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SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

United Federation of Churches, LLC (dba
"The Satanic Temple"))

Plaintiff,)

v.)

David Alan Johnson (AKA "ADJ"),)
Leah Fishbaugh, Mickey Meehan, and)
Nathan Sullivan,)

Defendants.)

Case No. 23-2-06120-9 SEA

DECLARATION OF MATT
KEZHAYA

COMES NOW Matt Kezhaya, who states as follows under penalty of perjury.

- 1. **Identity and qualifications as witness.** I am Matt Kezhaya, an adult of sound mind with no felonies. I make these statements on my own personal knowledge and under the penalty of perjury. I have served as general counsel for The Satanic Temple since January 2020 and have been litigating this case since April 2020.
- 2. **Facts essential to opposition on damages.** Defendants contend that there is no proof of damages on the tortious interference claim. Plaintiff claims as damages, *first*, the profits Defendants derived from their operation of the Allies Page. *See Restatement (Second) of Torts* § 927, cmt. *f* and *j* (1979); *id.* § 931, cmt. *a*. And, *second*, Plaintiff claims as damages the reasonable value of the Chapter Page, either as of the date of the theft or at least for the period of time that Defendants operated it. *See Matsyuk v. State Farm Fire & Cas. Co.*, 173 Wash. 2d 643, 657 (2012) (the collateral source rule prohibits Defendants from reducing

1 their liability due to the recovery of the page by a third party); *cf. Owens v. Layton*, 133
2 Wash. 346, 347 (1925) (the measure of damages for property wrongfully detained is its fair
3 market rental value). I articulated this argument to opposing counsel by telephone during the
4 course of a discovery meet-and-conference during the afternoon of August 5, 2024. As
5 separately shown in Decl. Chambliss, Exhibit 3, Defendants have been using the Allies Page
6 to advertise their competitor merchandise store since October 2020. I timely propounded
7 discovery requests to Defendants which are germane to the question of Defendants' profits.
8 A true and correct copy of Defendants' responses is attached as **Exhibit 5**. In pertinent part,
9 Defendants refused to provide any discovery into their receipts, tax records, and their
10 personal tax records. See *id.*, at 12-15 (responses to Requests for Production 8-10). The proof
11 of Defendants' profits is solely within their possession. Pursuant to CR 56(f), the Court
12 should decline to rule on Defendants' motion until they meet their discovery obligations.
13

- 14 **3. Facts essential to equitable estoppel.** Defendants also contend that they subjectively
15 believed that Claypool "gave" them the Allies Page or otherwise waived TST's claims. I
16 know through collateral litigation (*Satanic Temple, Inc. v. Newsweek Digital LLC*, case no.
17 1:22-cv-01343-MKV (N.Y.S.D.)) that in or around October 2021, Defendants gave a
18 recorded statement to a reporter in which they state that they took the social media accounts
19 subject of this cause without permission. To impeach Sullivan's claim he only sarcastically
20 admitted Defendants "stole" the Allies Page, I issued a subpoena for records to the reporter.
21 A true and correct copy of the subpoena is attached as **Exhibit 6**. The reporter refused to
22 provide the recording. A true and correct copy of the reporter's objection is attached as
23 **Exhibit 7**. Although not required, I promptly responded; a true and correct copy of which is
24 attached as **Exhibit 8**. The reporter stood on her objections. To further impeach Sullivan's
25
26

1 claim to have only sarcastically admitted that Defendants “stole” the Allies Page, I
2 propounded discovery requests which are germane to the question of Defendants’ statements
3 about this case. Although they promised that they “will” produce the documents, it has been
4 over one week but they have produced nothing. See Exhibit 5, at 18 (response to Request
5 for Production Number 11). The proof of Defendants’ contemporaneous statements is in the
6 possession of the reporter and Defendants. Pursuant to CR 56(f), the Court should decline
7 to rule on Defendants’ motion until they meet their discovery obligations.
8

9 **4. Allegedly harassing internet statements.** Defendants continue to complain about two
10 instances of allegedly harassing internet statements I have made. There are two problems.
11 *First*, none of the alleged harassment has any passable bearing on any claim or defense raised
12 in this case. *Second*, I have an absolute First Amendment right to both form and express the
13 opinion that Defendants are “fuckwits” for expending well over \$150,000 defending their
14 decision to steal the subject matter of their agency from their former principal. *See generally*
15 *Cohen v. California*, 403 U.S. 15 (1971) (“Fuck the draft” is constitutionally protected
16 expression, even when displayed on the back of a jacket in a public courthouse). On
17 September 15, 2023, Defendants’ attorney averred to the *Newsweek* Court that Defendants
18 have expended \$150,000 in legal fees related to their efforts defending their decision to
19 retain property they “stole from TST.” Dkt # 33 ¶ 5. I extended an opportunity for
20 Defendants to settle this case for \$15,000 back in April 2021. They rejected it, have since
21 ignored all demands for a return of the Allies Page, and have never extended a settlement
22 offer. My statements, about which they relentlessly complain in every legal filing no matter
23 how irrelevant to the legal issues at hand, were made more than one year after they resolved
24 to engage in scorched earth litigation. I stand by my opinion and my absolute First
25
26

1 Amendment right to express myself as I see fit. My opinion, expressed more than two years
2 after the theft, has no tendency to undermine the choses in action which accrued when
3 Defendants stole from their principal and provoked this litigation.

4 **5. Defendants’ about-face on statute of limitations.** I was surprised to learn that Defendants
5 are pursuing a statute of limitations defense on the tortious interference claim. Immediately
6 after TST re-filed this case in this Court, Defendants through counsel issued a letter which
7 opines that that the tortious interference claim was clearly not time-barred, with citation to
8 binding law that is nowhere to be found in Defendants’ motion. A true and correct copy of
9 that letter is attached as **Exhibit 9**. The relevant language is on page 6.

10
11 **6. The Washington Chapter was not autonomous.** Defendants’ motion repetitiously claims
12 that the Washington Chapter was “autonomous.” E.g., Dkt. 37 at 24. That claim is a lie.
13 Through TST’s discovery responses, TST explained this. A true and correct copy of TST’s
14 discovery responses is attached as **Exhibit 10**. The pertinent response is to Interrogatory
15 Number 7: “The Washington Chapter was authorized to meet regularly and conduct
16 themselves as a chapter, *but any outside-facing Chapter events or activities had to be pre-*
17 *authorized by National Council.*” Id. at 5-6 (emphasis added).

18
19 **FURTHER YOUR AFFIANT SAYETH NOT.**

20 **Declaration**

21 I declare under penalty of perjury under the law of Washington that the foregoing is true and
22 correct.

23 s/Matt Kezhaya

24 Signed on September 9, 2024 in Hennepin County, Minnesota

Exhibit 5

Defendants' responses to discovery requests

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

UNITED FEDERATION OF
CHURCHES, LLC (dba “THE SATANIC
TEMPLE”)

Plaintiff,

v.

DAVID ALAN JOHNSON (AKA
“ADJ”), LEAH FISHBAUGH, MICKEY
MEEHAN, and NATHAN SULLIVAN,

Defendants.

No. 23-2-06120-9 SEA

**DEFENDANTS’ OBJECTIONS,
RESPONSES, AND ANSWERS TO
PLAINITFF’S FIRST DISCOVERY
REQUESTS**

GENERAL OBJECTIONS

Defendants David Johnson (“Johnson”), Leah Fishbaugh (“Fishbaugh”), Mickey Joshua Powell (“Powell”)¹ and Nathan Sullivan (“Sullivan”) (collectively, “Defendants”), by and through their counsel of record, object, answer, and respond as follows to Plaintiff United Federation of Churches, LLC’s (dba “The Satanic Temple”) (“Plaintiff”) First Discovery Requests to All Defendants. Defendants’ objections, answers, and responses are based on information currently known to them; Defendants’ investigation is ongoing. Defendants

¹ Defendant Mickey Meehan’s legal name is Mickey Joshua Powell, which will hereinafter be used in Defendants’ Responses.

1 reserve the right to supplement or revise these objections, responses, and answers if they
2 locate additional information or documents. Defendants assume no obligation to supplement
3 their responses beyond those imposed by the Civil Rules.

4 By agreeing to search for and produce, if located, documents responsive to Plaintiff's
5 First Discovery Requests, Defendants do not represent such documents do in fact exist.

6 Defendants object to Plaintiff's requests to the extent that they purport to impose upon
7 Defendants any obligations beyond those specified in the applicable Rules of Civil Procedure
8 pertaining to discovery and/or responses to interrogatories and requests for production,
9 including but not limited to Civil Rules 26, 33, and 34, and to the extent that they request
10 information beyond the scope of inquiry permitted by Civil Rule 26.

11 Defendants object to Plaintiff's requests to the extent that they would require
12 disclosure of any information subject to a claim of privilege, immunity, or work product,
13 including but not limited to attorney-client privilege claims, and to the disclosure of any
14 information relating to the work of experts, other than as expressly provided for in the
15 applicable Rules of Civil Procedure.

16 Defendants object to Plaintiff's requests to the extent that they would require them to
17 identify documents within the care, possession, custody or control of persons or entities other
18 than Defendants.

19 Defendants object to Plaintiff's requests to the extent they seek discovery of
20 electronically stored information ("ESI") from sources that are not reasonably accessible
21 considering the burdens and costs required to locate, restore, review, and produce whatever
22 responsive information may be found. More easily accessed sources—such as actual servers,
23 hard drives and other direct access storage media containing active data and records—are
24 likely to yield all information that is reasonably useful for this action. Further, production of
25 information from inaccessible sources, such as disaster recovery backup files, obsolete
26 backup media, legacy systems, and sources requiring computer forensics to access, may also

1 be unreasonably cumulative and duplicative because information that might be obtained is
2 also obtainable, to the extent it exists, from other sources that are more convenient, less
3 burdensome, or less expensive.

4 Defendants reserve all of their rights under the applicable provisions of the Rules of
5 Civil Procedure, including the right to supplement their answers, responses, and objections
6 at a later date. As an example, and not as a limitation, discovery is ongoing and Defendants
7 therefore are not able to provide complete or final answers and responses, such that the
8 answers and responses set forth herein are subject to supplementation and modification.
9 Furthermore, in some instances, Defendants may provide information that may be covered
10 by an objection or objections set forth herein. Defendants providing such information does
11 not constitute and is not intended to constitute any waiver of Defendants' objections nor an
12 enlargement of the scope of discovery.

13 Defendants object that Plaintiff's First Discovery Requests are vague and confusing
14 as they contain no definitions. Specifically, the discovery requests fail to define "TST." For
15 purposes of their responses, Defendants will assume "TST" means the Plaintiff, United
16 Federation of Churches, LLC, and will respond accordingly.

17 Defendants object that the discovery requests are confusing and ambiguous in that
18 they fail to define "Allies page." Defendants will assume "Allies page" refers to the Facebook
19 page with the name Evergreen Memes for Queer Satanic Fiends and with the URL
20 <https://www.facebook.com/queersatanic/> and which Defendants refer to as the "Memes
21 Page," and will respond using that definition.

22 Defendants object that the discovery requests are confusing and misleading in that
23 they do not differentiate between the individual Defendants and assume that Defendants acted
24 in concert or that Defendants speak for each other.

1 Defendants object that the discovery requests are confusing and misleading in that
2 they improperly and incorrectly assume that there is a structured organization or entity called
3 “QueerSatanic.”

4 Defendants object that the discovery requests seek Defendants’ personal financial
5 information, which is not relevant to any of the claims or defenses in this action. Upon
6 information and belief, Plaintiff is seeking this information solely for improper purposes
7 unrelated to this litigation, including to harass, annoy, and embarrass Defendants. Defendants
8 further object that such sensitive information cannot be produced absent the entry of an
9 appropriate protective order.

10 Defendants incorporate all of the foregoing objections into all of their answers to the
11 individual interrogatories and requests for production.

12 13 **RESPONSES**

14 **INTERROGATORY NUMBER 1:** Identify every person any Defendant believes to have
15 knowledge or information related to the allegations made in the complaint or Defendants’
16 answer. For each individual, provide the person’s last known contact information and what
17 knowledge that person is believed to have.

18 **Answer:** Defendants object that Interrogatory Number 1 is vague, confusing, and
19 misleading in that it does not differentiate between the individual Defendants and incorrectly
20 assumes that the Defendants speak for each other. For purposes of Interrogatory No. 1,
21 Defendants provide a cumulative answer, however each individual Defendant’s knowledge
22 varies and not every Defendant has knowledge of each individual identified below.

