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Los Angeles Superior Court FREEDMAN & TAITELMAN, LLP 1 Bryan J. Freedman, Esq. (SBN 151990) MAY 05 2009 Jesse A. Kaplan, Esq. (SBN 255059) 2 1901 Avenue of the Stars, Suite 500 Los Angeles, California 90067 3 John A. Clarke Executive Officer/Clerk Tel: (310) 201-0005 Fax: (310) 201-0045 4 5 Attorneys for Plaintiff Dawn Simorangkir aka Dawn Younger-Smith aka Boudoir Queen 6 7 SUPERIOR COURT OF THE STATE OF CALIFORNIA 8 9 FOR THE COUNTY OF LOS ANGELES 10 DAWN SIMORANGKIR, aka DAWN **CASE NO.: BC41059** 11 YOUNGER-SMITH, aka BOUDOIR QUEEN, FIRST AMENDED COMPLAINT FOR: 12 an individual, Plaintiff, 13 1. Libel: 2. Invasion of Privacy - False Light; Intentional Interference With a 14 3. Prospective Economic Advantage; and 15 COURTNEY MICHELLE LOVE, an **Breach of Contract** individual; and DOES 1 through 25, inclusive, 16 Defendants. 17 18 19 Plaintiff Dawn Simorangkir, aka Dawn Younger-Smith, aka Boudoir Queen ("Simorangkir"), 20 an individual, hereby alleges as follows: 21 22 23 INTRODUCTION 1. Simorangki made the grave mistake of doing business with defendant Courtney 24 25 Michelle Love ("Love"). Simorangkir is an up and coming fashion designer, who through hard 26 work, sweat and tears, has been able to fulfill her dream of owning her own small business. In 2008,

Love approached Simorangkir about having Simorangkir design clothing and apparel for Love.

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Little did Simorangkir know that by entering into Love's line of vision, Simorangkir would become the latest victim of Love's volatile personality, hair trigger temper, and malicious and tortious behavior. Whether caused by a drug induced psychosis, a warped understanding of reality, or the belief that her money and fame allow her to disregard the law, Love has embarked in what is nothing short of an obsessive and delusional crusade to terrorize and destroy Simorangkir, Simorangkir's reputation and her livelihood. Simply put, Love's conduct is an egregious violation of the law. In addition to spreading vile and vicious lies about Simorangkir through marathon rants in multiple public forums, online marketplaces where Simorangkir conducts business, and to Simorangkir's clients and others in the fashion industry, Love has gone as far to threaten Simorangkir's life. Love's approach is not subtle. In particular, Love publicly made the menacing and disturbing statement that Simorangkir will be "hunted til your dead."

- 2. In furtherance of Love's plot to destroy Simorangkir, Love has publicized malicious and false statements that Simorangkir sold drugs, is a drug addict, has a history of dealing cocaine, has a history of assault and burglary, has a record of prostitution, has committed grand theft, that she stole cash and goods from Love, has engaged in felonious behavior, lied, embezzled money, has committed blackmail, was deemed an unfit parent, lost custody of her child, is a racist and homophobe, has outstanding warrants for her arrest, that the Austin police confiscated Love's property from her home, and that she is a danger to society.
- 3. The sheer volume of animosity directed towards Simorangkir coupled with Love's open, cavalier and outspoken motivations, demonstrate that Love is determined to deal out her brand of retribution to Simorangkir, someone who is guilty of nothing more than doing business with Love. By using her fame and influence to reach millions of people, Love has achieved her goal of destroying Simorangkir's small business and causing irreparable damage to Simorangkir's name and reputation. Love's celebrity, however, does not cloak Love with impunity to ruin others for sport. Unfortunately, Love must learn this the hard way. Accordingly, Simorangkir seeks not only compensatory damages, but also punitive damages in order to deter Love from repeating these horrendous acts.

#### **PARTIES**

- 4. Simorangkir is, and at all times herein mentioned was, an individual residing in Austin, Texas.
- 5. Simorangkir is informed and believes, and thereon alleges, that Love is, and at all times herein mentioned was, an individual residing in Los Angeles County, California.
- 6. The true names and capacities, whether individual, corporate, associate or otherwise of the defendants named herein as DOES 1 through 25, inclusive, are unknown to Simorangkir who therefore sues said defendants by such fictitious names. Simorangkir alleges on information and belief that each of the defendants, including those designated as a DOE, are responsible for the events alleged herein and the damages caused thereby as a principal, agent, co-conspirator or aider and abettor. Simorangkir will seek leave of this Court to amend this Complaint to allege the true names and capacities of such defendants when the same have been ascertained.
- 7. Simorangkir alleges on information and belief that defendants, at all times relative to this action, were the agents, servants, partners, joint venturers and employees of each of the other defendants and, in doing the acts alleged herein, were acting with the knowledge and consent of each of the other defendants in this action.
- 8. Love and DOES 1 through 25 are hereinafter collectively referred to as "Defendants."
- 9. This Court is the proper court for trial of this matter because defendant Love resides in Los Angeles County, California, and the acts and occurrences alleged herein occurred in Los Angeles County, California. In particular, Simorangkir is informed and believes, and thereon alleges, that the defamatory statements alleged herein, were made by Defendants, and each of them, in Los Angeles, California and published on Internet websites, accessible and read by people in California and around the world, or re-published to residents of California.

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**GENERAL ALLEGATIONS** 

- 10. Simorangkir is an up and coming clothing and accessories designer. Since 2002, Simorangkir has marketed and sold her collection under the "Boudoir Queen" trade name primarily over the internet. In particular, Simorangkir utilizes <a href="https://www.etsy.com">www.etsy.com</a> ("Etsy"), an online marketplace that caters to independent designers.
- 11. In 2008, Love learned of Simorangkir, and through Etsy, contacted Simorangkir about her Boudoir Queen line. In turn, Love began to purchase Boudoir Queen clothing and apparel.
- 12. Subsequently, Love became infatuated with Simorangkir. In or around November 2008, Love insisted that Mrs. Younger-Smith fly to Los Angeles to meet with Love regarding the purchase of several custom pieces.
- 13. On or around January 28, 2009, Simorangkir returned to Los Angeles for a second meeting. Simorangkir and her husband met Love at the Chateau Marmount. Love ordered her driver and Simorangkir's husband to fill garment bags with various clothing remnants and trims for Simorangkir to use to make custom pieces for Love.
- 14. On or about February 2, 2009, the day after Simorangkir left Los Angeles, Simorangkir photographed all of the clothing trims that Love had given to Simorangkir for the purpose of creating an inventory. That same day, Simorangkir emailed these photographs to Love's manager, Marie Walsh.
- 15. After completing the first custom dress for Love in or around February, 2009, Simorangkir sent an invoice to Love for this work. Love became angered that she had to pay for Simorangkir's work. On or about March 10, 2009, Simorangkir invoiced Love for other garments that she had either completed and had yet to complete. Again, Love was angered that she would have to pay Simorangkir.
- 16. Since Love had not paid Simorangkir for the work completed under these invoices, Simorangkir temporarily suspended work for Love. Again, this angered Love.
- 17. On numerous occasions, Simorangkir has offered to return Love's clothing trims. Love failed to coherently respond.

