a warrant may issue.

Defendant is ordered to pay court costs, fines and fees as directed by the court.

The defendant is placed on a plea in abeyance for a period of 12 months.

If the defendant fails to comply with the terms of the plea in abeyance agreement, the disposition of bail forfeiture will be entered and any fees paid to the Court will be forfeited without further notice to the defendant.

PLEA IN ABEYANCE ADDITIONAL CONDITIONS

The defendant is to not have any contact with the victim in this case.

Tracking review date for Plea in Abeyance: 06/22/2021

SCHEDULED TIMEPAY

The following cases are on timepay 201900105.

The defendant is to pay \$680.00 monthly on the 22nd.

The number of payments scheduled is 0 plus a final payment of \$701.97.

The first payment is due on 05/22/2021 the final payment of \$701.97 is due on 05/22/2021 . The final payment may vary based on interest.

- PLEA ABEY. MISDMNR fee of \$680.00 assessed - Payor: GREER RUSSELL G.

06-22-2020 Filed: Return of Electronic Notification
 06-25-2020 Filed order: CHANGE OF PLEA
 Judge REED PARKIN
 Signed June 25, 2020
 06-25-2020 Filed: Return of Electronic Notification
 06-30-2020 Fee Account created Total Due: 10.35
 06-30-2020 Fee Account created
 06-30-2020 Note: Added to payment schedule 1459876
 07-06-2020 Filed: Motion: to Reconsider Plea
 Filed by: E A
 07-06-2020 Filed: Return of Electronic Notification
 07-07-2020 Filed: Response to Victims Motion to Reconsider
 07-07-2020 Filed: Return of Electronic Notification
 07-10-2020 Ruling Entry - RULING ON MOTION TO RECONSIDER
 Judge: REED PARKIN
 Court grants the motion to reconsider and sets the case for a review hearing. All parties, including victim and attorney will be included on notice to appear.
 07-10-2020 Filed order: RULING ON MOTION TO RECONSIDER
 Judge REED PARKIN
 Signed July 10, 2020
 07-10-2020 HEARING TO RECONSIDER PLEA scheduled on July 20, 2020 at 03:30 PM with Judge REED PARKIN
 07-10-2020 Filed: Notice for Case 201900105 MO: Judge REED PARKIN
 07-10-2020 Filed: Return of Electronic Notification
 07-20-2020 NOTICE for Case 201900105 ID 15872139
 Judge: REED PARKIN
 DISPOSITION is scheduled.
 Date: 08/05/2020
 Time: 02:30 p.m.
 before Judge REED PARKIN
 07-20-2020 DISPOSITION scheduled on August 05, 2020 at 02:30 PM with Judge REED PARKIN
 07-20-2020 Filed: Notice for Case 201900105 MO: Judge REED PARKIN

CASE NUMBER: 201900105 Other Misdemeanor

07-20-2020 Filed: Pre-Sentence Minute Entry

07-20-2020 Minute Entry - HEARING

Judge: REED PARKIN

PRESENT

Clerk: andrews

Prosecutor: SUMMERS, D

Defendant Present

Defendant's Attorney(s): GAILEY, HARVEY

Audio

Tape Count: 3:34

HEARING

All parties appear by video. Victim in case makes statement. Defendant's counsel responds. Court sets aside plea in abeyance. Pre-trial conference set.

DISPOSITION is scheduled.

Date: 08/05/2020

Time: 02:30 p.m.

before Judge REED PARKIN

07-20-2020 Filed: Return of Electronic Notification

07-21-2020 Charge 1 Disposition removed.

07-21-2020 Charge 2 Disposition removed.

07-21-2020 Interest Account Adjustment Total Due: 10.35

Reason: Per order 7/20/2020

07-21-2020 PLEA ABEY. MISDMNR Account Adjustment Total Due: 0.00

Reason: Per order 7/20/2020

07-21-2020 Filed: Return of Electronic Notification

07-27-2020 Filed order: HEARING

Judge REED PARKIN

Signed July 27, 2020

07-28-2020 Filed: Return of Electronic Notification

08-05-2020 Filed: Pre-Sentence Minute Entry

08-05-2020 DISPOSITION scheduled on September 16, 2020 at 01:30 PM with Judge REED PARKIN

08-05-2020 DISPOSITION scheduled on September 16, 2020 at 01:30 PM with Judge REED PARKIN

08-05-2020 Minute Entry - CONTINUANCE

Judge: REED PARKIN

PRESENT

Clerk: andrews

Prosecutor: SUMMERS, D

Other Attorneys: GABRIELA MENA

Defendant Present

Defendant's Attorney(s): GAILEY, HARVEY

Audio

Tape Count: 2:35

CONTINUANCE

Whose Motion:

The Defendant's counsel HARVEY GAILEY.