23 1. Leah Garvais (aks Siri Sanguine): As the Chapter Head at the relevant time,
24 Leah Garvais led the so-called “investigation” that resulted in Defendants’ expulsion and the
25 dissolution of the advisory council. Garvais also has knowledge that the Memes Page was
26 intended to be used as a Memes Page and not as a means for communicating with TST

1 Washington allies. Garvais has knowledge that the Washington Chapter retained possession
2 of the Allies Facebook Group and that the Facebook Group was the Chapter's mechanism for
3 communicating with allies, not the Memes Page. Garvais further has knowledge that on
4 March 14 and 15, 2020 she and Paul Case gave the Memes Page to Defendants to use for
5 their own purposes and that the Washington Chapter relinquished all interest in the Memes
6 Page. Garvais also has knowledge of TST Washington's conversion to an LLC in 2020.
7 Further, Garvais has knowledge of TST Washington's document storage and retention.
8 Garvais also has knowledge of the autonomous nature of TST Washington and its decision to
9 not be a party to this suit. Garvais further may have knowledge of the Plaintiff's claims and
10 alleged damages, or lack thereof. The last known email address for Garvais is
11 sirisanguine@gmail.com.

12 2. Paul Case (aka Tarkus Claypool): Paul Case has knowledge of the fact that the
13 Memes Page originally belonged to the South Sound Satanists and the events that led to the
14 Washington Chapter taking control of the page from the South Sound Satanists. Case also has
15 knowledge of the limited use of the South Sound Satanists Page when the Washington
16 Chapter took it over. Case further has knowledge of the fact that the Memes Page was not
17 intended for use as a means of communicating with allies. Case has knowledge that the
18 Washington Chapter used the Allies Facebook Group, over which the Washington Chapter
19 always maintained control, as the mechanism for communicating with allies. Case further has
20 knowledge that in his role as the Washington Chapter's Media Liaison, he gave the Memes
21 Page to Defendants Powell and Johnson to use for their own purposes and that he and Leah
22 Garvais relinquished all interest in the Memes Page on behalf of the Washington Chapter.
23 Case also has knowledge of the Washington Chapter's document and storage practices.
24 Finally, Case has knowledge of the Washington Chapter's autonomous nature, its conversion
25 to an LLC, and its decision to not be a party to this suit. The last known email address for
26 Paul Case is tarkus.claypool@gmail.com.

1 3. Holly Blumenthal (aka Lilith Starr): Ms. Blumenthal has knowledge of
2 Defendants' work with the Seattle Chapter. She also has knowledge of the autonomous nature
3 of the Seattle Chapter and how the chapter was structured internally and its relationship to
4 Plaintiff United Federation of Churches. Ms. Blumenthal also has knowledge of the Seattle
5 Chapter's social media accounts and their creation and ownership and the Chapter's
6 interactions with Facebook regarding the Chapter Facebook Page. The last known email
7 address for Holly Blumenthal is lilithxstarr@gmail.com.

8 4. Barret Daniels: As a member of the Washington Chapter's advisory council
9 and then in his position as Chapterhead for the Washington Chapter, Mr. Daniels has
10 information about the autonomous nature of the Washington Chapter, its conversion to an
11 LLC, and its use of its social media accounts. He may also have information about the
12 Washington Chapter's decision to give the Memes Page to Defendants. The last known email
13 address for Barret Daniels is barret.daniels@tumwater.k12.wa.us.

14 5. Vapula Lix: The person known as Vapula Lix has knowledge of the original
15 use and ownership of the Facebook Page that Plaintiff refers to as the "Allies Page." Vapula
16 Lix has knowledge that the Facebook Page was created and used by the South Sound Satanists
17 and was taken over by the Seattle Chapter. The last known email address for Vapula Lix is
18 vapulalix@gmail.com.

19 6. Members of the Washington Chapter's strategy/advisory council that was
20 assembled in March of 2020: The members of the strategy/advisory council that the
21 Washington Chapter assembled in March of 2020 would have information about the
22 Washington Chapter's relinquishment of its interests in the Memes Page ("Allies Page") as
23 well as possible information about the Plaintiff's claims and alleged damages or lack thereof.

24 7. Members of the Washington Chapter who participated in the Washington
25 Chapter Town Hall Zoom meeting on March 15, 2020: The Washington Chapter members
26 who participated in the March 15, 2020 Zoom meeting witnessed the Washington Chapter

1 leadership relinquish all interests in the Memes Page (“Allies Page”) and make express
2 statements complimenting Defendants Powell and Johnson on their work on the Memes Page
3 and wishing them well in using the Memes Page for the Defendants’ own purposes.

4 8. Matt Kezhaya: Matt Kezhaya has information about Plaintiff United
5 Federation of Churches’ and Mr. Kezhaya’s improper motives and purposes in litigating this
6 case, including Mr. Kezhaya’s public statements regarding Plaintiffs and Mr. Kezhaya’s
7 motives and purposes.

8
9 **INTERROGATORY NUMBER 2:** Identify every person any Defendant intends to call as
10 an expert witness at trial. For each potential expert, state: the subject matter on which the
11 expert is expected to testify, the substance of the facts and opinions to which the expert is
12 expected to testify and a summary of the grounds for each opinion, and the compensation
13 agreement (if any) in return for the expert’s services.

14 **Answer:** Defendants do not currently plan to call a primary expert witness at trial.
15 Defendants reserve all rights to identify and call a rebuttal expert(s) to rebut any testifying
16 expert(s) identified by Plaintiff and/or to identify a primary expert witness by the deadline
17 set forth in the scheduling order.

18
19 **REQUEST FOR PRODUCTION NUMBER 1:** For each potential expert witness any
20 Defendant intends to call at trial, provide a copy of their resume, their *curriculum vitae*, or
21 other documentary basis for their proffered expertise.

22 **Answer:** Defendants do not currently plan to call a primary expert witness at trial.
23 Defendants reserve all right to identify and call a rebuttal expert(s) to rebut any testifying
24 expert(s) identified by Plaintiff and/or to identify a primary expert witness by the deadline
25 set forth in the scheduling order.

1 **REQUEST FOR PRODUCTION NUMBER 2:** For each potential expert witness any
2 Defendant intends to call at trial, provide the expert’s fee agreement for this case.

3 **Answer:** Defendants currently do not plan to call a primary expert witness at trial.
4 Defendants reserve all rights to identify and call a rebuttal expert(s) to rebut any testifying
5 expert(s) identified by Plaintiff and/or to identify a primary expert witness by the deadline
6 set forth in the scheduling order.

7
8 **REQUEST FOR PRODUCTION NUMBER 3:** For each potential expert witness any
9 Defendant intends to call at trial, provide copies of all written opinions provided by the
10 potential expert (including draft reports and preliminary reports) pertaining to this case.

11 **Answer:** Defendants do not currently plan to call a primary expert witness at trial.
12 Defendants reserve all rights to identify and call a rebuttal expert(s) to rebut any testifying
13 expert(s) identified by Plaintiff and/or to identify a primary expert witness by the deadline
14 set forth in scheduling order.

15
16 **INTERROGATORY NUMBER 3:** Why, on March 14, 2020, did Defendants remove all
17 TST-approved administrators on the Allies page?

18 **Answer:** Defendants object to Interrogatory Number 3 because it is vague, confusing,
19 ambiguous, and misleading. Interrogatory Number 3 does not designate between Defendants
20 and incorrectly assumes all Defendants acted in concert and incorrectly assumes that
21 Defendants speak for each other. Interrogatory Number 3 is also vague, ambiguous and
22 confusing because it does not define “TST-approved administrators.”

23 Subject to these objections, Defendants Johnson, Fishbaugh, and Sullivan answer as
24 follows: Johnson, Fishbaugh, and Sullivan did not remove any administrators on the Allies
25 page on March 14, 2020.

26

1 Subject to these objections, Defendant Powell answers that he removed some
2 administrators on the Allies page on March 14, 2020 because he was a designated Facebook
3 administrator with authority to remove other administrators.
4

5 **INTERROGATORY NUMBER 4:** Why, on March 20, 2020, did Defendants remove all
6 TST-approved administrators on the Allies page?

7 **Answer:** Defendants object to Interrogatory Number 4 because it is vague, confusing,
8 ambiguous, and misleading. Interrogatory Number 4 does not designate between Defendants
9 and incorrectly assumes all Defendants acted in concert and incorrectly assumes that
10 Defendants speak for each other. Interrogatory Number 4 is also vague, ambiguous and
11 confusion because it does not define “TST-approved administrators.”

12 Subject to these objections, Defendants answer that none of the Defendants removed
13 any administrators from the Allies Page on March 20, 2020.
14

15 **INTERROGATORY NUMBER 5:** What is QueerSatanic’s organizational purpose? If the
16 organizational purpose has changed over time, provide all of QueerSatanic’s organizational
17 purposes and the date ranges applicable to each.

18 **Answer:** Defendants object to Interrogatory Number 5 as vague, confusing, and
19 misleading in that it does not define “Queer Satanic” and improperly and incorrectly assumes
20 that there is an organization or entity called “QueerSatanic.” Subject to these objections,
21 Defendants answer as follows: They have no knowledge of any formal organization or entity
22 called QueerSatanic.
23

24 **INTERROGATORY NUMBER 6:** What is your contention as to the monetary value of
25 the Allies page as of March 13, 2020? State the dollar value you contend and the factual basis
26 for the contention.

1 **Answer:** Defendants object to Interrogatory Number 6 as vague, confusing, and
2 misleading in that it does not designate between the individual Defendants and incorrectly
3 assumes that Defendants speak for each other. Defendants further object to Interrogatory
4 Number 6 because it improperly asks Defendants to speculate and does not define what it
5 means by “monetary value.” Subject to these objections, Defendants answer that they do not
6 currently know the dollar value of the Allies page as of March 13, 2020.

7
8 **INTERROGATORY NUMBER 7:** What is your contention as to the monetary value of
9 the Allies page as of July 31, 2024? State the dollar value you contend and the factual basis
10 for the contention.

11 **Answer:** Defendants object to Interrogatory Number 7 as vague, confusing, and
12 misleading in that it does not designate between the individual Defendants and incorrectly
13 assumes that the Defendants speak for each other. Defendants further object to Interrogatory
14 Number 7 because it improperly asks Defendants to speculate and does not define what it
15 means by “monetary value.” Subject to these objections, Defendants answer that they do not
16 currently know the dollar value of the Allies page as of July 31, 2024.

17
18 **INTERROGATORY NUMBER 8:** What is your contention as to the monetary value of
19 the Allies page as of the first day of trial? State the dollar value you contend and the factual
20 basis for the contention.

21 **Answer:** Defendants object to Interrogatory Number 8 as vague, confusing, and
22 misleading in that it does not designate between the individual Defendants and incorrectly
23 assumes that the Defendants speak for each other. Defendants further object to Interrogatory
24 Number 8 because it improperly asks Defendants to speculate and does not define what it
25 means by “monetary value.” Defendants further object that it is impossible to answer
26 Interrogatory Number 8 because it asks for a value of something on a future date.

1 **REQUEST FOR PRODUCTION NUMBER 4:** Produce a complete copy of the Allies page
2 from September 11, 2018 to March 14, 2020. For instructions, see:
3 <https://www.facebook.com/help/466076673571942/>
4

5 **Response:** Defendants object to this request as vague, ambiguous, overly broad, and
6 unduly burdensome. Defendants also object on the grounds that the Facebook Page at issue
7 is a publicly available page for which Plaintiff can publicly view the content. Defendants
8 further object that the link provided in Request for Production Number 4 does not appear to
9 lead to a currently functioning mechanism for downloading a copy of a Facebook page.
10 Subject to these objections, Defendants are investigating other methods for obtaining a copy
11 of the Memes Page and, if they discovery a publicly available method for downloading a page
12 that is not unduly burdensome, they will make a good faith effort to produce responsive
13 documents.
14

15 **REQUEST FOR PRODUCTION NUMBER 5:** Produce a complete copy of the Allies page
16 from March 15, 2020 to July 31, 2024. For instructions, see:
17 <https://www.facebook.com/help/466076673571942/>
18

19 **Response:** Defendants object to this request as vague, ambiguous, overly broad, and
20 unduly burdensome. Defendants also object on the grounds that the Facebook Page at issue
21 is a publicly available page for which Plaintiff can publicly view the content. Defendants
22 further object that the link provided in Request for Production Number 5 does not appear to
23 lead to a currently functioning mechanism for downloading a copy of a Facebook page.
24 Subject to these objections, Defendants are investigating other methods for obtaining a copy
25 of the Memes Page and, if they discovery a publicly available method for downloading a page
26 that is not unduly burdensome, they will make a good faith effort to produce responsive
documents.

1 **REQUEST FOR PRODUCTION NUMBER 6:** For each month during discovery, beginning
2 August 1, 2024, produce a complete copy of the Allies page. For instructions, see:
3 <https://www.facebook.com/help/466076673571942/>
4

5 **Response:** Defendants object to this request as vague, ambiguous, overly broad, and
6 unduly burdensome. Defendants also object on the grounds that the Facebook Page at issue
7 is a publicly available page for which Plaintiff can publicly view the content. Defendants
8 further object that the link provided in Request for Production Number 6 does not appear to
9 lead to a currently functioning mechanism for downloading a copy of a Facebook page.
10 Notwithstanding and subject to these objections, Defendants are investigating other methods
11 for obtaining a copy of the Memes Page and, if they discovery a publicly available method
12 for downloading a page that is not unduly burdensome, they will make a good faith effort to
13 produce responsive documents.
14

15 **REQUEST FOR PRODUCTION NUMBER 7:** Produce all organization documents for
16 QueerSatanic, including without limitation: any juristic entity formation documents, any
17 bylaws, any operating agreements, any partnership agreements, and any other document
18 which establishes or governs the enterprise referred to by Defendants as “QueerSatanic.”