- 18. Around the same time, Love inexplicably began exhibiting an intense level of animosity towards Simorangkir that has gone well beyond what any reasonable person would consider acceptable behavior. That is, Love has mounted a malicious campaign to not only terrorize Simorangkir, but to ruin and destroy her reputation and livelihood.
- 19. Love's continued attempts to contact Simorangkir have been nothing short of obsessive. Love has sent Simorangkir multiple emails and left rambling messages on Simorangkir's voicemail.
- 20. These communications, include not only delusional accusations and lies, but threats of harm. Recently, Love has publicly warned Simorangkir not to "[f]uck with my wradrobe or you willend up in a circle of corched eaeth hunted til your dead." (Emphasis added).
- 21. Love made her intentions clear. In one of rambling and combative voicemail, Love threatened to "blacklist" Simorangkir and indicated that she would be removed from Etsy. Love further made a highly unreasonable demand that Simorangkir send Love two dresses per day for the next ten days.
- 22. Upon information and belief, that Simorangkir did not comply with Love's ultimatum that Simorangkir fabricate and send Love two dresses per day, triggered Love to follow through with her threat of "blacklisting" Simorangkir.
- 23. Determined to harass and ruin Simorangkir, Love escalated her assault through the constant barrage of malicious, false, and defamatory statements in various public forums and directly to Etsy, Simorangkir's clients and others in the fashion industry. In addition to posting entries on her MySpace blog, Love has posted comments on Simorangkir's Etsy feedback page and on <a href="https://www.twitter.com">www.twitter.com</a> ("Twitter"), a popular online community.
- 24. Upon information and belief, MySpace subsequently decided to feature Love's blog on its main MySpace music page. As a result, Love's false, and defamatory statements gained even more exposure. Upon information and belief, Love was unwilling to remove these statements despite the fact that her blog would be featured on MySpace's main music page.
  - 25. Simorangkir is informed and believes, and thereon alleges, that Love contacted Etsy

27<sup>3</sup>  directly in an effort to have Simorangkir removed and banned from that website. Simorangkir is informed and believes, and thereon alleges, that Love has gone as far as to send emails to several of Simorangkir best customers and to others in the fashion industry containing false and defamatory statements.

- 26. Despite multiple requests, Love failed to remove any of the false and defamatory statements from either Love's MySpace blog, Twitter, or Etsy. Furthermore, Love ignored Simorangkir's request that Love publicly acknowledge that her statements were false.
- 27. Rather, Love sent Simorangkir multiple messages through Etsy asking Simorangkir's permission to purchase items from Simorangkir's Boudoir Queen line. In fact, Love and her agent Ava Stander attempted to purchase several thousand dollars worth of Boudoir Queen garments from Simorangkir through Etsy.

#### **FIRST CAUSE OF ACTION**

#### (For Libel, against all defendants)

- 28. Simorangkir re-alleges herein by this reference each and every allegation contained in paragraphs 1 through 27, inclusive, of this Complaint as if set forth fully herein.
- 29. On or about March 17, 2009, Love went on an extensive rant on Twitter whereby Love made a number of false and defamatory statements about Simorangkir which were published in writing on the Internet, true and correct copies which are attached hereto as Exhibit "1". Love claimed that Simorangkir is a felon, stole cash and goods from Love, has a history of dealing cocaine, lost custody of her children, has a history of assault and burglary, and has a record of prostitution. Among others, Love posted the following false statements on Twitter about or concerning Simorangkir (the "Twitter Postings"):
- a. "wwd. someone who will NEVER grace your pages the felonious

  Dawn/Boudoir Queen witnessed stealing 2 MASSIVE army bags out of the chat at 4am"

  (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:22 PM) (emphasis added).

- b. "austin police are morethan ecstatic to pick her up she has a history of dealing cocaine, lost all custody of her child, assualt and burglary" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:27 PM) (emphasis added).
- c. "stay away well well away, and etsy cant wait too e the backof her, so goodbye asswipe **nasty lying hosebag thief**, now for pleasant things" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:28 PM) (emphasis added).
- d. "gets to haul her 52 year old desperate cokes out ass to jail where they dont have three bottles of vodka a night, to all shes bullied onetsy" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:29 PM) (emphasis added).
- e. "you have my empathy, a perfect community without extremly rotten apple trust me to pick it, she owes me over 40k and a million in damages" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:30 PM) (emphasis added).
- f. "scorched earth ignore and blacklist, few people ever deserve our toal ignoring butthis thief and burglar does, austin police loathher!orange" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:35 PM) (emphasis added).
- g. "is my clothes my WARDROBE! oi vey dont fuck with my wradrobe or you willend up in a circle of corched eaeth hunted til your dead,new job>" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:38 PM) (emphasis added).
- h. "as one of her many bullied victims smashes her face soon as shes an assault addict herself ( theres apprently prostitution in her record too" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:39 PM) (emphasis added).
- I. "iler, I told imogen heap if she dosnt mind being whored out by a felon well thats fine, but my girls in citizens band DO mind, so she best" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:42 PM) (emphasis added).
- j. "little bassists. goodbye 'boudoir queen' to be replacedby 100s of great indie designers on etsy that are trained that do know whattheyredoin" (Published by Love on twitter.com/courtneylover79 on March 17, 2009 at 7:43 PM) (emphasis added).

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- 30. Apparently, Love was not finished. On or about March 18 and 20, 2009, Love posted more false and defamatory statements about Simorangkir on Simorangkir's Etsy feedback page, true and correct copies of which are attached hereto as Exhibit "2". Again, Love claimed that Simorangkir is a thief, stole cash and goods from Love, and is a drug addict and a drug dealer. More specifically, Love posted the following false statements, among others, on Etsy about or concerning Simorangkir (the "Etsy Postings"):
- a. "the nastiest lying worst person I have ever known, a thief a liar and needs to be remved from this site immediatly and my lawyers are working on this, today, evil incarnate. vile horrible lying bitch"(Published by Love on <a href="www.etsy.com">www.etsy.com</a> on March 18, 2009) (emphasis added).
- b. "total scumbag, a lying ripoff who if she isnt taken off of etsy I willmake sure none I knows comesON etsy she took 40,TJOUSAND dollars from me and blogged she gave me "50" dresses out of the 200 I allowed her to use she gave me 6 and stole one back evil . drug addict anddealer. get her OFF cherryforever666" (Published by Love on www.etsy.com on March 18, 2009) (emphasis added).
- c. "eyond words is how disgusted and furious I am its all on this person wether they will I've up to their poligations or destory there career because right now they have leprosyin the "fashion" industry, the ONE area one cannot get away with stealing from it in the clothing area, what a cow, when she makes nice and does her JOB and stops trying to use me for an atm I may say "im so sorry I was wrong" all I know now is that etsy is goign to throw her ass to the pavement if she doesnt do what she obligated to do, and whee the FUCK is my hakf a MILLION dollars in textiles? stealing and then what stealing some more? let it go your dead, you need to got o the learning annex and learn how to teach taxes at h and r block., vile and evil cretin" (Published by Love on www.etsy.com on March 20, 2009) (emphasis added).
- 31. As if her vile and defamatory Twitter Postings and Etsy Posting were not enough,

  Love went on yet another rant on her Myspace blog. On or about March 17, 2009, Love posted more
  false and defamatory statements about Simorangkir on <a href="https://www.myspace.com/courtneylove">www.myspace.com/courtneylove</a>, true and

correct copies of which are attached hereto as Exhibit "3". Again, Love claimed that Simorangkir is a thief, stole cash and goods from Love, has assaulted people, sold drugs, committed grand theft, has engaged in felonious behavior, lied, embezzled money, has committed blackmail, was deemed an unfit parent, is a racist and homophobe, has outstanding warrants for her arrest, that the Austin police confiscated Love's property from her home, that she was removed from Etsy, that she has manipulated local girls and that she is a danger to society. Among others, Love posted the following false statements on <a href="https://www.myspace.com/courtneylove">www.myspace.com/courtneylove</a> about Simorangkir (the "MySpace Postings"):