Whose Motion:

The Defendant's counsel HARVEY GAILEY.

Reason for continuance:

Court Ordered

Court Ordered

The motion is granted.

DISPOSITION is scheduled.

Date: 09/16/2020

Time: 01:30 p.m.

Before Judge: REED PARKIN

DISPOSITION is scheduled.

Date: 09/16/2020

Time: 01:30 p.m.

Before Judge: REED PARKIN

08-05-2020 Filed order: CONTINUANCE

Judge REED PARKIN

Signed August 05, 2020

08-06-2020 Filed: Return of Electronic Notification

09-16-2020 Filed: Sentence Minute Entry

09-16-2020 Charge 1 Disposition is {Guilty}

09-16-2020 Charge 2 Disposition is Dismissed (w/o

09-16-2020 Note: Sentencing Protective Order Service Date : 09-16-2020
02:18:00

09-16-2020 Filed protective order: Sentencing Protective Order

Judge REED PARKIN

Signed September 16, 2020

09-16-2020 Note: Sentencing Protective Order Service Date : 09-16-2020
02:21:00

09-16-2020 Filed protective order: Amended Sentencing Protective Order

Judge REED PARKIN

Signed September 16, 2020

09-16-2020 Fine Account created Total Due: 500.00

09-16-2020 Fine Account created

09-16-2020 Minute Entry - SENTENCE, JUDGMENT, COMMITMENT

Judge: REED PARKIN

PRESENT

Clerk: caraleec

Prosecutor: SUMMERS, D

Defendant Present

Defendant's Attorney(s): GAILEY, HARVEY

Audio

Tape Count: 1:47

Court advises defendant of rights and penalties.

Defendant waives time for sentence.

HEARING

All parties appear via video per pandemic rule.

Victim and her counsel appear via video.

Victim counsel motions for defendant to be ordered to
complete a psychosexual evaluation.

SENTENCE JAIL

Based on the defendant's conviction of ELECTRONIC
COMMUNICATION HARASSMENT a Class B Misdemeanor, the
defendant is sentenced to a term of 180 day(s) The total
time suspended for this charge is 180 day(s).

SENTENCE FINE

Charge # 1 Fine: \$680.00

Suspended: \$180.00

Surcharge: \$263.16

Due: \$500.00

CASE NUMBER: 201900105 Other Misdemeanor

Total Fine: \$680.00
Total Suspended: \$180.00
Total Surcharge: \$263.16
Total Principal Due: \$500.00
Plus Interest

Defendant is to pay a fine of 500.00 which includes the surcharge. Interest may increase the final amount due.

Fine payments are to be made to The Court. This can be paid online at: www.utcourts.gov/epayments.

SCHEDULED TIMEPAY

The following cases are on timepay 201900105.

The defendant is to pay \$50.00 monthly on the 16th.

The number of payments scheduled is 9 plus a final payment of \$58.12.

The first payment is due on 10/16/2020 the final payment of \$58.12 is due on 07/16/2021 . The final payment may vary based on interest.

ORDER OF PROBATION

The defendant is placed on probation for 18 month(s).

Probation is to be supervised by the Court.

Defendant is ordered to obey all laws, state, local, and federal, and have no further violations during the probation period.

Defendant is to notify the court of a current address at all times, and report to the court when notified by mail, or a warrant may be issued.

Defendant is ordered to pay court costs, fines and fees as directed by the Court.

Partial fine and/or jail time is suspended and will remain suspended as long as the defendant complies with all terms of probation.

Defendant is ordered to obtain a Mental Health evaluation/screening and complete any recommended counseling/treatment and provide proof of completion to the court.

Defendant is ordered to report to a court approved treatment agency within 48 hours to start court ordered evaluation and/or treatment.

Defendant is ordered to complete assessment and show proof to the court within 90 days.

Defendant is ordered to go to the Orem City Offices to be fingerprinted.

Defendant is ordered to complete a psychosexual evaluation, but stays that order at this time.