19 **Response:** Defendants object to Request for Production Number 7 as vague,
20 confusing, and misleading in that it does not define “Queer Satanic” and improperly and
21 incorrectly assumes that there is an organization or entity called “QueerSatanic.”
22 Notwithstanding these objections, no responsive documents exist.
23

24 **REQUEST FOR PRODUCTION NUMBER 8:** For the time period beginning June 1, 2020
25 through the end of discovery, produce all budgets, statements of cash flows, statements of
26 profit and loss, and balance sheets prepared by or for QueerSatanic.

1 **Response:** Defendants object to Request for Production Number 8 as vague,
2 confusing, and misleading in that it does not define “Queer Satanic” and improperly and
3 incorrectly assumes that there is an organization or entity called “QueerSatanic.”
4 Notwithstanding these objections, no responsive documents exist.

5
6 **INTERROGATORY NUMBER 9:** For the time period beginning June 1, 2020 through
7 the end of discovery, state the amount of money generated by all operations of QueerSatanic,
8 including without limitation donations, merchandise sales, and any other form of income. For
9 each category of income generating activities, identify the amount of money generated.

10 **Answer:** Defendants object to Interrogatory Number 9 as vague, confusing, and
11 misleading in that it does not define “Queer Satanic” and improperly and incorrectly assumes
12 that there is an organization or entity called “QueerSatanic.” Subject to these objections,
13 Defendants answer as follows: They have no knowledge of any structured organization or
14 entity called QueerSatanic.

15
16 **INTERROGATORY NUMBER 10:** What has each Defendant’s role been in
17 QueerSatanic? For each defendant, provide their title, a description of their role, and a date
18 range applicable for each role.

19 **Answer:** Defendants object to Interrogatory Number 10 as vague, confusing, and
20 misleading in that it does not define “Queer Satanic” and improperly and incorrectly assumes
21 that there is an organization or entity called “QueerSatanic.” Subject to these objections,
22 Defendants answer as follows: They have no knowledge of any structured organization or
23 entity called QueerSatanic and none of the Defendants have any role or title in any structured
24 organization or entity called QueerSatanic.

1 **INTERROGATORY NUMBER 11:** In a typical week, how many hours per week has each
2 Defendant spent on pursuing QueerSatanic objectives from June 1, 2020 through the end of
3 discovery? Provide separate answers for each Defendant. If the number has changed over
4 time, provide the answers with applicable date ranges.

5 **Answer:** Defendants object to Interrogatory Number 11 as vague, confusing, and
6 misleading in that it does not define “Queer Satanica” and improperly and incorrectly assumes
7 that there is an organization or entity called “QueerSatanic.” Defendants further object that
8 the term “pursuing objectives” for “QueerSatanic” is vague, ambiguous, and confusing.
9 Subject to these objections, Defendants answer as follows: They have no knowledge of any
10 structured organization or entity called QueerSatanic and none of the Defendants have spent
11 any time pursuing objectives for any structured organization or entity called QueerSatanic.

12
13 **INTERROGATORY NUMBER 12:** How much income has each Defendant personally
14 derived in return for pursuing QueerSatanic objectives? Provide separate answers for each
15 Defendant.

16 **Answer:** Defendants object to Interrogatory Number 12 as vague, confusing, and
17 misleading in that it does not define “Queer Satanica” and improperly and incorrectly assumes
18 that there is an organization or entity called “QueerSatanic.” Subject to these objections,
19 Defendants answer as follows: They have no knowledge of any structured organization or
20 entity called QueerSatanic and none of the Defendants have received income in return for
21 pursuing objectives for any structured organization or entity called QueerSatanic.

22
23 **REQUEST FOR PRODUCTION NUMBER 9:** Produce individual tax returns for each
24 defendant from 2020 to present.

25 **Answer:** Defendants object to Request for Production Number 9 as irrelevant and not
26 likely to lead to the discovery of relevant information. Defendants further object that upon

1 information and belief that sole purpose that Plaintiff is seeking Defendants' tax returns is to
2 harass, embarrass, or annoy Defendants. Defendants further object that there is no protective
3 order in place to protect Defendants from the improper disclosure of the sensitive personal
4 information contained in their tax returns. Defendants will not produce documents responsive
5 to this Request.

6
7 **REQUEST FOR PRODUCTION NUMBER 10:** Produce tax returns for any juristic entities
8 which comprise "QueerSatanic" from 2020 to present.

9 **Response:** Defendants object to Request for Production Number 10 as vague,
10 confusing, and misleading in that it does not define "Queer Satanic" and improperly and
11 incorrectly assumes that there is an organization or entity called "QueerSatanic."
12 Notwithstanding these objections, Defendants possess no documents responsive to this
13 Request.

14
15 **INTERROGATORY NUMBER 13:** Identify all QueerSatanic social media accounts. For
16 each social media account, provide the name of the social media platform, the user name, all
17 individuals who have the ability to post under the name of the account, the creation date, and
18 identify the frequency with which the social media account is used.

19 **Answer:** Defendants object to Interrogatory Number 13 as vague, confusing, and
20 misleading in that it does not define "Queer Satanic" and improperly and incorrectly assumes
21 that there is an organization or entity called "QueerSatanic." Subject to these objections,
22 Defendants answer as follows. Defendants have no knowledge of any structured organization
23 or entity called QueerSatanic. The following is information about various personal social
24 media accounts and websites that use the name "QueerSatanic" in their name or design.

- 1 • Unless otherwise noted, only Defendants Johnson and Sullivan have the
2 ability to post content to the following social media accounts or websites that
3 use the name Queer Satanic:
- 4 • **General list of social media pages:** <https://campsite.bio/queersatanic>
- 5 • **Facebook:** <https://www.facebook.com/queersatanic>
- 6 ○ Defendants Johnson and Sullivan currently have the ability to post to
7 this page; Defendant Powell had the ability to post until July of 2020
8 but has not had access since that time; Defendant Fishbaugh has the
9 ability to post but has not posted or accessed the page since 2021 or
10 2022.
- 11 ○ Created September of 2018
- 12 ○ Used a few times per week
- 13 • **Twitter:** <https://twitter.com/queersatanic>
- 14 ○ Created February of 2020
- 15 ○ Used a few times per week
- 16 • **Instagram:** <https://www.instagram.com/queersatanic>
- 17 ○ In addition to Johnson and Sullivan, Fishbaugh was originally granted
18 access to this account, but they have not posted to the account since
19 2021 or 2022.
- 20 ○ Created May of 2020
- 21 ○ Used a few times per month
- 22 • **Tumblr:** <https://queersatanic.tumblr.com>
- 23 ○ Created August of 2020
- 24 ○ Used a few times per week
- 25 • **Twitch:** <https://www.twitch.tv/queersatanic>
- 26 ○ Created October of 2022

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- Used a few times total
- **Reddit:** <https://old.reddit.com/user/QueerSatanic>
 - Created May of 2021
 - Used a few times per week
- **Bluesky:** <https://bsky.app/profile/queersatanic.bsky.social>
 - Created October of 2023
 - Used a few times per week
- **YouTube:** <https://www.youtube.com/@queersatanic>
 - Created November of 2020
 - Used a few times total
- **TikTok:** <https://www.tiktok.com/@queersatanic>
 - Created September of 2021
 - Used a few times total
- **Kolektiva (Mastodon):** <https://kolektiva.social/@QueerSatanic>
 - Created April of 2022
 - Used a few times per week
- **Backup Facebook:** <https://www.facebook.com/AnarchoSatanism>
 - Created April of 2021
 - Used a few times per month
- **Backup Facebook:** <https://www.facebook.com/SatanicAntifascism>
 - Created November of 2020
 - Used a few times per month
- **Backup Instagram:** <https://www.instagram.com/SatanicAntifascism>
 - Created September of 2022
 - Used a few times total

1 **INTERROGATORY NUMBER 14:** Identify all communications platforms in which
2 agents of QueerSatanic have organized activities for and on behalf of QueerSatanic. For each
3 communications platform, identify the name of the platform, the date range of its use, and
4 the number of QueerSatanic users on the platform.

5 **Answer:** Defendants object to Interrogatory Number 14 as vague, confusing, and
6 misleading in that it does not define “Queer Satanic” and improperly and incorrectly assumes
7 that there is an organization or entity called “QueerSatanic.” Subject to these objections,
8 Defendants answer as follows: They have no knowledge of any structured organization or
9 entity called QueerSatanic.

10
11 **REQUEST FOR PRODUCTION NUMBER 11:** Produce all communications (including
12 social media activity) by each Defendant about The Satanic Temple, its lawyers, its affiliates
13 or this lawsuit from January 1, 2020 through the end of discovery.

14 **Response:** Defendants object to Request for Production Number 11 to the extent it
15 seeks privileged communications or work product. Defendants will produce responsive, non-
16 privileged documents.

17
18 **REQUEST FOR PRODUCTION NUMBER 12:** Produce copies of all complaints any
19 Defendant has made to any government entity about The Satanic Temple from January 1,
20 2020 through the end of discovery.

21 **Response:** Defendants object to Request for Production Number 12 as irrelevant and
22 not designed to lead to the discovery of relevant information. Defendants further object that
23 “The Satanic Temple” is not defined. Subject to these objections, responsive documents will
24 be produced.

1 **REQUEST FOR PRODUCTION NUMBER 13:** Produce all communications between any
2 Defendant and any government entity about The Satanic Temple from January 1, 2020
3 through the end of discovery.

4 **Response:** Defendants object to Request for Production Number 13 as irrelevant and
5 not designed to lead to the discovery of relevant information. Defendants further object that
6 “The Satanic Temple” is not defined. Subject to these objections, responsive documents will
7 be produced.

8 **INTERROGATORY NUMBER 15:** For each Defendant, identify the date range(s) in
9 which they identified as a member of The Satanic Temple.

10 **Answer:** Defendants object to Interrogatory Number 15 as vague, confusing and
11 ambiguous in that it does not define “The Satanic Temple.” Defendants further object to
12 Interrogatory Number 15 to the extent it is misleading in that it incorrectly assumes that
13 Defendants identified as members of the Plaintiff United Federation of Churches. Subject to
14 these objections, the Defendants respond as follows:

15 Defendant Johnson: David Johnson identified as a member of The Satanic Temple-
16 Seattle beginning on or around May 15, 2019. As of January 1, 2020, Johnson and the rest of
17 the Seattle chapter became members of TST Washington when the chapter changed its name.
18 Johnson no longer identified as belonging to TST Washington as of about March 20, 2020.

19 Defendant Sullivan: Nathan Sullivan identified as a member of The Satanic Temple-
20 Seattle beginning approximately December 7, 2014. Although Sullivan was on leave at the
21 time, he identified as being a member of TST Washington when the Seattle chapter changed
22 its name in January of 2020. Sullivan no longer identified as belonging to TST Washington
23 on or around March 14th, 2020.

24 Defendant Fishbaugh: Leah Fishbaugh began their membership with TST Seattle on
25 or around June 2, 2019. They identified as being a member of TST Washington in January of
26

1 2020 when the Seattle chapter changed its name. Fishbaugh no longer identified as being a
2 member of TST Washington as of about March 14th, 2020.

3 Defendant Powell: Mickey Powell identified as being a member of TST Seattle
4 beginning on or around December 29, 2018. Powell identified as being a member of TST
5 Washington in January of 2020 when the Seattle chapter changed its name. Powell stopped
6 identifying as being a member of TST Washington as of around March 14, 2020.

7 **INTERROGATORY NUMBER 16:** For each Defendant, state all positions they held
8 within The Satanic Temple. For each position, provide the job title, the date range of the
9 position, and a description of the position.

10 **Answer:** Defendants object to Interrogatory Number 16 as vague, confusing, and
11 ambiguous in that it does not define “The Satanic Temple.” Defendants further object to
12 Interrogatory Number 16 to the extent it is misleading in that it incorrectly assumes that
13 Defendants held position with the Plaintiff United Federation of Churches. Subject to this
14 objection, the Defendants respond as follows:

15 Defendant Johnson: David Johnson was a team lead for the Seattle Chapter’s
16 “Leviathan guild” (mutual aid committee) from roughly August 11, 2019, until around March
17 14, 2020, when TST Washington Chapter Head Leah, Garvais/“Siri Sanguine”, announced
18 she had dissolved the “Guild” structure. The mutual aid committee mainly organized
19 activities such as helping deliver food to people after surgery or helping people when they
20 were moving, especially for people new to the area who didn’t have a large social network to
21 call on.