- a. "imnot going to deal with this issue until after my lawyer and the Austin Police deal with it, but my etsy adventures are about to end period, if it turns out as i suspect i have been stolen from on a level (finacially yes but noone callingthemselves a "designer" has ever (emphasis added). like this" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- b. "she has received a VAST amount of money from me over 40,000 dollars and i do not make people famous and get raped TOO! besides Etsy is great but they need to get thier admin together, i hve been asured they will they will remove her store completely so she cant icitmise anyone else" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- c. "shes a geniunly nasty person so i dont kow what makinh her "fakous" willactually DO FOR HER AT SOME POINT SHELL HAVE TO SHOW SHER FACT AND THAT BLACK CLPUD OF VAMPITIC ENERGY THAT IS AROUND PEOPLE WHO SOLD DRUGS OR WERE MOLESTED OR its that grey and biyts of black in the aura" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- d. "ive beeen assured from etsy she'll be removed and banished but its not enough, we had a dal i gave her a VAST amount of money clothes id been collecting for 8 years and 40,000\$, is that not a vast amont of momey? the clothes are insured for 340,00 but are mo wortgh 500,000 some were as i said a form ziegfeld girls and some were a silent film stars"

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 (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).

- e. "this insanely nasty Etsy person has committed a straight up felony, Grand Theft, not to mention Blackmail, i dont live in Austin but the Police there, my lawyer said were more than happy to confiscate everything there and take her in for Grand Theft, hopefully tho this is a big misunderstanding and she stops after receiving the cash and the notions" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- f. My lawyer is dealing withthis is 20 minutes and id rather spend his hourly all day long because perhaps **her blackmail demands**" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- g. "and oh convicted for Grand Theft too" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 12:55 AM).
- h. "i think shes a dime a dozen at the same time i flew her up the first time she came to la, and it was alot of havoc that day but i did giveher over 300,000 of my insured and photographed pieces we sogned a cotract istingthe pieces and the date they were to be upcycled and returned to me for a certain sum, and then she wanted 5000 more so i gave it to her like an idiot andanother 5000 and now shes holding my shit hostage and imnoteven including the overpaying netsy" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- i. "also the fashion industry doesnt tolerate blackmailers and bullies"
   (Published by Love on www.myspace.com/courtneylove on March 17, 2009 12:55 AM) (emphasis added).
- j. "she must not be original to be bullying .screamingthretending shes goignto sue, thats insane cming from someone with three warrants for her arrest" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- k. she remains a nasty piece of work until she stops this madness and realises that beinginpossesion of half a MILLION dollars worth of investments that took 7/8 years to

collect is precious and to have a major magazine doing a piece onnothing but her stuff, and 40 fucking GRAND is far too much, she should be on her knees praying to hatver god she has( shes a nihilistic black cludof negativty whoeverher higher poweris i dont want it!)" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).

- l. "1 CANT afford this shit 2 LIFES TOO SHORT FOR MEAN
  GIRLS/HOMOPHOBES/RACISTS/UNTRAINED WOMEN WHO ATTACH A PIECE OF
  CHFFON TO AN D DRESS AND CALL IT WoRTH thousand of dollars! (Published by Love on
  www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM).
- m. "i promis eyou, within a few weeks, Madeoff willseeem warm and FUZZY" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 12:55 AM).
- n. "i can really help her and shes promised to stop bullying other people, and has adresses her warrants and her 16 year odl son who she was deemed to ally unfit and my nderstanding is shes spoken to him three times in his life" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- o. "This is pretty dramatic as the self destruction with this girl its like she is so scared of success that she has to blow it with me with all my friends and with etsy all in one fell swoop so lets all hope she wakes the fuck up NOW cos theres about 5 hours left for her to do so, or she will be sleeping in a jail cell tonight" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- p. "thetrick is just do the right thing always your repitaion is the coin of the realm for a vendor a seller of goods, and bullying, lyong, embzzlement and theft are not things we associate with a "designer" so she needs to jst suck it up and realise i do know what is best for her and allow me to help her help herself, ivenever called a designer thats failed, so girl get your shit together" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis added).
- q. "so i certainly hope the logical only choice to make gets made,in fact im sure she is perhaps self preserving enough that she wont destroy it all by greed. blackmail. embezzlemnt

and the rest, that leaves her to get up off her ass and start makingthe "FIF I Y DRESSES" startiong
NOW 2.5 dresses a DAY. go girl go! and ell ook atthis as a little glitch, to choose the fight youll lose
beyond fast, just make the decision to do the right thing and do it. i say this from experiance with
beong self destructive and stubborn myself, but no you dont get as i stared allthat cash and all those
clothes and then changethe rules of pur deal, its not done, NOONE WILL EVER TOUCH YOUR
ITEMS FOR THE REST PF YOUR CAREER i do mean even Imogen and Patti. NOONE
(Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 12:55 AM) (emphasis
added).

- r. "im boycotting etsy altogeher, due to this vendor there but apparently they will remove her store as im her first BIG victim but shes been ripping people off for a long time" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 11:01 AM) (emphasis added).
- s. "if you got any of that last post a "designer" on etsy whose been paid a massive amount of money and is in ossesion of prcless noyions dresses and fabrics changedthe "rules" she now wants 1750 per item! she bogged she made me fifty dresses, uh they must be INVISIBLE dresses but ifthe "fifty dresses" she has enought o make about 100 and every scrap of mine isnt sent to me within 9 days or she can express her thoughts to my lawye today, the Police will confiscate everything in that studio and i will sortthru and get out what is mine (almost all of it) return the trest to her while she serves her year plus for Grand Theft, as she was filmed stealing things from my room on top if everything else (god loves a girl who puts cameras up!\_)" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 11:01 AM) (emphasis added).
- t. "i hope she makes the right decision, really its an asspain jail and stuff, sheed be a leper and noone will touch her or her "designs:" eventhese pretty austin local girls she maniupulates to "model" for her, implying she dresses cerain "celebrities" who havent even heard of her, etc etc" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 11:01 AM) (emphasis added).

- u. "idont wnatt o scorch the earth just gently and firmly let her know the consequences of her actions and that greed is not good, greed in this case is illegal and all transactions have ebenn witnessed, by credible peope with impeccable reputations, who were underwhelmed byher to sya the least and warned me she would pullthis, i kep the faith that her clothes modelled by alot of london it girls me and some ny it girls in a mega mag would saveher from her negativity, but she apparently allowed her greed to get the best of her" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 11:01 AM) (emphasis added).
- v. however she has a few hours to get back on track and to get her ass to work on my "fifty dresses." otherwie my advise re etsy is to be very very careful, in fact forget about etsy for a but here, 99% of thier vendors are great and sincere butt his one bad apple if she sticks with this felonious behaviour needs to be jailed and removed off etsy as she represented that she represented etsy (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 11:01 AM) (emphasis added).
- w. "she needs to learn not to steal, not to be greedy and not to bully"

  (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 11:01 AM) (emphasis added).
- Austin police, hehas been speaking to them they with the owners and thier lawyer, and the despite all of this there will be a happy ending i thought she was my friend and friends do not fuck over friends," (Published by Love on www.myspace.com/courtneylove on March 17, 2009 11:01 AM) (emphasis added).
- y. "so shellrethink this absurd insane greedy illegal 'concept: and throw it out, im sure of it, and well have a lovely making up and shell be able to be ready for some success and not this desperate fringe dwelling liar, she can be tellingthetruth for once (Published by Love on www.myspace.com/courtneylove on March 17, 2009 11:01 AM) (emphasis added).
- z. "i refer Geminola who is more skilled than he austin seller who i have yet to NAME because in naming her the police will then have been called, she can choose to complete her

professional obligations to me or she can choose to be charged with Grand Theft, wichis what happens whenyou sneak out of the chateau in full view of my mackup artist with two massive army bags full of thingsthat do not belong to you and take them to another state and present them to someone "hotter" for your career plans" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 4:32 PM) (emphasis added).