09-16-2020 Note: Added to payment schedule 1459876

09-16-2020 Filed return: Service of Protective Order

Party Served: GREER, RUSSELL G

Service Type: Personal

Service Date: September 16, 2020

Garnishee:

09-16-2020 Filed order: SENTENCE, JUDGMENT, COMMITMENT

Judge REED PARKIN

Signed September 16, 2020

09-16-2020 Filed: Return of Electronic Notification

09-21-2020 Filed: : Defendants Thoughts in Anticipation of Sentence

09-21-2020 Filed: Return of Electronic Notification

10-15-2020 Interest 4.16

10-15-2020 Fine Payment Received: 45.84

CASE NUMBER: 201900105 Other Misdemeanor

Note: Internet Payment from Public Side

10-20-2020 Filed: Defendants Additional Thoughts
10-20-2020 Filed: Return of Electronic Notification
11-10-2020 Filed: Valley Behavioral Health Letter
11-10-2020 Filed: Return of Electronic Notification
11-13-2020 Interest 1.27
11-13-2020 Fine Payment Received: 48.73
Note: Internet Payment from Public Side
12-15-2020 Interest 1.26
12-15-2020 Fine Payment Received: 48.74
Note: Internet Payment from Public Side
01-15-2021 Interest 1.07
01-15-2021 Fine Payment Received: 56.69
Note: Internet Payment from Public Side
02-12-2021 Interest 0.81
02-12-2021 Fine Payment Received: 49.19
Note: Internet Payment from Public Side
03-13-2021 Interest 0.71
03-13-2021 Fine Payment Received: 49.29
Note: Internet Payment from Public Side
04-15-2021 Interest 0.64
04-15-2021 Fine Payment Received: 49.36
Note: Internet Payment from Public Side
05-14-2021 Interest 0.43
05-14-2021 Fine Payment Received: 52.16
Note: Internet Payment from Public Side

EXHIBIT B

SALT LAKE CITY JUSTICE COURT
SALT LAKE COUNTY, STATE OF UTAH

RUSSELL GREER vs. TAYLOR SWIFT

CASE NUMBER 168401024 Small Claim

CURRENT ASSIGNED JUDGE
EDWARD B HAVAS

PARTIES

Plaintiff - RUSSELL GREER

Defendant - TAYLOR SWIFT
Represented by: GREGORY SKORDAS

ACCOUNT SUMMARY

Total Revenue Amount Due: 100.00
Amount Paid: 100.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: SMALL CLAIMS 2K-7500

Original Amount Due: 100.00
Amended Amount Due: 100.00
Amount Paid: 100.00
Amount Credit: 0.00
Balance: 0.00

CASE NOTE

PROCEEDINGS

- 10-11-2016 Case filed by ws3264
- 10-11-2016 Filed: Small Claims Affidavit
- 10-11-2016 Judge JUDGE PROTEM (SLC RM1) assigned.
- 10-11-2016 Fee Account created Total Due: 100.00
- 10-11-2016 Fee Account created
- 10-11-2016 SMALL CLAIMS 2K-7500 100.00
Note: 1953766
- 10-11-2016 Note: Tentative Trial Date 12/08/2016
- 10-11-2016 Note: PLA said event happened at 851 Edison St.
- 10-18-2016 Filed: Motion to Dismiss Pursuant to URCP 12(B) and Memorandum
In Support
Filed by: TAYLOR SWIFT
- 10-18-2016 Filed: Return of Electronic Notification
- 10-21-2016 Filed: Reply to Opposition to Defendants Motion to Dismiss in
Accordance with Utah Code 78A-8-102
- 10-21-2016 Filed: Return of Electronic Notification
- 10-27-2016 Filed: Request/Notice to Submit Defendants Motion to Dismiss
- 10-27-2016 Filed: Return of Electronic Notification
- 10-31-2016 Filed return: Return - Affidavit and Summons / Service fee:None
listed

CASE NUMBER: 168401024 Small Claim

Party Served: Atty Mike Milom, RA

Service Type: Personal

Service Date: October 26, 2016

Garnishee:

- 10-31-2016 SMALL CLAIMS TRIAL scheduled on December 08, 2016 at 05:30 PM in Courtroom 1 with Judge JUDGE PROTEM (SLC RM1)
- 11-02-2016 Filed: : Proof of Returned Mailing to Plaintiff Pursuant to Rule 3(c)
- 11-02-2016 Filed: Return of Electronic Notification
- 12-02-2016 Filed: Opposition to Defendants Motion to Dismiss in Accordance with UTAH CODE 78A-8-102
Filed by: RUSSELL GREER
- 12-02-2016 Note: CLERK EMAILED ATTY FOR DEF EXPLAINING THAT THE COURT NEEDS A NOTICE OF APPEARANCE
- 12-02-2016 Filed: Appearance of Counsel/Notice of Limited Appearance
- 12-02-2016 Filed: Return of Electronic Notification
- 12-05-2016 Note: PLA REQUESTED TO USE PROJECTOR AND FILM IN COURTROOM DURING TRIAL. CLERK INFORMED PLA WOULD NEED TO ASK THE JUDGE DURING TRIAL.
- 12-05-2016 Judge EDWARD B HAVAS assigned.
- 12-06-2016 Note: CLERK INFORMED THE PLA THAT HE WILL NEED TO CONTACT THE AOC WITH A REQUEST TO FILM IN THE COURTROOM.
- 12-08-2016 Minute Entry - SMALL CLAIMS TRIAL
Judge: EDWARD B HAVAS
Clerk: gl2435
PRESENT
Plaintiff(s): RUSSELL GREER
Defendant's Attorney(s): GREGORY G SKORDAS
Audio
TRIAL
TIME: 6:35:19 Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed, the court orders the Defendant's Motion to Dismiss is granted and the case is dismissed with prejudice (claim may not be re-filed).