22 Starting no later than August 26, 2019, Johnson was part of TST Seattle’s Media
23 Team, and helped provide access to relevant local chapter social media accounts. The team
24 was first called “Ronové” for a dedicated Facebook groupchat before being formalized as a
25 guild/committee of its own on or around December 19, 2019. The “Ronové guild” (Media
26 Team committee) was dissolved March 14, 2020, but with no change in task responsibilities

1 announced otherwise as Garvais wrote “[t]he current groups will remain as a pool for the
2 creation of task forces to be led by members of the Strategy Council.”

3 Starting no later than August 26, 2019, Johnson was a member of the “Belphagor
4 Guild” (Administration committee), until about March 14, 2020.

5 Defendant Sullivan: Nathan Sullivan became a member of the advisory “Strategy
6 Council” of The Seattle Chapter in late November 2015. The position was an informal role
7 and conferred no real obligations or authority at the time. In early 2017, he took a more active
8 role in what became the “New Member Team” (NMT) which handled incoming applications
9 from TST Seattle’s website from people who were interested in becoming members of the
10 Seattle Chapter. Alongside a few other people, his primary role was interviewing prospective
11 applicants to TST Seattle, and helping new members feel welcome within the TST Seattle
12 community and being a point of contact for their questions/concerns. In summer 2019, the
13 NMT became part of the nascent “Service Guild,” a purpose-oriented committee focused on
14 internal community building within TST Seattle and local charity outreach projects, which
15 he also led by coordination with food banks and other external sources. Sullivan took a leave
16 from TST Seattle activities to address personal issues beginning in mid-December 2019. He
17 was in an inactive role until his expulsion in March 2020.

18 Defendant Fishbaugh: Leah Fishbaugh served on the TST Seattle’s “guild system”
19 that was introduced in August 2019. Fishbaugh volunteered as “Service guildhead” along
20 with fellow defendant, Nathan Sullivan. In September 2019, Fishbaugh was added to the
21 listserv for the TST Seattle Strategy Council.

22 Defendant Powell: Mickey Powell served on the TST Seattle Chapter’s strategy
23 council from approximately August 14, 2019 until March of 2020.

24
25 **REQUEST FOR PRODUCTION NUMBER 14:** For each Defendant, produce all
26 communications pertaining to their role on the advisory council for the Washington Chapter.

1 **Response:** Defendants object to Request for Production Number 14 as vague,
2 confusing, and ambiguous as it does not define “Washington Chapter.” It is also vague
3 regarding the phrase “pertaining to their role on the advisory council.” Defendants also object
4 to the extent this Requests asks for privileged documents. Subject to these objections,
5 Defendants respond that non-privileged responsive documents will be produced.

6 **REQUEST FOR PRODUCTION NUMBER 15:** For each Defendant, produce all
7 communications pertaining to any role, other than their role on the advisory council, they
8 served for The Satanic Temple.

9 **Response:** Defendants object to Request for Production Number 15 as vague,
10 confusing, and ambiguous as it does not define “The Satanic Temple.” Defendants also object
11 to Request for Production Number 15 to the extent it is misleading in that it incorrectly
12 assumes that Defendants served in any role for the United Federation of Churches. Subject
13 to this objection, Defendants respond as follows: Defendants have no responsive documents
14 because none of the Defendants volunteered with the United Federation of Churches, LLC
15 but instead only volunteered with an autonomous local chapter.

16
17 **REQUEST FOR PRODUCTION NUMBER 16:** For each Defendant, produce all
18 communications about the coordinated effort to take the Allies page, the Washington Chapter
19 Twitter page, and the Washington Chapter Google account.

20 **Response:** Defendants object to Request for Production Number 16 as vague,
21 confusing, and ambiguous in that it improperly and incorrectly assumes that Defendants
22 worked in concert. Defendants further object to Request for Production Number 16 as vague,
23 confusing, and ambiguous in that it improperly and incorrectly assumes Defendants engaged
24 in coordinated efforts. Defendants further object to Request for Production Number 16 as
25 vague, confusing, and ambiguous in that it does not define “Allies page,” “Washington
26 Chapter Twitter page,” and “Washington Chapter Google account.” Subject to these

1 objections, Defendants respond that they will search for and produce responsive documents
2 to the extent they exist.

3
4 **REQUEST FOR PRODUCTION NUMBER 17:** Produce all lawyer bills Defendants have
5 incurred in this lawsuit, the federal lawsuit, the federal appeal, and their efforts in *The Satanic*
6 *Temple, Inc. v. Newsweek*.

7 **Response:** Defendants object to Request for Production Number 17 as improperly
8 seeking privileged communications. Defendants further object to Request for Production
9 Number 17 as seeking irrelevant documents that are unrelated to any issue or defense in this
10 lawsuit and which are being sought for the sole purpose of harassing, annoying, or
11 embarrassing the Defendants. Defendants will not produce documents responsive to this
12 request.

13
14 **REQUEST FOR PRODUCTION NUMBER 18:** Produce proofs of payment on each lawyer
15 bill Defendants have incurred in this lawsuit, the federal lawsuit, the federal appeal, and their
16 efforts in *The Satanic Temple, Inc. v. Newsweek*.

17 **Response:** Defendants object to Request for Production Number 18 as improperly
18 seeking privileged communications. Defendants further object to Request for Production
19 Number 18 as seeking irrelevant documents that are unrelated to any issue or defense in this
20 lawsuit and which are being sought for the sole purpose of harassing, annoying, or
21 embarrassing the Defendants. Defendants will not produce documents responsive to this
22 request.

23
24 **INTERROGATORY NUMBER 17:** To the extent someone other than one of the
25 Defendants paid a lawyer bill incurred in this lawsuit, the federal lawsuit, the federal appeal,
26

1 or their efforts in *The Satanic Temple, Inc. v. Newsweek*, identify the individuals or
2 organizations who have paid the bill on any Defendant's behalf.

3 **Answer:** Defendants object to Interrogatory Number 17 as improperly seeking
4 privileged communications. Defendants further object to Interrogatory Number 17 as seeking
5 irrelevant documents that are unrelated to any issue or defense in this lawsuit and which are
6 being sought for improper purposes, including the purpose of harassing, annoying, or
7 embarrassing Defendants. Defendants will not produce documents responsive to this request.

8
9 **REQUEST FOR PRODUCTION NUMBER 19:** Produce the fee agreement(s) between any
10 Defendant and any lawyer or law firm who billed for any efforts in this lawsuit, the federal
11 lawsuit, the federal appeal, and for Defendants' efforts in *The Satanic Temple, Inc. v.*
12 *Newsweek*.

13 **Response:** Defendants object to Request for Production Number 19 as improperly
14 seeking privileged communications. Defendants further object to Request for Production
15 Number 19 as seeking irrelevant documents that are unrelated to any issue or defense in this
16 lawsuit and which are being sought for the purpose of harassing, annoying, or embarrassing
17 Defendants. Defendants will not produce documents responsive to this request.

18
19 **REQUEST FOR PRODUCTION NUMBER 20:** Produce all documents pertaining to the
20 GoFundMe page entitled "Legal Fund for Victims of Satanic Temple"
21 (<https://www.gofundme.com/f/legal-fund-for-victims-of-satanic-temple1>), including
22 without limitation: proofs of all receipts, all communications in connection with any receipt,
23 and all communications among Defendants about any of text accompanying the fundraising
24 request.

25 **Response:** Defendants object to Request for Production Number 20 as seeking
26 irrelevant information that is unrelated to any issue or defense in this matter and which is not

1 designed to lead to the discovery of relevant information. Defendants further object that
2 Request for Production Number 20 seeks documents for the improper purpose of harassing,
3 annoying or embarrassing third parties. Defendants also object that Request for Production
4 Number 20 is vague, ambiguous and confusing, including the term “proofs of all receipts”
5 and the phrase “about any of text accompanying the fundraising request.” Defendants also
6 object to the extent Request for Production Number 20 seeks privileged documents. Subject
7 to these objections, responsive, non-privileged documents will be produced.
8

9 **REQUEST FOR PRODUCTION NUMBER 21:** Produce all communications between any
10 Defendant and Julia Duin from September 1, 2021 through the end of discovery.

11 **Response:** Defendants object to Request for Production Number 21 as seeking
12 irrelevant information that is unrelated to any issue or defense in this matter and which is not
13 designed to lead to the discovery of relevant information. Subject to these objections,
14 responsive documents will be produced.
15

16 **REQUEST FOR PRODUCTION NUMBER 22:** Produce all bankruptcy petitions filed for
17 or on behalf of Mickey Joshua Powell (aka “Lenore Calavera”), as referenced in the
18 *Newsweek* article *Orgies, Harassment, Fraud: Satanic Temple Rocked by Accusations,*
19 *Lawsuit.*

20 **Response:** Defendants object to Request for Production Number 22 as seeking
21 irrelevant information that is unrelated to any issue or defense in this matter and which is not
22 designed to lead to the discovery of relevant information. Defendants further object that
23 Request for Production Number 22 improperly seeks documents solely to harass, annoy, or
24 embarrass Defendant Mickey Powell. Notwithstanding these objections, Defendants possess
25 no responsive documents.
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DATED: August 30, 2024.

ARETE LAW GROUP PLLC

By: /s/ Jeremy E. Roller
Jeremy E. Roller, WSBA No. 32021
Lisa M. Herb, WSBA No. 23161
1218 Third Avenue, Suite 2100
Seattle, WA 98101
Phone: (206) 428-3250
Fax: (206) 428-3251
jroller@aretelaw.com
lherb@aretelaw.com

Attorneys for Defendants



1 **VERIFICATION**

2 I, David Johnson, am one of the Defendants in the above-captioned matter. I declare
3 under penalty of perjury that I have read the foregoing objections and answers to Plaintiff
4 United Federation of Churches, LLC’s First Interrogatories, know the contents thereof, and
5 believe the same to be true.

6
7 DATED this 30th day of August, 2024.

8 David Johnson
9 David Johnson (Aug 30, 2024 14:52 PDT)
10 _____
11 David Johnson

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this date I caused true and correct copies of the foregoing
3 document to be served upon the following, at the addresses stated below, via the method of
4 service indicated.

5 **LYBECK PEDREIRA & JUSTUS, PLLC**

6 Benjamin Justus
7 Fifth Floor
8 7900 SE 28th St., Suite 500
9 Mercer Island, WA 98040
ben@lpjustus.com

- E-mail
- U.S. Mail
- E-filing

10 **CROWN LAW**

11 Matthew A. Kezhaya
12 150 S. Fifth Street, Suite 1850
13 Minneapolis, MN 55402
matt@crown.law

- E-mail
- U.S. Mail
- E-filing

14 *Attorneys for Plaintiff*

15
16 Dated this 30th day of August, 2024 in Seattle, Washington.

17 /s/ Kaila Greenberg
18 Kaila Greenberg
19 Legal Assistant

Exhibit 6

Subpoena for records to Julia Duin

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SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

United Federation of Churches, LLC (dba “The
Satanic Temple”)

Plaintiff,

v.

David Alan Johnson (AKA “ADJ”),
Leah Fishbaugh, Mickey Meeham, and Nathan
Sullivan,

Defendants.