- aa. "than me so you can pass off my clithes as yours, its called GRAND THEFT and worse, and i will spend more money onb my lawyers than i ever spent on any clpthes just getting this danger to society in jail, where she needs to be, unless she completes her contracted /witnessd obligations, you dont charge someone 40,000\$ and then give hem a deadline DEc 10th and here we are in march and deliver them a few items, and shopw the rest as though they didnt belong to you made of your textiles, i knew she was a hustler, but a fe;on? yeah that kind of energy knows no boundaries, well its called A BLACKLISTING. and given the proof of what shes done i sincerely dont think a few shitty frocks are going to bust apart years and years of positive and honest people andvendors and designers to come, or karmic and friendship and professipnal connecctions, so its inmy lawyers hands and the Austin laywers and police s hands and oh my god! the calls and emails ive had " (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 4:32 PM) (emphasis added).
- bb. Thank God that crazy bitch did this .....assault, stole, sold drugs, beat up, ripped off, underpaid, drank three bottles of vodka (hey i saw that too!) bullied....me thank you so much, she is seriously a danger to society and orange will look good on her" (Published by Love on www.myspace.com/courtneylove on March 17, 2009 at 4:32 PM) (emphasis added).
- 32. Simorangkir is informed and believes, and thereon alleges, that Love, and/or Love's agents have contacted Etsy in writing and requested that Etsy remove Simorangkir's online store from that website. In doing so, Simorangkir is informed and believes, and thereon alleges, that Love and or/Love's agents made similar false and defamatory written statements about Simorangkir.
  - 33. Simorangkir is informed and believes, and thereon alleges, that Love, and/or Love's

agents have contacted Simorangkir's clients, various stylists, competitors, distributors, fashion publications and websites, and/or other influential people in the fashion industry. In doing so, Simorangkir is informed and believes, and thereon alleges, that Love and or/Love's agents made similar false and defamatory written statements about Simorangkir.

- 34. All of the statements alleged in paragraphs 29 through 33 above are false, in their entirety, as they pertain to Simorangkir.
- 35. All of the false statements alleged in paragraphs 29 through 33 are defamatory and libelous on their face as they adversely affect Simorangkir's reputation, expose Simorangkir to hatred, contempt, ridicule, and obloquy, and have a tendency to injure her in her occupation.
- 36. The above-alleged statements were seen and read by potentially millions of people who reside in California, and elsewhere, by logging on to the various websites listed above.
- 37. Defendants, and each of them, published the statements either with knowledge that they were false or with reckless disregard as to their truth and falsity.
- 38. As a proximate result of the above-described publication, Simorangkir has suffered loss of her reputation, shame and mortification, all to her general damage in an amount to be determined at the time of trial, but well in excess of this Court's general jurisdiction.
- 39. The above-described statements were published by Defendants, and each of them, with malice, oppression and fraud, and because of their feelings of hatred and ill-will toward Simorangkir, and with willful and conscious disregard for Simorangkir's rights, thereby justifying an award of punitive damages against Defendants, and each of them.

#### SECOND CAUSE OF ACTION

#### (For Invasion of Privacy - False Light, against all defendants)

- 40. Simorangkir re-alleges herein by this reference each and every allegation contained in paragraphs 1 through 39, inclusive, of this Complaint as if set forth fully herein.
  - 41. Love, without Simorangkir's consent, invaded Simorangkir's right of

privacy by posting and publishing the false statements depicted above placing Simorangkir in a false light to the public.

- 42. The false light is highly offensive and objectionable to Simorangkir and to a reasonable person of ordinary sensibilities.
- 43. Love published these statements either with knowledge that they were false or with reckless disregard for the falsity of the publicized matter and the false light in which Simorangkir would be placed.
  - 44. Love's publication of these statements has created publicity concerning the false light.
- 45. As a proximate result of the above-described invasion of Simorangkir's privacy, Simorangkir has suffered general damages in an amount to be determined at the time of trial, but well in excess of this Court's general jurisdiction.
- 46. The above-described invasion of Simorangkir's privacy by Defendants was committed with malice, oppression and fraud, presumably because of their feelings of ill-will toward Simorangkir, and with willful and conscious disregard for Simorangkir's rights, thereby justifying an award of punitive damages against Defendants.

#### THIRD CAUSE OF ACTION

#### (For Intentional Interference With A Prospective Economic Advantage, against all defendants)

- 47. Simorangkir re-alleges herein by this reference each and every allegation contained in paragraphs 1 through 46, inclusive, of this Complaint as if set forth fully herein.
- 48. Simorangkir had economic relationships with various clients. Simorangkir's clients had previously purchased goods and services from Simorangkir, in particular Boudoir Queen clothing and apparel.
- 49. There was a strong probability that Simorangkir's clients would continue to purchase Boudoir Queen clothing and apparel from Simorangkir.
- 50. Love was aware of some of Simorangki's clients, as well as their relationship with Simorangkir.

- 51. Love's above-referenced intentional acts, in particular Love's defamatory conduct, were designed to disrupt Simorangkir's relationship with her clients. Love intended to intimidate Simorangkir's clients and discourage them from doing business with Simorangkir.
- 52. Love's intentional acts have caused actual disruption of the relationship between Simorangkir and her clients. Love has intimidated Simorangkir's clients and discouraged them from doing business with Simorangkir.
- 53. As a proximate result of the above-described intentional acts, Simorangkir has suffered economic harm and damages in an amount to be determined at the time of trial, but well in excess of this Court's general jurisdiction.
- 54. In addition, Love's conduct was intentional and done for the purpose of causing injury, and was despicable conduct that subjected Simorangkir to a cruel and unjust hardship in conscious disregard of her rights, so as to justify an award of exemplary and punitive damages.

#### FOURTH CAUSE OF ACTION

#### (For Breach of Contract, against all defendants)

- 55. Simorangkir re-alleges herein by this reference each and every allegation contained in paragraphs 1 through 54, inclusive, of this Complaint as if set forth fully herein.
- 56. Simorangkir and Love entered into an enforceable contract for goods and services whereby Simorangkir agreed to make various custom garments and apparel for Love out of vintage textiles, and in turn, Love agreed to pay Simorangkir for doing so.
- 57. Simorangkir has duly performed all of the conditions, promises and covenants which Simorangkir was required to perform, except those obligations Simorangkir was prevented or excused from performing. More specifically, Simorangkir has made and delivered to Love, and Love has accepted, garments and accessories valued at over \$4,000. Additionally, Simorangkir has incurred significant expenses delivering these custom garments as well as unused vintage textiles.
- 58. Love has breached this contract by failing and refusing to pay the amount due owing under same.
  - 59. As a proximate result of Love's breach of this contract, Simorangkir has

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been damaged in the amount presently unknown but will be proven at trial.