PLEASE TAKE NOTICE: You may appeal this judgment by filing a Notice of Appeal with this court within 30 days after the date of the judgment was entered; there are filing fees involved with this process.

Refer to the courts website for further information at <http://www.slcgov.com/courts/small-claims>
- 12-08-2016 Filed order: Request and Order for Electronic Media Coverage of Court Proceedings
Judge CATHERINE ROBERTS
Signed December 08, 2016
- 12-08-2016 Note: Mary looked up previous address and requested I update the address since that was the last known address.
- 12-08-2016 Filed order: Request and Order for Electronic Media Coverage of Court Proceedings
Judge EDWARD B HAVAS
Signed December 08, 2016
- 12-08-2016 Case Disposition is Dismsd w/ prejudice
Disposition Judge is EDWARD B HAVAS
- 12-09-2016 Filed order: SMALL CLAIMS TRIAL
Judge EDWARD B HAVAS
Signed December 09, 2016

SALT LAKE CITY JUSTICE COURT
SALT LAKE COUNTY, STATE OF UTAH

RUSSELL GREER vs. ARIANA GRANDE et al.

CASE NUMBER 178400268 Small Claim

CURRENT ASSIGNED JUDGE
ALBERT PRANNO

PARTIES

Plaintiff - RUSSELL GREER

Defendant - ARIANA GRANDE
Represented by: GREGORY SKORDAS

Defendant - SCOOTER BRAUN
Represented by: GREGORY SKORDAS

ACCOUNT SUMMARY

Total Revenue Amount Due: 100.00
Amount Paid: 100.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: SMALL CLAIMS 2K-7500

Original Amount Due: 100.00
Amended Amount Due: 100.00
Amount Paid: 100.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due: 11.50
Amended Amount Due: 0.00
Amount Paid: 0.00
Amount Credit: 0.00
Balance: 0.00

Account Adjustments Sum To Date Amount Reason
2017-08-03 -11.50 No audio available.

CASE NOTE

PROCEEDINGS

05-26-2017 Case filed by na2578
05-26-2017 Filed: Small Claims Affidavit
05-26-2017 Judge JUDGE PROTEM (SLC RM1) assigned.
05-26-2017 Fee Account created Total Due: 100.00
05-26-2017 Fee Account created
05-26-2017 SMALL CLAIMS 2K-7500 100.00
Note: 7578214

CASE NUMBER: 178400268 Small Claim

05-26-2017 Note: Verified jurisdiction as Vivant Smarthome Arena.

05-26-2017 Note: Informed PLA need MIL DEC prior or day of trial; stated they understood.

05-26-2017 Note: Tentative Trial Date: 8/2/2017 @ 1:30 PM w/ Roger Kraft

06-06-2017 Filed return: Return - Affidavit and Summons - Proof of Service under URCP4 by Third Person / Service Fee: \$60.00
Party Served: Bill Tigue/Left at Business
Service Type: Personal
Service Date: May 31, 2017
Garnishee:

06-06-2017 SMALL CLAIMS TRIAL scheduled on August 02, 2017 at 01:30 PM in Courtroom 1 with Judge JUDGE PROTEM (SLC Rm1)

06-30-2017 Filed: Motion: Defendants Scooter Braun and Ariana Grande Motion to Dismiss and Memorandum in Support
Filed by: SCOOTER BRAUN

06-30-2017 Filed: Return of Electronic Notification

07-11-2017 Issued: Subpoena
Clerk STEPHANIE WORTHEN
Hearing Date August 02, 2017 01:30 PM

07-25-2017 Note: Clerk error by not adding a DEF per PLA AFF/Summons. Corrected by adding DEF as mentioned in AFF/Summons. Added Ariana Grande for record.

07-31-2017 Filed: Opposition to Defendant's Motion to Dismiss

08-02-2017 Judge ALBERT PRANNO assigned.