Case No. 23-2-06120-9

SUBPOENA FOR RECORDS

TO: **Julia Duin, c/o Cameron Stracher and Sara Tesoriaro**
By email to cam@stracherlaw.com and sara@stracherlaw.com
Alternatively, by email and personal service to Julia Duin

YOU ARE COMMANDED to obtain and produce the following documents or tangible
things at the place, date, and time specified below (list documents or objects):

**The full audio recording of your in-person interview with David Alan Johnson and
Nathan Sullivan, i.e., the unclipped version of what Newsweek produced as
NEWSWEEK390 in *Satanic Temple, Inc. v. Newsweek Digital LLC*, case no. 1:22-
cv-01343-MKV (N.Y.S.D.).**

1 **DATE:** September 5, 2024
2 **TIME:** 12:00 PM
3 **PLACE:** via email to ben@lpjustus.com and matt@kezhaya.law cc:
4 kasandra@lpjustus.com and sonia@kezhaya.law or by downloadable internet link

5 DATED: August 26, 2024

6 **LYBECK PEDREIRA & JUSTUS, PLLC** **KEZHAYA LAW PLC**

7 By: /s/ Benjamin Justus
8 Benjamin Justus, WSBA No. 38855
9 Attorney for Plaintiff
10 Chase Bank Building
11 7900 SE 28th Street, Fifth Floor
12 Mercer Island, WA 98040
13 Phone: (206) 230-4255
14 ben@lpjustus.com

By: /s/ Matthew A. Kezhaya
Matt Kezhaya (MN#0402193), *phv*
Attorney for Plaintiff
150 S. Fifth St., Suite 1850
Minneapolis, MN 55402
Phone: (479) 431-6112
matt@kezhaya.law

15 **CERTIFICATE OF SERVICE**

16 I hereby declare under penalty of perjury under the laws of the State of Washington that
17 I have caused to be served a true and correct copy, except where noted, of the below described
18 documents upon the individual(s) listed by the following means:

<p>19 Attorney for Defendants David Alan 20 Johnson (AKA “ADJ”), Leah Fishbaugh, 21 Mickey Meeham, and Nathan Sullivan,</p> <p>22 Jeremy Roller, Esq. 23 Lisa M. Herb, Esq. 24 Arete Law Group 25 1218 Third Ave., Ste. 2100 26 Seattle, WA 98101</p> <p>Office: 206-428-3250 Direct: 206-428-3254 Fax: 206-428-3251</p>	<p>[X] Via e-service [X] Via email to jroller@aretelaw.com; lherb@aretelaw.com</p>
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<p>Attorneys for Julia Duin,</p> <p>Cameron Stracher, Esq. Sara Tesoriaro, Esq. Law Offices of Cameron Stracher 51 ASTOR PLACE, 9th FLOOR NEW YORK, NY 10003</p> <p>Office: (646) 992-3850 Fax: (646) 992-4241</p>	<p><input type="checkbox"/> Via e-service <input checked="" type="checkbox"/> Via email to cam@stracherlaw.com and sara@stracher.law.com</p> <hr/>
<p>Service of:</p> <p style="text-align: center;">SUBPOENA FOR RECORDS</p>	
<p>DATED: August 26, 2024</p>	<p>By: <u> /s/ Matt Kezhaya </u> Matt Kezhaya (<i>phv</i>)</p>

Exhibit 7

Julia Duin objections to subpoena for records

ADMITTED IN:
NEW YORK
FLORIDA
TEXAS

September 3, 2024

BY E-MAIL

Matt Kezhaya
150 S. Fifth St. Suite 1850
Minneapolis, MN 55402
matt@kezhaya.law

**Re: Subpoena for Records to Julia Duin in
United Federation of Churches, LLC v. David Alan Johnson, et. al.
(23-2-06120-9)**

Dear Mr. Kezhaya:

As you know, our firm represents Julia Duin and Newsweek Digital, LLC (“Newsweek”). I write in response to a subpoena issued in the above matter, which requests that Ms. Duin produce the “full audio recording of [her] in-person interview with David Alan Johnson and Nathan Sullivan” (the “Recording”). Pursuant to Washington Superior Court Civil Rules, CR 45, this letter shall constitute Ms. Duin’s and Newsweek’s written objections to producing the Recording sought by the subpoena.

As an initial matter, the subpoena was served on September 3, 2024, and requests production on September 5, 2024, which is not a reasonable time for compliance. *See* Wash. Super. Ct. Civ. R. 45 (recognizing failure to allow reasonable time to respond as ground for quashing subpoena); *Anstead v. Virginia Mason Med. Ctr.*, No. 221CV00447JCCJRC, 2023 WL 34505, at *2 (W.D. Wash. Jan. 4, 2023) (“Courts have consistently held that a period of ten days or less is an unreasonable amount of time to comply with a document subpoena.”).

Furthermore, the subpoena demands the production of material protected by the Washington reporter’s shield statute, Wash. Rev. Code Ann. § 5.68.010, and the New York reporter’s shield law, N.Y. Civ. Rights Law § 79-h.¹ Under either statute, the Recording is subject to the qualified privilege against compelled disclosure of news information. *See* N.Y. Civ. Rights Law § 79-h (“News’ shall mean written, oral, pictorial, photographic, or

¹ Because Duin created the recording as part of her work as a freelance reporter for Newsweek, Newsweek is also entitled to assert the privilege. *See Beach v. Shanley*, 62 N.Y.2d 241, 247 n. 1 (N.Y. 1984) (“[T]he employer may claim any benefit of the Shield Law held by [the reporter].”)

electronically recorded information or communication concerning local, national or worldwide events or other matters of public concern or public interest or affecting the public welfare.”); Wash. Rev. Code Ann. § 5.68.010 (protecting “news or information obtained or prepared by the news media in its capacity in gathering, receiving, or processing news or information for potential communication to the public, including, but not limited to, any notes, outtakes, photographs, video or sound tapes, film . . .”). Your client will be unable to satisfy the demanding showing required to overcome this privilege because it cannot demonstrate that the Recording is highly material and relevant to the case, necessary to the maintenance of its claims, and not obtainable from an alternative source. *See Thurman v. Knezovich*, 522 P.3d 1000, 1008–10 (Wash.App. Div. 3, 2023) (setting forth requirements for overcoming qualified reporter’s privilege); *Holmes v. Winter*, 22 N.Y.3d 300, 308 (N.Y. 2013) (same).

Finally, Duin and Newsweek have consistently raised the reporter’s privilege objection in response to your client’s request in the matter of *The Satanic Temple, Inc. v. Newsweek Digital, LLC* (1:22-cv-01343-MKV) to produce the complete Recording, and The Satanic Temple never moved to compel. Accordingly, any argument against the application of the reporter’s privilege to the Recording has been waived.

Sincerely,

A handwritten signature in blue ink that reads "Sara C. Tesoriero". The signature is fluid and cursive, with the first name "Sara" being the most prominent.

Sara C. Tesoriero

cc: ben@lpjustus.com

Exhibit 8

Response to Julia Duin objections to subpoena for records

Matt Kezhaya
150 S. Fifth St., Suite 1850
Minneapolis, MN 55402



matt@kezhaya.law
Direct: (479) 431-6112
General: (612) 276-2216

September 4, 2024

Ms. Sara Tesoriaro
By email to sara@stracherlaw.com

Re: *United Federation of Churches, LLC v. David Alan Johnson, et. al.*
(23-2-06120-9) - Subpoena for Records to Julia Duin

Ms. Tesoriaro:

I write in response to objections lodged on behalf of Julia Duin to a subpoena for records issued on September 1, 2024. Although I have no meet-and-confer obligations before moving to compel compliance with a subpoena, it is my hope that this letter will persuade you to provide what I need without motions practice. For ease of discussion, I am reordering my responses to your objections.

As a threshold issue, you raise a claim of privilege under New York's shield law. CPLR § 79-h. I do not believe Duin can seek protection under any New York law while maintaining that her role with Newsweek was as an independent contractor as opposed to working as an employee. In *Satanic Temple v. Newsweek*, the District Court held that New York law does not reach Duin. If New York law extends no liability, then it logically follows that that New York law must also extend no protections.

Similarly, you indicate that Newsweek has standing to assert the New York shield law, quoting a case which provides employers standing to raise the reporter's privilege. *Beach v. Shanley*, 62 N.Y.2d 241, 247 n. 1 (N.Y. 1984) (“[T]he *employer* may claim any benefit of the Shield Law held by [the reporter]”) (emphasis added).

Newsweek and Duin are judicially estopped from claiming that Newsweek is Duin's employer for purposes of shield law but is not her employer for purposes of personal jurisdiction. *See Miller v. Campbell*, 137 Wash. App. 762, 771–72 (2007). Based on the foregoing, I do not think Newsweek or New York's shield law are relevant to this subpoena.

Washington's shield law does facially apply. See RCW § 5.68.010(1)(b). But my client can make the showing contemplated by the statute. See RCW § 5.68.010(2)(b); *i.e.*:

- (i) The news or information is highly material and relevant;
- (ii) The news or information is critical or necessary to the maintenance of a party's claim, defense, or proof of an issue material thereto;
- (iii) The party seeking such news or information has exhausted all reasonable and available means to obtain it from alternative sources; and
- (iv) There is a compelling public interest in the disclosure. A court may consider whether or not the news or information was obtained from a confidential source in evaluating the public interest in disclosure.

The information sought is highly material and relevant. In the clip I was provided, either Johnson or Sullivan states "They kicked us out without warning, *but they did not actually revoke control* over the like – so you were the admin of the social media page --" Newsweek390 at 3:25 - 3:36 (emphasis added). Based on this, I believe the remainder of the recording will contain admissions from Johnson and Sullivan that they knew they were not authorized to remove TST's approved administrators. This is highly relevant to the *Johnson* litigation because, Sullivan has averred, his subsequent

commentary that they “stole” TST’s page was internet sarcasm. I believe the recording will tend to prove that he is lying. Further, I believe the subsequent commentary will contain admissions that the theft was a coordinated effort which is elemental to the contested claim for conspiracy liability.

The information sought is critical proof on the issues of (1) whether Sullivan’s admission was internet sarcasm; and (2) conspiracy liability. Sullivan’s claim is being used to undermine my client’s motion for summary judgment as to liability for trespass to chattels and conversion. Conspiracy liability is the subject of Defendants’ motion for summary judgment. I believe there will be other valuable impeachment evidence in the recording, as well.

My client has exhausted all reasonable and available means to obtain the information sought from alternative sources. I can think of no more probative source for the sought-after admissions of intentional theft than this recording. My only other sources of these admissions are other internet statements which, of course, will have to overcome a claim of purported sarcasm.

Finally, there is a public interest in ordering production of the information sought. The *Johnson* Defendants did not admit to this petty theft with any expectation of confidentiality, they provided these statements to provide fodder for a hit piece. They used Duin and Newsweek as their personal megaphone, so the full extent of their statements are the proper subject of judicial inquiry.

Next, you raise an issue of timeliness. Until receiving Sullivan’s affidavit, I had no expectation that I would need to rebut a claim that Sullivan’s public admission was internet sarcasm. I received the affidavit on August 23. I issued notice of the forthcoming subpoena to you and Cameron Stracher on August 26, and served it on August 31. I need the materials for a response to motion for summary

judgment due on September 9, and I need two business days to review the information to aid in drafting the response. Thus, September 5 was as much time as the exigencies of Sullivan's lie allowed me to give. I also intentionally limited the subpoena to a copy of a recording which I knew Duin to have. It does not require two weeks to attach one file to an email. I believe the circumstances provided show that the time to comply was "reasonable," as required under CR 45.

Last, you claim waiver. At all times, my discovery efforts in *Satanic Temple v. Newsweek* were limited to obtaining discovery solely for *Satanic Temple v. Newsweek*. Even if I wanted to seek discovery in that case for purposes of this one, Johnson's counsel and you both elicited a court order to expressly limit my discovery efforts to the purposes of that case. Which is not to say that I fought you on it; seeking discovery in one lawsuit for purposes of another would clearly be improper. But in any event, I can think of no credible basis for me to move to compel the production of a document you already gave me.

It is my strong preference to avoid motions practice on this matter. Please provide the recording requested by the time indicated. If you desire a more lenient date for compliance, please propose a date you will provide the recording.

Sincerely,

s/Matt Kezhaya

Exhibit 9

Letter from Defendants' counsel that the tortious interference claim is not time-barred



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May 10, 2023

VIA EMAIL ONLY

Matt Kezhaya and Benjamin Justus
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Re: *United Federation of Churches, LLC v. David Alan Johnson, et al.*,
No. 23-2-06120-9 SEA (King County Superior Court)

Dear Matt and Ben:

I write regarding the above-captioned complaint you filed against my clients, David Alan Johnson, Leah Fishbaugh, Mickey Meehan n/k/a Mickey Joshua Powell, and Nathan Sullivan (collectively “Defendants”), in King County Superior Court on April 5, 2023 (the “King County Action”). Your filing of the King County Action violates CR 11. You should voluntarily dismiss the King County Action now, as it is improper for the reasons described below and appears to be intended to further your stated goal to have “every last penny” squeezed from Defendants’ “living corpses” in defense of the United Federation of Churches’ (“TST”) baseless three-plus year litigation campaign against them. Although not required by CR 11, I am writing to give you the opportunity to right this wrong before Defendants file a Rule 11 motion.

In relevant part, CR 11 provides that by signing a complaint an attorney certifies that:

the attorney has read the pleading . . . and that to the best of the . . . attorney’s knowledge, information, and belief, formed after an inquiry reasonable under the circumstances: (1) it is well grounded in fact; (2) it is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law or the establishment of new law; (3) it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation

CR 11(a). Here are the reasons the King County Action complaint violates Rule 11.

The Breach of Fiduciary Duty Claim is Time-Barred

Setting aside for now that TST's breach of fiduciary duty claim is substantively meritless, it is plainly time-barred. The statute of limitations for a breach of fiduciary duty claim is three years. RCW 4.16.080(3); *Hudson v. Condon*, 101 Wn. App. 866, 872-73, 6 P.3d 615 (2000). "[A] cause of action accrues when the plaintiff knew or should have known the essential elements of the cause of action." *Mayer v. Huesner*, 136 Wn. App. 114, 123, 107 P.3d 152 (2005). "A plaintiff who has notice of facts sufficient to cause injury is deemed to have notice of all acts which reasonable inquiry would disclose." *August v. U.S. Bancorp*, 146 Wn. App. 328, 342, 190 P.3d 86 (2008); see also *American Sur. Co. of N.Y. v. Sundberg*, 58 Wn.2d 337, 344, 363 P.2d 99 (1961) ("notice sufficient to excite attention and put a person on guard, or to call for an inquiry is notice of everything to which such inquiry might lead"). "The statute of limitations is not postponed by the fact that further, more serious harm may flow from the wrongful conduct." *Green v. A.P.C.*, 136 Wn.2d 87, 96, 960 P.2d 912 (1998).