WHEREFORE, Simorangkir prays for judgment in her favor against Defendants, and each of them, as follows:

#### ON THE FIRST CAUSE OF ACTION

- 1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
- 2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
  - 3. For interest on any monetary award to Simorangkir at the legal rate;
  - 4. For punitive damages;
  - 5. For costs of suit incurred herein;
  - 6. For attorneys' fees to the extent permitted by contract or statute; and
  - 7. For such other and further relief as the Court may deem just and proper.

#### ON THE SECOND CAUSE OF ACTION

- 1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
- 2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
  - 3. For interest on any monetary award to Simorangkir at the legal rate;
  - 4. For punitive damages;
  - 5. For costs of suit incurred herein;
  - 6. For attorneys' fees to the extent permitted by contract or statute; and
  - 7. For such other and further relief as the Court may deem just and proper.

#### ON THE THIRD CAUSE OF ACTION

- 1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
- 2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
  - 3. For interest on any monetary award to Simorangkir at the legal rate;
  - 4. For punitive damages;
  - 5. For costs of suit incurred herein;
  - б. For attorneys' fees to the extent permitted by contract or statute; and
  - 7. For such other and further relief as the Court may deem just and proper.

#### ON THE FOURTH CAUSE OF ACTION

- 1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
- 2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
  - For interest on any monetary award to Simorangkir at the legal rate; 3.
  - 4. For costs of suit incurred herein;
  - 5. For attorneys' fees to the extent permitted by contract or statute; and
  - 6. For such other and further relief as the Court may deem just and proper.

Dated: May 5, 2009 FREEDMAN & TAITELMAN, LLP

> By: Bryan J. Freedman, Esq.

Attorneys for Plaintiff Dawn Simorangkir, aka

Dawn Younger-Smith aka Boudoir Queen

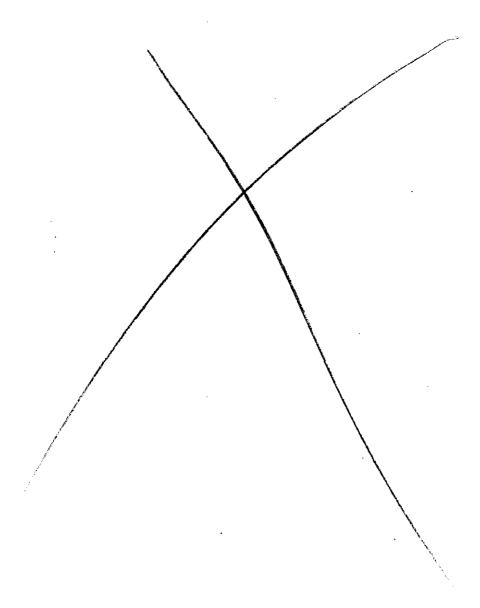
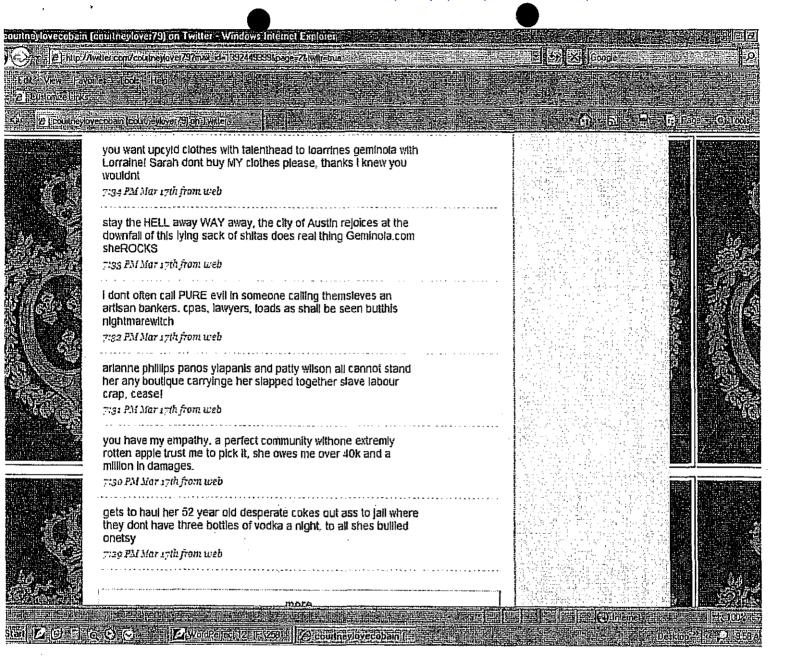
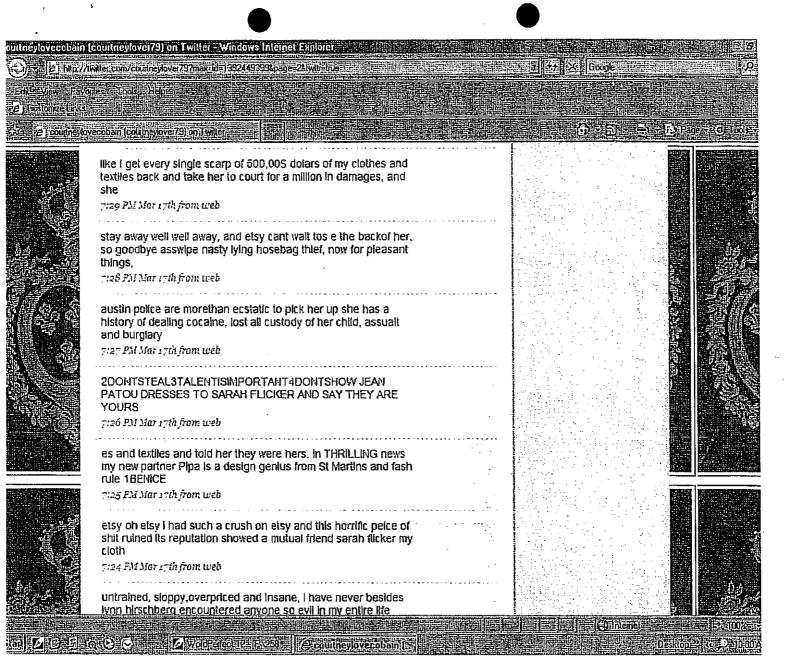