08-02-2017 Case Disposition is Jdmt bench trial
Disposition Judge is ALBERT PRANNO

08-02-2017 Minute Entry - SMALL CLAIMS TRIAL
Judge: ALBERT PRANNO
Clerk: na2578

PRESENT
Plaintiff(s): RUSSELL GREER
Defendant's Attorney(s): GREGORY G SKORDAS FOR SCOOTER BRAUN
Defendant's Attorney(s): GREGORY G SKORDAS FOR ARIANA GRANDE
Audio

TRIAL
TIME: 2:02:00 PM Having considered the documents, the evidence, and the arguments filed with the court and now being fully informed, the court orders as follows:

On the DEFENDANTS Motion to Dismiss, case is dismissed. Furthermore, the court orders the Plaintiff to pay reparations in the amount of \$1,500.00 for attorneys fees incurred by the Defendants.

On the PLAINTIFFS claim, case is dismissed with prejudice (claim may not be re-filed).

PLEASE TAKE NOTICE: You may appeal this judgment by filing a Notice of Appeal with this court within 28 days after the date of the judgment was entered; there are filing fees involved with this process.

Refer to the Utah State Courts for further information the appellant process; hyperlinks can be found on Salt Lake City Justice Courts website at <http://www.slcgov.com/courts/small-claims>

08-02-2017 Judgment Entered - Amount \$1500.00 na2578

08-02-2017 SC Judgment for Case 178400268 ID 127677

CASE NUMBER: 178400268 Small Claim

Judge: PRANNO

The Court Orders Judgment as Follows:

Judgment 1 of 1: SCOOTER BRAUN, ARIANA GRANDE

Debtor(s): RUSSELL GREER

\$ 1500.00 Court Costs

\$ 1,500.00 Total Judgment, with 2.870 percent interest as allowed by section 15-1-4 UCA until paid.

08-02-2017 Filed order: SMALL CLAIMS JUDGMENT
 Judge ALBERT PRANNO
 Signed August 02, 2017

08-02-2017 Filed order: SMALL CLAIMS TRIAL
 Judge ALBERT PRANNO
 Signed August 02, 2017

08-03-2017 Fee Account created Total Due: 11.50
 08-03-2017 Fee Account created
 08-03-2017 AUDIO TAPE COPY Account Adjustment Total Due: 0.00
 Reason: No audio available.

05-09-2018 Filed: Ex Parte Order (Proposed): Ex Parte Order Scheduling
 Hearing to Dtermine Judgment Debtors Property

05-09-2018 Filed: Motion (Hearing Requested): Ex Parte Motion for
 Hearing to Determine Judgment Debtors Property (Hearing
 Requested)
 Filed by: ARIANA GRANDE

05-09-2018 Filed: Return of Electronic Notification
 05-09-2018 Filed: Request/Notice to Submit: Notice to Submit-Motion for
 Hearing

05-09-2018 Filed: Return of Electronic Notification
 05-11-2018 Filed order: Ex Parte Order: Ex Parte Order Scheduling Hearing
 to Dtermine Judgment Debtors Property
 Judge ALBERT PRANNO
 Signed May 11, 2018

05-11-2018 Note: Called Greg Skordas office to discuss tent date for supp.
 Tentative date for SUPP hrg is June 21st, 2018 @ 5:30 PM

05-17-2018 Filed return: Return of Ex Parte Motion for Hearing/\$41.50
 Party Served: RUSSELL GREER
 Service Type: Personal
 Service Date: May 15, 2018
 Garnishee:

05-17-2018 Filed: Return of Electronic Notification
 05-19-2018 SUPPLEMENTAL HEARING scheduled on June 21, 2018 at 05:30 PM in
 Courtroom 1 with Judge JUDGE PROTEM (SLC Rm1)

06-18-2018 Filed return: PROOF OF COMPLETED SERVICE - DEBTORS ANSWERS
 Party Served: KAITLYNN BECKET
 Service Type: Mail
 Service Date: June 18, 2018
 Garnishee:

06-20-2018 Filed: Satisfaction of Judgment
 06-20-2018 Filed: Return of Electronic Notification
 06-20-2018 SUPPLEMENTAL HEARING Cancelled
 Reason: Court Ordered

06-21-2018 Judgment # 1 Modified 1,500.00 Disposition: Satisfied sj2980

Creditor : SCOOTER BRAUN
 Creditor : ARIANA GRANDE

CASE NUMBER: 178400268 Small Claim

Debtor : RUSSELL GREER
1,500.00 Attorneys Fee's
0.00 Judgment Grand Total