Virtually all the conduct TST alleges in the King County Action was also alleged in the federal court case (the "Federal Action") dismissed by Judge Jones. The initial complaint in the Federal Action was filed on April 3, 2020, more than three years before you filed the King County Action. Further, *all the conduct* alleged in the King County Action occurred in March of 2020 and before. That TST alleges that "[s]ince March 2020, Defendants have wrongfully detained profits from the use of TST's property," Complaint ¶ 68, does not save TST's claim on some kind of continuing harm theory because TST specifically alleged that the harm began in March of 2020. *Green*, 136 Wn.2d at 96.

When a reasonable investigation would have revealed that a claim is barred by a statute of limitations, Rule 11 sanctions are appropriate. *Estate of Blue v. County of Los Angeles*, 120 F.3d 982, 985 (9th Cir. 1997). Here, not only would a reasonable investigation show that the breach of fiduciary duty claim is barred by the statute of limitations, TST's own complaint in the King County Action demonstrates the same. Put another way, TST's own allegations show that its breach of fiduciary duty claim is time barred.

The Conversion/Trespass to Chattels Claim as to the Chapter Page has Already Been Dismissed

In TST's Second Amended Complaint in the Federal Action, TST asserted trespass to chattels and conversion claims as to the Chapter Page, the Memes Page, and "membership-related documents." Second Amended Complaint (Dkt. No. 26) ¶¶ 93, 97, 105. But as to the Chapter Page, Judge Jones dismissed TST's trespass to chattels and conversion claims. See Order Granting in Part and Denying in Part Defendants' Motion to Dismiss Second Amended Complaint (Dkt. No. 31) at 27 ("the court DISMISSES [TST's] trespass and conversion claims based on Defendants' interference with the Chapter page"); see also *id.* at 32 (The Court "GRANTS Defendants' motion to dismiss TST's trespass to chattels and conversion claims with respect to the Chapter page."). Although Judge Jones did not specify whether TST had leave to amend its trespass to chattels and conversion claims as to the Chapter Page, presumably he did not grant leave to amend as to those claims because he explicitly granted leave for TST to amend its loss allegations as to the CFAA claim and the FTDRA claim. *Id.* at 32. Whether or not Judge

Jones would have entertained amendment as to the trespass to the Chapter Page chattels and conversion claims, TST elected not to attempt to amend within the time permitted. *See id.* at 33 (“TST shall file its amended complaint, if any, within 14 days after the filing date of this order.”).

Failure to amend a complaint in the time a court allows results in dismissal. *Cf. Vess v. Ciba-Geigy Corp. USA*, 317 F.3d 1097, 1108 (9th Cir. 2003); *Smith v. Terhune*, 213 F.3d 643, 2000 WL 300944, at *1 (9th Cir. 2000); *Bolar v. Wood*, 89 F.3d 844, 1996 WL 384901, at *1 (9th Cir. 1996). Judge Jones did not grant TST leave to amend its trespass to chattels/conversion claims as to the Chapter Page. But even reading Judge Jones’ order expansively, TST failed to amend that claim in the time Judge Jones permitted other claims to be amended. Accordingly, the trespass to chattels/conversion claims as to the Chapter Page have been dismissed, and TST’s attempt to revive them here is barred by the *res judicata* doctrine.¹ *Feminist Women’s Health Center v. Codispoti*, 63 F.3d 863, 869 (9th Cir. 1995); *cf. Bourgeau v. Corrections Corp. of Am.*, 71 Fed. Appx. 695, 696 (9th Cir. 2003).

There is no Good Faith Basis for the Conversion/Trespass to Chattels Claims as to the Memes Page Because TST Relinquished any Interest in It

TST’s pursuit of its conversion/trespass to chattels claims as to the Memes Page further shows that its litigation campaign against Defendants is intended to harass and burden them. TST long ago abandoned any interest in that page and expressly gave the page to Defendants, as you well know given that I informed you of TST’s affirmative abandonment in June of 2022. As you know, on March 14, 2020, *after* Meehan had changed the Memes Page’s name and posted a statement that it was “no longer affiliated with The Satanic Temple” (in other words, *after* the alleged misappropriation), TST-WA’s Media Liaison, Paul Case / Tarkus Claypool, sent an email to Meehan with the subject line “Evergreen Memes for Queer Satanic Fiends.” In that email, Case/Claypool explicitly stated that TST had no interest in that Facebook page and the Defendants could have and use the page “free and clear:”

Hi Lenore,

I saw that you made some changes to the TST WA State Allies FB group. **I just wanted to let you know that it’s yours free and clear and we’ve no desire to claim it.** You and ADJ built it and have done a great job doing so. I’m confident you’ll both continue doing awesome work.

Sorry the way things panned out, and I do mean all of it. I wish you and your family well, and respect your need to fight the fight your way.

Rock on,

Tarkus Claypool
Media Liaison, The Satanic Temple of Washington
(he/him)

¹ TST did not appeal this ruling.

(emphasis added). The next day Case/Claypool reiterated that TST had abandoned the Memes page and had given it to Defendants, stating in a town hall meeting on Zoom:

I do want to say that **we're not going to, you know, ask Lenore to give the page back in any way.** I wish them well, and I hope that they continue growing that and make it a great success. Because they're going to fight their fight, their way. And so, let them do what they want to, and I wish them well, because both Lenore and ADJ [Defendant Johnson] did a wonderful job in the roles that they had. It just wasn't within the TST guidelines that we are beholden to. So I want to give them due credit, and just you know, wish them well with what they're going to plan to do with it in the future.

This town hall meeting was public and attended by the TST-WA Chapter Head, Leah Garvais / Siri Sanguine. Garvais/Sanguine did not dispute Case/Claypool's statement that TST had relinquished any interest in the Memes Page and had given the page to Defendants. (These communications were attached to the declarations filed in opposition to TST's abandoned motion for preliminary injunction in the Federal Action.)

In June of 2022, Matt wrote to me regarding TST's threatened TRO. In that email, Matt admitted that Case/Claypool was an agent of TST, but argued that he had no actual or apparent authority to release TST's interest in the Memes Page. Setting aside factual errors regarding the development of that page, it is plain that Case/Claypool had at least apparent authority. Case/Claypool was TST's "Media Liaison." "One of the ways in which a principal may cloak an agent with apparent authority is "by appointing [him] to a position, such as that of a manager or treasurer, which carries with it generally recognized duties; to those who know of the appointment there is apparent authority to do the things ordinarily entrusted to one occupying such a position."'" *Bybee Farms, LLC v. Snake River Sugar Co.*, 563 F. Supp. 2d 1184, 1190 (E.D. Wash. 2008) (quoting *Smith v. Hansen, Hansen & Johnson, Inc.*, 63 Wn. App. 355, 365, 818 P.2d 1127 (1991)) (applying Washington law). Who, if anyone, could have more authority over a social media account than TST's own "Media Liaison?"

TST's allegations regarding the Memes Page are not "well grounded in fact" and therefore violate CR 11.

There is no Basis to Split the Tortious Interference Claim from the Federal Action

TST's assertion of state law claims against Defendants for breach of fiduciary duty and conversion/trespass to chattels violates CR 11 for the reasons described above. The sole remaining state law claim – tortious interference – should not be pending in King County Superior Court. Of course, should TST prevail in reversing Judge Jones' dismissal of the cyberpiracy claim, the federal court will again have jurisdiction over TST's tortious interference claim. *See Zheng v. Liberty Apparel Co. Inc.*, 355 F.3d 61, 79 (2d Cir. 2017) (state law claims, previously dismissed for lack of subject matter jurisdiction, reinstated when appellate court reverses dismissal of related federal claims); *R & J Holding Co. v. Redevelopment Auth. of Cty. of Montgomery*, 670 F.3d 420, 433 (3d Cir. 2011).

I suspect you filed the tortious interference claim in King County Action for fear of losing that claim on statute of limitations grounds. The statute of limitations for tortious

interference under Washington law is three years. RCW 4.16.080(2); *City of Seattle v. Blume*, 134 Wn.2d 243, 251, 947 P.2d 223 (1997). Had the statute of limitations been running during the pendency of the Federal Action, TST's claim for tortious interference in the King County Action would be time barred. But the supplemental jurisdiction statute provides that, as to claims for which a district court has supplemental jurisdiction, "[t]he period of limitations . . . shall be tolled while the claim is pending and for a period of 30 days after it is dismissed unless State law provides for a longer tolling period." 28 U.S.C. § 1367(d). The Supreme Court has squarely held that Section "1367(d)'s instruction to 'toll' a state limitations period means to hold it in abeyance, *i.e.*, to stop the clock." *Artis v. District of Columbia*, ___ U.S. ___, 138 S. Ct. 594, 598, 199 L. Ed. 2d 473 (2018). Accordingly, TST is not at risk of losing its tortious interference claim on statute of limitations grounds for two and a half years.

If TST wins its appeal of Judge Jones' dismissal of the cyberpiracy claim, do you intend to pursue the tortious interference claim in federal court or split that federal claim (and possibly the defamation claim) from the tortious interference claim (and the other state law claims) and pursue them separately in King County Superior Court? The latter would constitute improper claim splitting. *Feminist Women's Health Center*, 63 F.3d at 869. If TST intends the former, asserting that claim in King County Superior Court could only be motivated by TST's stated desire to impose suffering on Defendants by forcing them to defend a claim in state court that TST intends to pursue in federal court. Either way, there is no need for the tortious interference claim to be pending in King County Superior Court at this time.²

* * *

As mentioned in my June 23, 2022 email to Matt, I do not invoke Rule 11 lightly. But the King County Action violates it for the reasons described above. Please confirm no later than May 17, 2023, that you will voluntarily dismiss it.

Thank you.

Sincerely,

/s/ *Jeremy Roller*

Jeremy Roller

² If, despite the Supreme Court's holding in *Artis*, TST believes it is necessary to have the tortious interference claim in King County Superior Court to avoid the statute of limitations running, Defendants would consider agreeing to stay that claim and the trespass to chattels/conversion claims as to "membership-related documents," provided that TST dismisses the other claims in the King County Action.

Exhibit 10

TST's discovery responses

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SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

United Federation of Churches, LLC (dba “The
Satanic Temple”)

Plaintiff,

v.

David Alan Johnson (AKA “ADJ”),
Leah Fishbaugh, Mickey Meeham, and Nathan
Sullivan,

Defendants.

Case No. 23-2-06120-9

**PLAINTIFF’S AMENDED AND
SUPPLEMENTAL RESPONSES TO
DEFENDANTS’ FIRST
INTERROGATORIES**

INTERROGATORIES

INTERROGATORY NO. 1: Please identify every person you believe has knowledge or information related to the allegations made in your Complaint, noting the person’s last known contact information and what knowledge you believe that person has.

ANSWER:

- Defendants, who may be contacted through their attorneys, have discoverable knowledge pertaining to their prior agency for Plaintiff, the theft of the Allies Page, the theft of the Chapter Page, and all profits they have derived from operating either account.

- 1 • Tarkus Claypool, whose last-known email address is
2 tarkus.claypool@gmail.com, has general knowledge of Defendants’ role as
3 agents for Plaintiff to operate the Plaintiff’s social media accounts subject to
4 Plaintiff’s control, and Defendants’ theft of the social media accounts.
- 5
- 6 • Siri Sanguine, who may be contacted through Plaintiff’s counsel of record, has
7 general knowledge of Defendants’ role as agents for Plaintiff to operate the
8 Plaintiff’s social media accounts subject to Plaintiff’s control, and Defendants’
9 theft of the social media accounts.
- 10 • Lilith Starr, who may be contacted through Plaintiff’s counsel of record, has
11 general knowledge of Defendants’ role as agents for Plaintiff to operate the
12 Plaintiff’s social media accounts subject to Plaintiff’s control, and De-fend-ants’
13 theft of the social media accounts.
- 14
- 15 • Chalice Blythe, whose last known-known email address is
16 chaliceblythe@gmail.com, has general knowledge of Defendants’ role as agents
17 for Plaintiff to operate the Plaintiff’s social media accounts subject to Plaintiff’s
18 control, and Defendants’ theft of the social media accounts.

19 **INTERROGATORY NO. 2:** Identify each person who answered or provided answers to these
20 discovery requests by name, title, address, and telephone number.

21 **ANSWER:** Bex Satanas, Congregation Head for TST-Washington, who may be
22 contacted through Plaintiff’s counsel of record.

23

24

25 **INTERROGATORY NO. 3:** Describe in detail the ownership, management, and organizational
26 structure of the United Federation of Churches, LLC, including its reporting lines to or authority

1 over other organizations, entities, individuals, and chapters.