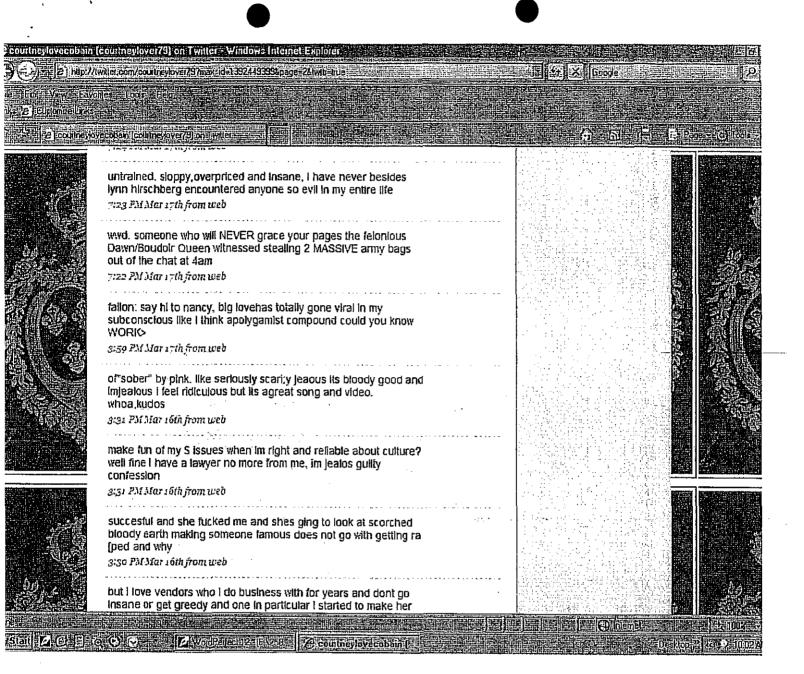
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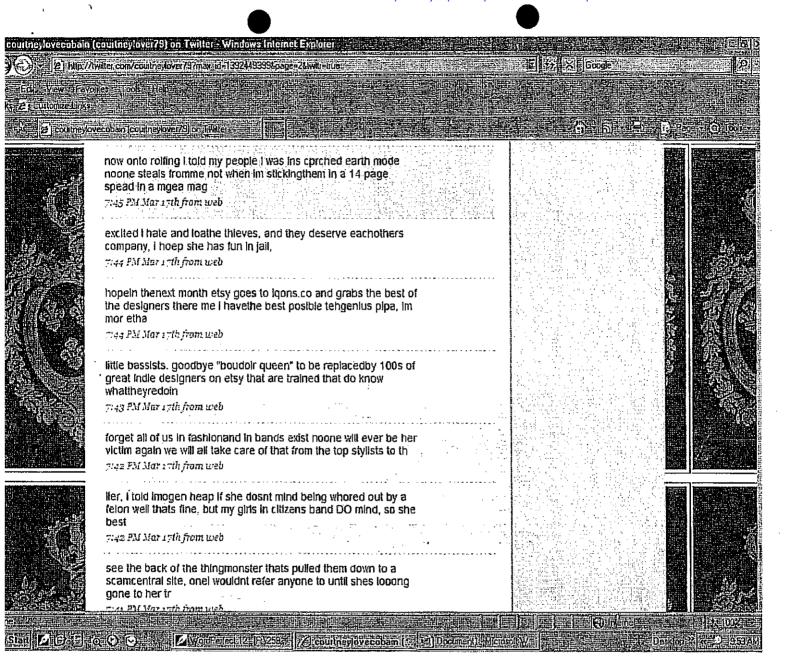


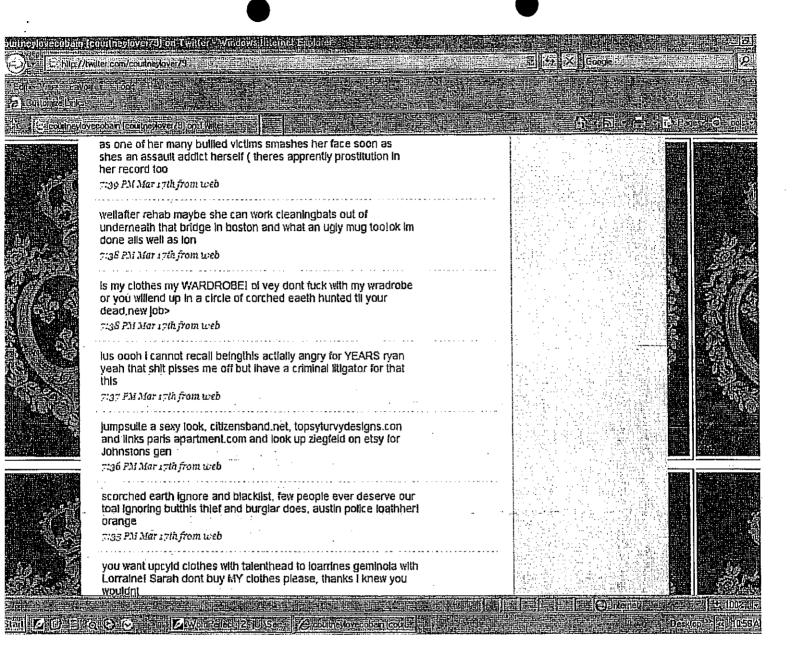
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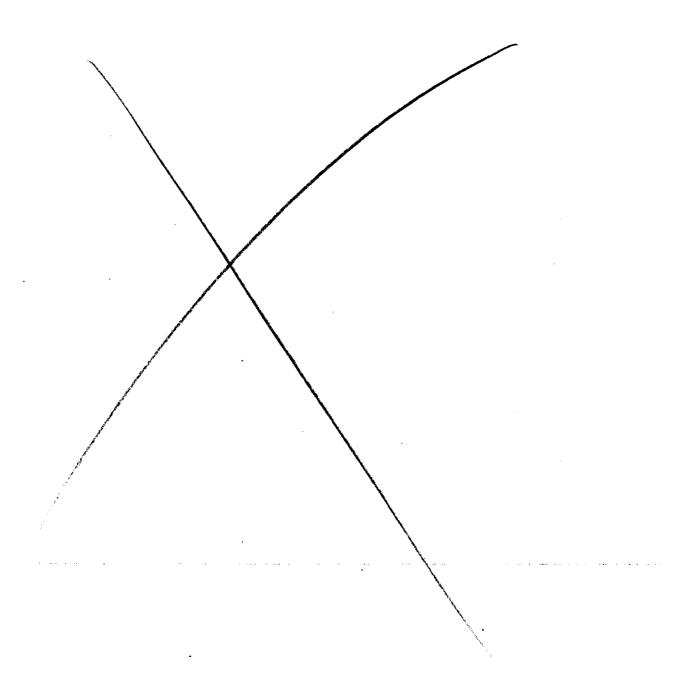
Ex. 1











and the tracket the familiary states.

Exhibit 66299

Page 1 of 4

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Custom Community Blog Your Etsy Handmade Items: tags, titles Search :

> ERTE-ESQUE HALF DOLL

NECKLACE OLD

STOCK CHANEL

**CRYSTAL CHAIN** 

Home > BoudairQueen.etsy.com > Feedback

### BoudoirQueen's Feedback

Positive: 292 Neutral: 1 Negative: 2

View: From everyone / From buyers / From sellers / Left for others

3/20/2009

Comment lmage Item

beyond words is how cherryforever666 disgusted and furious i am its all on this person wether they

will lve up ti thier pbligations or destory thler"career" because right now they have leprosyln the "fashion" industry, the ONE area one cannoiget away with stealing frommw is in-the clothing area, what a cow, when she makes nice and does her JOB and stops trying to use me for an atm i may say "Im so sony i was wrong " all I know now is that etsy is goign to throw her ass to the pavement if she doesni do what she obligated to do, and whee teh FUCK is my hakf a MILLION dollars in textiles? stealingand then what stealing some more? let it go your dead, you need to got a the learning annex and learn how to teach

perfect buyer, thank you! XOXOXO

ripoff who if she isnt

taken off of etsy i

taxes at h and r block, vile and evil

cretin.

BabooshkaBoutique 3/18/2009

total scumbag, a lying cherryforever666 3/18/2009



BABOOSHKA Faux Leather Textured Harem Jodphur Leggings Black XS S M L

SILVER HAREM TURBAN BY **BOUDOIR QUEEN**  Shop home (all items)



BoudoirQueen

Profile

Shop Policies

🏠 Favorites .

☆ Feedback 294, 99% pos.

🖒 Request Custom Item

user info. ...

rating: 294, 99% pos. joined: ປັນໄ 20, 2007 tocation: Los Angeles-Austin contact BoudoirQueen

Exz



willmake sure none i knows comesON etsy she took 40,TJOUSAND dollars from me and blogged she gave me "50" dresses out of the 200 i allowed her to use she gave me 6 and stole one back evil . drug addict anddealer, get her

the nastiest lying worst person I have ever known, a thief a liar and needs to be remved from this site immediatly and my lawyers are working on this, today, evil incamate, vile horrible lying bitch

cherryforever666

3/18/2009



BOUDOIR FLOWER CAPE

another beauty!

vmayanne

3/02/2009

ON HOLD ANKLE **CUFF CAKES** THE ORIGINALS BY BO

Dawn's clothing are as lovely as she is ;)

vmaxanne

3/02/2009

**ELEGANTLY** WASTED Victorian CORSET TOP WITH ZIPPER

GREAT SELLER <345!! Makes beautiful, quality items! Extremely easy to work with! Very empathetic and feeling towards

customers!

I can't WAIT to buy from you again, my friend ^.-vil browniec019

2/25/2009



Silent LOvers Silhouette Compact HOYDENS CRYSTAL COMPACT NECKLACE

meat!

curvygreeneyes

2/14/2009

THE ROYAL BAD CHANDELIER and Rhinestone Bullerfly **NECKLACE BY BOUDOIR QUEEN** 

Excellent as always! The headband didn't work out for me, but Dawn exchanged very quickly and pleasantly. I lococove the cape! My beautiful

fringy outfit is to die

2/13/2009

**DRESDEN Silver** Frosted Lace Head Ache Band A Decadent Head Adomment By Boudoir Queen

forl

OOOOOHhhl Stunning. This is beauliful. So glad I bought it :)

vmaxanne

2/06/2009

MOULIN ROUGE QUEEN FLORA AND FEATHER **EXTRAVAGANZA** BY BOUDOIR QUEEN

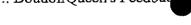
I haven't tried this on yet...but it's absolutely gargeous! You've

vmaxanne

2/06/2009

LILTING LOLITA LUXURY WEAR DRESS BY





been so busy lately. I miss you:)

Delicate, delicate, this lynxmouth spider-web of woven beads. It'll look just right with a sweetheart collar, I do believe. Merci beaucoup, beauty Dawn for more beauty. I'll have another order in a few days, I'm surel

2/06/2009

**BOUDOIR QUEEN** CROWN COLLECTION

Hold for Jewel ROCK AND ROYALTY BLACK HEART JET STEAMPUNK NECKLACE

As scrumptious as a little cupcake, and twice as pretty.

lynxmouth

2/06/2009

RESERVE for Jewel HIGH SOCIETY CUFF FLAPPER ARM-BAND NEW AT **BOUDOIR QUEEN** 

All of your pieces feel lynxmouth so ancient and yet modern. This one did not disappoint.

2/06/2009

RESERVE FOR JEWEL BLACK FROUF a decadent lace Cuff a re-list of old styles by Boudoir Queen

Deliciously perfect. | just watched Gia with Angelina Jolle, and this cuff reminds me of the too-brief Studio 54 scenes, The blue buttons are like ice afire.

lynxmouth

2/06/2009

RESERVE FOR JEWEL TINA **CHOW STUDIO BOUDOIR QUEEN** COLLECTION

In a word: FABULOUS! Stupendous, as always! Love this shop!

splendidlygurly 2/05/2009

spiendidlygurly

Starlet Adore Jet Head Band By Boudoir Queen

Love this cloche oodles! Yayl BoudoirQueen totally kicks fashionable

tushie!

2/05/2009

Toile De Juey English Country Spring Cloche Hat BY BOUDOIR QUEEN

the most beautiful skirt ever!!! Thanks!

moonprincess38 2/04/2009

Most Disheveled BQ Libertina in Disarray Skirt

STUNNING

Spielberg1

2/02/2009

reserved for Spielberg1 DRESDEN Silver Frosted Lace Head Ache Band A Decadent Head Adomment By Boudoir Queen

I love till! The blue velv<del>el</del> (s gorgeous...and the zipper makes it so easy to wear. I miss you...frope you're having fun in L.A. and not working too hard.

Take lots of photos:)

vmaxanne

2/01/2009

**CRUSHED IN** VELVET CROWN COLLECTION DRESS BY BOUDOIR QUEEN 'Etsy :: BoudoirQueen's Feedbag

Page 4 of 4

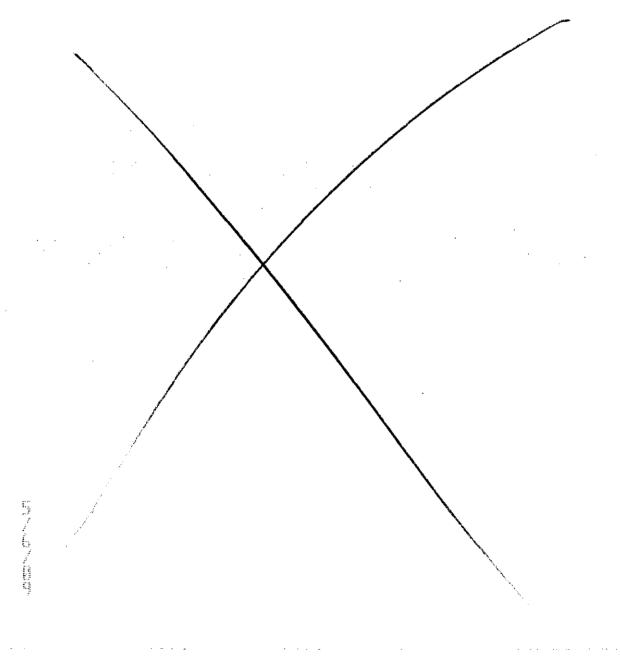
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Etsy :: cherryforever666's Profil



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Handmade Items: tags, titles

Home > cherryforever666.etsy.com > Profile

#### cherryforever666's Profile

#### Bio

courtney love cobain here, ive tried this now 5 times i guess i wirte too much have a new album coming to my website jan 1 it will cost 2 dollars to come onto the site wich is being made absouloutly magical by jordane and then I pick 8 songs a day you can have for free but you really ought to pay me as I have spent most of my money on this record whatever you think I deserve, then there will be 10 - 14 other songs with content and video and lachapelle video at that that you can buy for 99 cents just like I tunes i am doing loads of priso i love gothic lolita pieces (if you live in japan and want to do some shopping for me for a small fee let me know) with antique pieces with the stuff i am makin, very slouchy boyfriend I shirt with an 1890s waistcoat with a bustle and a pair of black on black pinstriped bloomer pant, oh yeah, bloomer pants, i swear they look cool as heck, and a flannel wrapped around a teens titanic dress, anne boleyn, marie antoinette (thats whose crest that is) and witches cinderella and chinese foot binding and bridal stuff all obsess me cake toppers and brides left at the altar, etc. this record postively oozes the widowhood i never have ackowledged in a record and its very hard and so these symbols and art help me a lot, if you have old antique dry rotted shawls or dresses hanging around with useful appliques im your girl and if you have a cool pattern but not the greatest fabric i will send you the fabric.