2 **ANSWER:** Plaintiff objects to this request as not relevant to any claim or defense lodged
3 in the case. Plaintiff further objects to this interrogatory to the extent it is not reasonably
4 calculated to lead to the discovery of admissible evidence and/or designed to cause harassment
5 for Plaintiff and/or its agents and employees; and to the extent it is unduly burdensome or
6 expensive, taking into account the needs of the case, the amount in controversy, limitations on
7 the parties, resources, and the importance of the issues at stake in the litigation. The limited
8 question presented in this litigation is whether Defendants stole the Allies Page and Chapter
9 Page; and, if so, the profits which Defendants have wrongfully detained as a result. Insofar as
10 this litigation is concerned, in late-2018 both social media accounts were created for the benefit
11 of Plaintiff pursuant to Affiliation Agreements, which accounts were managed by Tarkus
12 Claypool and Siri Sanguine under direction of Chalice Blythe as point of contact on the National
13 Council under direction from the co-directors of The Satanic Temple, until Defendants stole the
14 accounts in March 2020.
15

16
17 **SUPPLEMENTAL ANSWER:** Subject to the objections above, and pursuant to CR
18 33(c), see certificates of organization, Org Chart and Directory, Chapter Head Agreements,
19 Affiliation Agreements, and Chapter Handbook produced herewith.
20

21 **INTERROGATORY NO. 4:** Explain in detail who or what entity has or has had
22 “centralized control” over the Washington Chapter as alleged in Paragraph 12 of your
23 Complaint between 2014 to the present, and if the control changed during that time period,
24 please explain the changes.

25 **ANSWER:** At the relevant time, National Council. Plaintiff’s internal operations have
26 changed since 2020, but those details are not relevant to any claim or defense in this
litigation.

1 **SUPPLEMENTAL ANSWER:** Subject to the objections above, and pursuant to CR
2 33(c), see Org Chart and Directory, Chapter Head Agreements, Affiliation Agreements, and
3 Chapter Handbook produced herewith.

4 **INTERROGATORY NO. 5:** For the time period of 2014 to the present, describe in detail
5 the nature and type of entity of the Washington Chapter, such as, for example, whether it is a
6 registered charity or religious organization, a registered business organization, or a registered
7 branch of a larger organization or business and if so, which one, and, if it is a registered
8 entity, state where and when it was registered. If the nature or type of entity has changed over
9 the designated time period, please explain how and when.

10 **ANSWER:** Plaintiff objects to relevance of this question. Plaintiff further objects to
11 this interrogatory to the extent it is not reasonably calculated to lead to the discovery of
12 admissible evidence and/or designed to cause harassment for Plaintiff and/or its agents and
13 employees; and to the extent it is unduly burdensome or expensive, taking into account the
14 needs of the case, the amount in controversy, limitations on the parties, resources, and the
15 importance of the issues at stake in the litigation. The social media accounts subject of this
16 cause were created in 2016 and 2018, respectively. Plaintiff United Federation of Churches
17 LLC owns the intellectual property rights for the name “The Satanic Temple” in context of
18 religious organizations and, through the Affiliation Agreements, the social media accounts.
19 Plaintiff is a Massachusetts LLC. The Washington Chapter never had an ownership interest in
20 the social media accounts, so its corporate structure is irrelevant. Pursuant to CR 33(c), see
21 also the Affiliation Agreements produced in response to Defendants’ Requests for Production
22 of Documents.

23 **SUPPLEMENTAL ANSWER:** Subject to the objections above, and pursuant to CR
24 33(c), see Org Chart and Directory, Chapter Head Agreements, Affiliation Agreements, and
25 Chapter Handbook produced herewith.
26

1 **INTERROGATORY NO. 6:** From 2014 to the present, describe in detail the management
2 and organizational structure of the Washington Chapter, including its reporting lines,
3 organizational relationships or financial obligations to other organizations, individuals or
4 entities, if any, including, without limitation, the United Federation of Churches, LLC.

5 **ANSWER:** Plaintiff objects to the relevance of this interrogatory. Plaintiff further
6 objects to this interrogatory to the extent it is not reasonably calculated to lead to the
7 discovery of admissible evidence and/or designed to cause harassment for Plaintiff and/or its
8 agents and employees; and to the extent it is unduly burdensome or expensive, taking into
9 account the needs of the case, the amount in controversy, limitations on the parties, resources,
10 and the importance of the issues at stake in the litigation. The organizational structure or debts
11 of the Washington Chapter has no perceptible relevance to any claim or defense in this
12 litigation. Pursuant to CR 33(c), see also the Affiliation Agreements produced in response to
13 Defendants' Requests for Production of Documents.

14 **SUPPLEMENTAL ANSWER:** Subject to the objections above, and pursuant to CR
15 33(c), see Org Chart and Directory, Chapter Head Agreements, Affiliation Agreements, and
16 Chapter Handbook produced herewith.

17
18 **INTERROGATORY NO. 7:** From 2014 to the present, describe in detail the nature and
19 extent of the "autonomy" of the Washington Chapter as alleged in Paragraph 12 of your
20 Complaint, and if the nature or extent of the autonomy has changed during that time period,
21 please explain the changes and when they occurred.

22 **ANSWER:** Plaintiff objects to the time-scope relevance of this interrogatory. Plaintiff
23 further objects to this interrogatory to the extent it is not reasonably calculated to lead to the
24 discovery of admissible evidence and/or designed to cause harassment for Plaintiff and/or its
25 agents and employees; and to the extent it is unduly burdensome or expensive, taking into
26 account the needs of the case, the amount in controversy, limitations on the parties, resources,

1 and the importance of the issues at stake in the litigation. The operations of the Washington
2 Chapter has no bearing on any claim or defense beyond March 2020, when Defendants stole
3 the social media pages. The Washington Chapter was authorized to meet regularly and
4 conduct themselves as a chapter, but any outside-facing Chapter events or activities had to be
5 pre-authorized by National Council. Pursuant to CR 33(c), see also the Affiliation
6 Agreements produced in response to Defendants' Requests for Production of Documents.

7 **SUPPLEMENTAL ANSWER:** Subject to the objections above, and pursuant to CR
8 33(c), see Org Chart and Directory, Chapter Head Agreements, Affiliation Agreements, and
9 Chapter Handbook produced herewith.

10
11 **INTERROGATORY NO. 8:** State whether you contend that either the United Federation of
12 Churches, LLC or the Washington Chapter have ownership or other rights to the Chapter
13 Page, and if you contend that either United Federation of Churches, LLC or the Washington
14 Chapter have ownership or other rights to the Chapter Page, explain with specificity the
15 nature of the claimed ownership or rights and the bases for each entity's claim to ownership
16 or other rights.

17 **ANSWER:** Yes, Plaintiff United Federation of Churches, LLC has a personal
18 property interest in both social media accounts. The bases for this claim of ownership is the
19 original registration with Facebook to further the organizational purposes of the Temple,
20 pursuant to the Affiliation Agreements.

21
22 **INTERROGATORY NO. 9:** Describe in detail all facts and circumstances upon which you
23 contend that either the United Federation of Churches, LLC or the Washington Chapter, or
24 both, have ownership or other rights to the Allies Page and explain with specificity the nature
25 of the claimed ownership or rights and the bases for each entity's claim to ownership or other
26 rights.

1 **ANSWER:** Yes, Plaintiff United Federation of Churches, LLC has a personal
2 property interest in both social media accounts. The bases for this claim of ownership is the
3 original registration with Facebook to further the organizational purposes of the Temple,
4 pursuant to the Affiliation Agreements.

5
6 **INTERROGATORY NO. 10:** Describe all facts and circumstances that support your
7 allegations in paragraph 26 of your Complaint that in September 2018, the Washington Chapter
8 created the Allies Page, including identifying all individuals who were involved in creating and
9 managing the page and the organization(s) with whom those individuals were affiliated, if any.

10 **ANSWER:** Vapola Lix, under the direction of Lilith Starr (then Chapterhead for
11 Washington) and the strategy council (referred to in the complaint as the advisory council),
12 created the Allies Page. The page was co-managed by Lilith Starr and Tarkus Claypool (then
13 Media Liaison for Washington), subject to supervision by Chalice Blythe of the National
14 Council.

15
16 **INTERROGATORY NO. 11:** Describe in detail all facts and circumstances upon which you
17 base your contention that each of the Defendants individually is liable for each of your causes
18 of action.

19 **ANSWER:** Plaintiff objects to this interrogatory as unintelligibly vague. See the
20 complaint for the facts and circumstances as to why Defendants are liable for the causes of
21 action asserted.

22
23 **INTERROGATORY NO. 12:** State whether either the Washington Chapter or the United
24 Federation of Churches, LLC, or both, maintained administrative control over the Washington
25 Chapter Facebook *Group* for the time period of March 12, 2020 to the present and identify the
26 individuals who were or are responsible for administrative control of that Group.

1 **ANSWER:** Plaintiff objects to the relevance of this request. Plaintiff further objects to
2 this interrogatory to the extent it is not reasonably calculated to lead to the discovery of
3 admissible evidence and/or designed to cause harassment for Plaintiff and/or its agents and
4 employees; and to the extent it is unduly burdensome or expensive, taking into account the
5 needs of the case, the amount in controversy, limitations on the parties, resources, and the
6 importance of the issues at stake in the litigation. The existence, ownership, and
7 administration of the members group (which is neither the Chapter Page nor the Allies Page)
8 is not relevant to any claim or defense in this litigation.

9
10 **INTERROGATORY NO. 13:** State whether either the Washington Chapter or the United
11 Federation of Churches, LLC, or both, maintained administrative control over the TST WA
12 Allies Facebook *Group* for the time period of March 12, 2020 to the present and identify the
13 individuals who were or are responsible for administrative control of that Group.

14 **ANSWER:** Plaintiff objects to the relevance of this request. Plaintiff further objects to
15 this interrogatory to the extent it is not reasonably calculated to lead to the discovery of
16 admissible evidence and/or designed to cause harassment for Plaintiff and/or its agents and
17 employees; and to the extent it is unduly burdensome or expensive, taking into account the
18 needs of the case, the amount in controversy, limitations on the parties, resources, and the
19 importance of the issues at stake in the litigation. The existence, ownership, and
20 administration of the allies group (which is neither the Chapter Page nor the Allies Page) is
21 not relevant to any claim or defense in this litigation.

22
23 **INTERROGATORY NO. 14:** For the time period of 2014 to the present, describe the manner
24 and purpose for which the Washington Chapter uses or used the Washington Chapter Facebook
25 *Group*, including whether it uses or used the Washington Chapter Facebook *Group* to solicit
26

1 donations. If the manner or purpose of use of the Washington Chapter Facebook *Group* has
2 changed during the designated time period, please specify how and when it changed.

3 **ANSWER:** Plaintiff objects to the relevance of this request. Plaintiff further objects to
4 this interrogatory to the extent it is not reasonably calculated to lead to the discovery of
5 admissible evidence and/or designed to cause harassment for Plaintiff and/or its agents and
6 employees; and to the extent it is unduly burdensome or expensive, taking into account the
7 needs of the case, the amount in controversy, limitations on the parties, resources, and the
8 importance of the issues at stake in the litigation. The use of the members group (which is
9 neither the Chapter Page nor the Allies Page) is not relevant to any claim or defense in this
10 litigation.

11
12 **INTERROGATORY NO. 15:** For the time period of September 2018 to the present, describe
13 the manner in which the Washington Chapter uses or used the TST WA Allies Facebook
14 *Group*, including whether it uses or used the Washington Chapter Facebook Group to solicit
15 donations.

16 **ANSWER:** Plaintiff objects to the relevance of this request. Plaintiff further objects to
17 this interrogatory to the extent it is not reasonably calculated to lead to the discovery of
18 admissible evidence and/or designed to cause harassment for Plaintiff and/or its agents and
19 employees; and to the extent it is unduly burdensome or expensive, taking into account the
20 needs of the case, the amount in controversy, limitations on the parties, resources, and the
21 importance of the issues at stake in the litigation. The existence, ownership, and
22 administration of the allies group (which is neither the Chapter Page nor the Allies Page) is
23 not relevant to any claim or defense in this litigation.

24
25 **INTERROGATORY NO. 16:** Describe in detail all efforts by the Washington Chapter or the
26 United Federation of Churches, LLC between March 12, 2020 and April 3, 2020 to determine

1 what documents belonging to the Washington Chapter or the United Federation of Churches,
2 LLC were allegedly in Sullivan’s possession or to seek the return of any documents allegedly
3 in Sullivan’s possession.

4 **ANSWER:** Tarkus Claypool, then-Media Liason for the Washington Chapter,
5 exercised the ability of recollection that the membership onboarding documents which he
6 could no longer access were under the administrative control of Sullivan, who collected the
7 documents as part of his role as leader of the new member team. Given that Sullivan’s job
8 was to retain these documents, and given that Sullivan was part of the cohort that abused
9 administrative controls to steal the two social media accounts at issue, the membership
10 documents must be under Sullivan’s control. As to the efforts to seek the return of these
11 documents, Plaintiff issued three complaints at law which sought injunctive relief to require
12 Sullivan to return all membership documents in his possession and served Sullivan with the
13 same.

14
15 **INTERROGATORY NO. 17:** Describe all facts and circumstances that support the allegation
16 in paragraph 46 of your Complaint that Defendants have used an electronic database of the
17 TST-Washington membership to harass TST’s membership through the internet, including
18 identifying the alleged electronic database and when and how it was allegedly used by
19 Defendants.

20 **ANSWER:** This information will be procured from Sullivan’s truthful testimony.
21 Plaintiff reserves the right to amend and supplement this response based on future
22 investigation and discovery.

23
24 **INTERROGATORY NO. 18:** Describe all facts and circumstances that support the
25 allegations in paragraphs 40-41 of your Complaint that the statements in Johnson’s “manifesto”
26 were false.

1 **ANSWER:** Plaintiff objects to the relevance of this interrogatory. The falsity of
2 Johnson’s manifesto was relevant to the discarded claim of defamation. As defamation is no
3 longer at issue, the fact of Johnson’s manifesto is only relevant to the extent that it was
4 knowingly posted on the Temple’s social media account without authority.

5
6 **INTERROGATORY NO. 19:** Describe all facts and circumstances that support the allegation
7 in paragraph 47 of your Complaint that the Washington Chapter lost members “because of
8 Johnson’s false claims published to the Chapter page,” including all facts tying the alleged lost
9 members to alleged false statements made by Johnson.

10 **ANSWER:** Plaintiff objects to the relevance of this interrogatory. The falsity of
11 Johnson’s manifesto was relevant to the discarded claim of defamation. As defamation is no
12 longer at issue, any lost members resulting from his false claims are no longer relevant.

13
14 **INTERROGATORY NO. 20:** Describe all facts and circumstances that support the allegation
15 in paragraph 53 of your Complaint that you have made “repeated demands” to Defendants to
16 return the Allies Page, including the specific dates, circumstances, forms of communication, the
17 content of the alleged demands and the individuals involved in the alleged demands.

18 **ANSWER:** April 3, 2020 – prayer for relief in the original complaint; March 29, 2021
19 – prayer for relief in the first amended complaint; May 24, 2021 – prayer for relief in the
20 second amended complaint; June 22, 2022 – by email to Defendants’ counsel of record; May
21 30, 2023 – prayer for relief in the original complaint filed in King County; February 2, 2024 –
22 prayer for relief in the amended complaint filed in King County.

23
24 **INTERROGATORY NO. 21:** Identify with specificity all alleged “competitor merchandise”
25 that you allege in paragraphs 54 and 80 of your Complaint that Defendants are allegedly selling
26 or have sold on the Allies Page, and explain how the alleged products compete with you.

1 **ANSWER:** As of this writing, there are 27 products on the online store at the URL
2 <https://www.redbubble.com/people/queersatanic/shop> which is linked through the Allies
3 page. The products bear Satanic imagery and the “About Us” section copies the Temple’s
4 tenets of liberty, bodily autonomy, opposition to unjust hierarchies, as well as copies the
5 Temple’s organizational principles of rationalism and the rejection of the supernatural.
6 Additionally, the “About Us” section states that the funds are for the purpose of funding this
7 litigation effort. And, the shop funds Defendants’ *raison d’etre*, which is to crybully the
8 Temple and any who associate with it on the internet.

9
10 **INTERROGATORY NO. 22:** State whether you contend that Defendants have formed a
11 competitor organization and, if you do, identify all facts upon which you base that allegation,
12 including identifying the alleged competitor organization, when and where it was allegedly
13 formed, where it exists, and explaining in detail in what manner it allegedly competes with you.

14 **ANSWER:** Yes. Defendants operate “QueerSatanic,” a nontheistic religious
15 organization whose principal purpose is to crybully the Temple and any who associate with it
16 on the internet. To Plaintiff’s knowledge: Defendants’ organization is funded by sales from
17 the online store located at the URL: <https://www.redbubble.com/people/queersatanic/shop> ,
18 donations from the GoFundMe located at the URL:
19 <https://www.gofundme.com/f/legal-fund-for-victims-of-satanic-temple1> as well as currently
20 unknown other monetary and in-kind donations, all of which are orchestrated by Defendants
21 through the Allies Page.

22
23 **INTERROGATORY NO. 23:** Describe in detail the bases for which the United Federation of
24 Churches, LLC (as opposed to the Washington Chapter) claims to have a relationship with
25 Facebook with regard to the Chapter Page and Allies Page, and identify all individuals at the
26

1 United Federation of Churches, LLC who were responsible for the relationship with Facebook
2 relating to the Chapter Page or Allies Page.

3 **ANSWER:** The Affiliation Agreement, under which Tarkus Claypool and Siri
4 Sanguine had the lawful authority to operate the Washington Chapter and the Chapter Page
5 and the Allies page, reserved all ownership rights to the Temple.

6
7 **INTERROGATORY NO. 24:** For all the damages claimed in the Complaint, identify the
8 nature and amount of the damages and describe in detail all facts and circumstances upon
9 which you will rely to establish each type of damages, the causal link between the alleged
10 damages and cause of action, the amount of the alleged damages, and include all facts that
11 establish that the damages were incurred by the United Federation of Churches, LLC as
12 opposed to the Washington Chapter.

13 **ANSWER:** The quantum of monetary damages are currently unknown to Plaintiff and
14 are to be determined through discovery. The valuation of damages will be determined by the
15 jury's valuation of: the current value of the Allies Page, all profits derived therefrom,
16 Defendants' temporary use of the Chapter Page, and punitive damages.

17
18 **INTERROGATORY NO. 25:** Describe the duties, authority, and reporting lines of the
19 Washington Chapterhead from 2014 to the present, including the "administrative authority"
20 described in paragraph 14 of your Complaint, and explain who determines and controls the
21 scope of the Chapterhead's authority. If the duties, authority, or reporting lines have changed
22 over that time period, identify when and in what way.

23 **ANSWER:** Plaintiff objects to the time-scope relevance of this interrogatory. The
24 relevant timeframe is not from 2014 to present but from September 2018 - March 22, 2020.
25 Subject to and without waiving this objection, see Affiliation Agreements for Siri Sanguine and
26

1 Lilith Starr. Vapula Lix created the Allies page on September 11, 2018. Defendants stole the
2 Allies page on March 14, 2020 and the Chapter page on March 22, 2020.

3 **SUPPLEMENTAL ANSWER:** Subject to the objections above, and pursuant to CR
4 33(c), see Org Chart and Directory, Chapter Head Agreements, Affiliation Agreements, and
5 Chapter Handbook produced herewith.

6
7 **INTERROGATORY NO. 26:** Describe the duties, authority, and reporting lines of the
8 Washington Chapter's Media Liaison from 2018 to the present including explaining who
9 determines and controls the scope of the Media Liaison's authority. If the duties, authority, or
10 reporting lines have changed over that time period, identify when and in what way.

11 **ANSWER:** See Affiliation Agreement for Tarkus Claypool.

12 **SUPPLEMENTAL ANSWER:** Pursuant to CR 33(c), see also Media Training,
13 Chapter Head Agreements, Affiliation Agreements, Chapter Handbook, and Social Media
14 Guidelines produced herewith.

15
16 **INTERROGATORY NO. 27:** Identify all facts and circumstances that support, relate to, or
17 detract from your contention that in March of 2020, Washington Chapter's Media Liaison, Paul
18 Case (aka Tarkus Claypool) did not have authority to waive or relinquish any interest the
19 Washington Chapter may have had in the Allies Page.

20 **ANSWER:** See Affiliation Agreement for Tarkus Claypool.

21
22 **INTERROGATORY NO. 28:** Identify with specificity all efforts by the Washington Chapter
23 or the United Federation of Churches, LLC to communicate with Defendants regarding
24 statements made by Paul Case in an email on March 14, 2020, and in a Town Hall Zoom
25 meeting March 15, 2020, relating to the Allies Page. Include the dates, individuals involved,
26 the means of communication, and the substance of the communications.

1 **ANSWER:** None. The statement was made without authority and was not even
2 known to Plaintiff until well after the original complaint filed in federal court should have
3 disabused Defendants of the notion that the social media accounts they “stole” was not given
4 away.

5
6 **INTERROGATORY NO. 29:** State whether you contend that each of the Defendants owe or
7 owed fiduciary duties to either the Washington Chapter or the United Federation of Churches,
8 LLC, and if so, describe the nature of the alleged fiduciary duties and all facts upon which you
9 base those contentions for each individual Defendant, and identify to which entity the alleged
10 fiduciary duties were owed.

11 **ANSWER:** Yes. Of importance to this litigation, Defendants (as agents of Plaintiff
12 entrusted with operating Plaintiff’s social media accounts subject to Plaintiff’s control) owed
13 the common law fiduciary duties which are entailed with their role as agents. *See Restatement*
14 *(Second) of Agency*, Ch. 13 (1958). Of importance to this litigation, that precluded them from
15 stealing the subject matter of their agency and wrongfully detaining the profits from operating
16 the subject matter of their agency. *Restatement (Second) of Agency* §§ 387-398 (1958).

17
18 **INTERROGATORY NO. 30:** To the extent you contend that any of the Defendants owe or
19 owed fiduciary duties to either the Washington Chapter or the United Federation of Churches,
20 LLC, identify all facts for each individual Defendant upon which you allege the breach of those
21 fiduciary duties, including the date when each alleged breach occurred.

22 **ANSWER:** Defendants stole the subject matter of their agency on March 14, 2020
23 (the Allies Page) and March 20, 2020 (the Chapter Page). They have been deriving profits
24 from operating the Allies Page (*i.e.*, the subject matter of their agency) since mid-April 2020.
25 The misuse and wrongful detention of profits have been continuous ever since.

1 **INTERROGATORY NO. 31:** Identify each person you expect to call as an expert witness
2 at trial and explain in detail their qualifications and the substance of the facts and opinions to
3 which the person is expected to testify.

4 **ANSWER:** This information will be timely provided under the scheduling order.
5

6 **INTERROGATORY NO. 32:** Have any of your documents or communications, including
7 emails or text messages, social media posts, or other electronic documents or communications
8 that relate to the facts or circumstances at issue in the Lawsuit, or the Lawsuit itself, been
9 destroyed? If so, include in your answer the identity of the documents or communications,
10 including the sender and recipient of each communication, the date and content thereof, the
11 date the document or communication was destroyed, and the reason for the destruction.

12 **ANSWER:** No.
13

14 **INTERROGATORY NO. 33:** Identify with specificity all efforts by the Washington
15 Chapter, the United Federation of Churches, LLC or any attorney, individual or entity
16 associated with or representing either organization to monitor the Defendants' social media
17 posts, media statements, or public statements. Identify, specifically, all agreements, contracts
18 or arrangements with third parties to monitor the Defendants' social media posts, media
19 statements, or public statements, including the identity of such third party.

20 **ANSWER:** Plaintiff objects to this request under the work product doctrine.

21 DATED: August 9, 2024

22 **LYBECK PEDREIRA & JUSTUS, PLLC** **KEZHAYA LAW PLC**

23 By: /s/ Benjamin Justus
24 Benjamin Justus, WSBA No. 38855
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1 **VERIFICATION**

2 I, **Bex Satan** am an authorized agent to answer these interrogatories as
3 **Chapterhead for TST-Washington** of United Federation of Churches, LLC (dba “The Satanic
4 Temple”). I declare under penalty of perjury that I have read the foregoing objections, answers,
5 and/or responses as set forth in PLAINTIFF’S AMENDED AND SUPPLEMENTAL
6 RESPONSES TO DEFENDANTS’ FIRST INTERROGATORIES, know the contents thereof,
7 and believe the same to be true and complete.

8
9 Dated this 9th day of August, 2024.

10 /s/Bex Satan

11
12 **CERTIFICATE OF SERVICE**

13 I hereby declare under penalty of perjury under the laws of the State of Washington that
14 I have caused to be served a true and correct copy, except where noted, of the below described
15 documents upon the individual(s) listed by the following means:

<p>17 Attorney for Defendants David Alan Johnson (AKA “ADJ”), Leah Fishbaugh, Mickey Meeham, and Nathan Sullivan,</p> <p>19 Jeremy Roller, Esq. 20 Lisa M. Herb, Esq. 21 Arete Law Group 1218 Third Ave., Ste. 2100 Seattle, WA 98101</p>	<p>[X] Via e-service [X] Via email to jroller@aretelaw.com; lherb@aretelaw.com</p> <p>Office: 206-428-3250 Direct: 206-428-3254 Fax: 206-428-3251</p>
<p>22 Service of: 23 PLAINTIFF’S AMENDED AND SUPPLEMENTAL RESPONSES TO DEFENDANTS’ 24 FIRST INTERROGATORIES</p>	
<p>25 DATED: August 9, 2024</p>	<p>26 By: <u>/s/ Benjamin Justus</u> Benjamin Justus</p>