\*\*\*SIDE NOTE\*\*\* Please do not ship to me using packaging peanuts or popcorn. It is temble for the environment and not to mention really messy. Thank Youl

victoriana, jet, altered paper ephemera, clothes with a goth but cool design, appliques, altered shattered antique victoriana, sacred hearts, rubies, steampunk, altered books, origami, mucha, bustles

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cherryforever666

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Feedback 1663, 100% pos.

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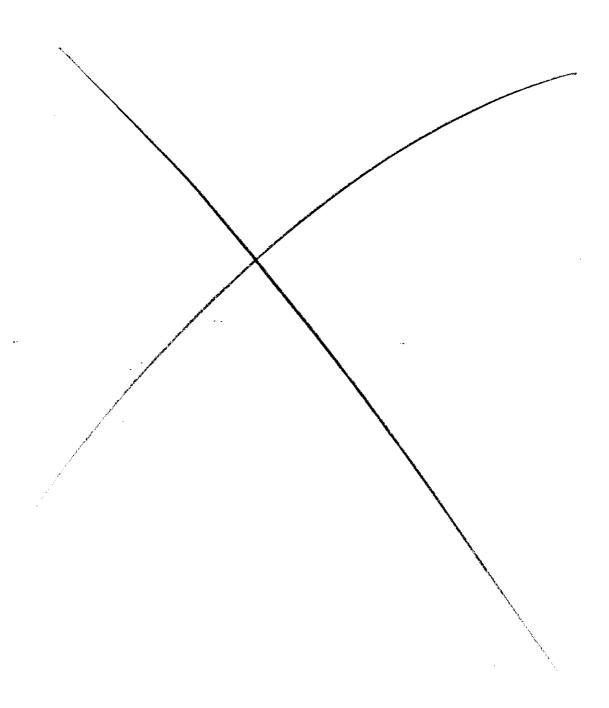
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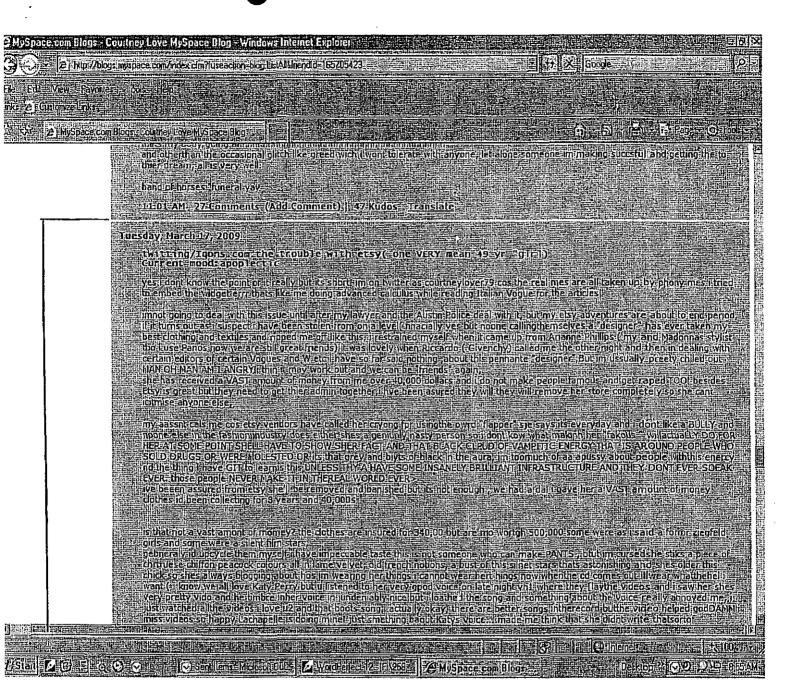
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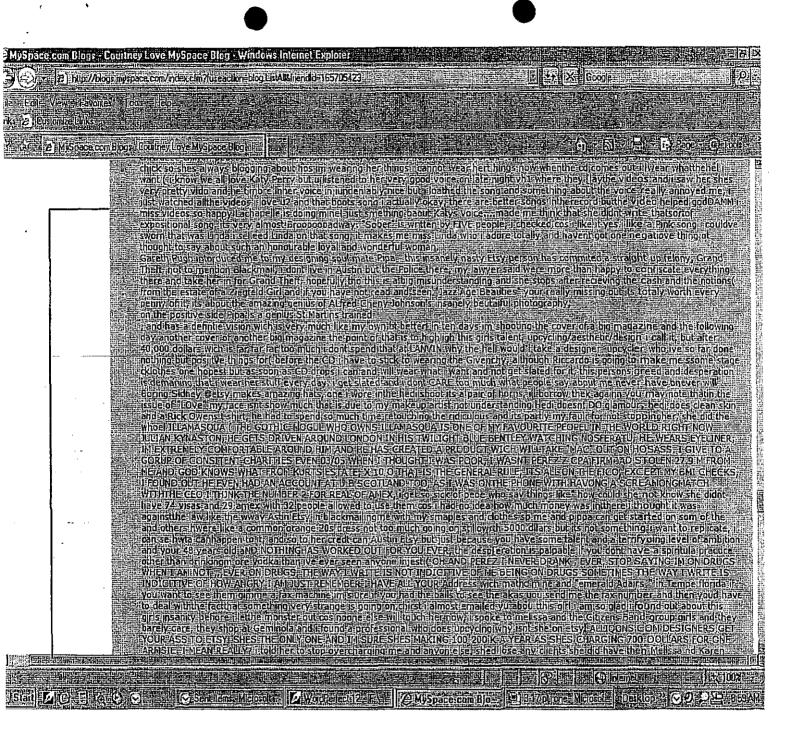
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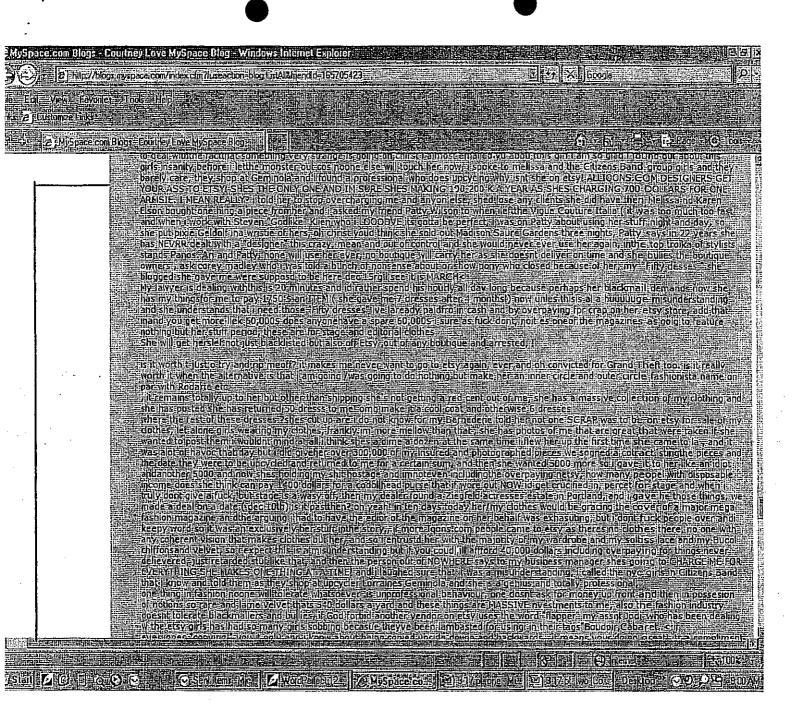
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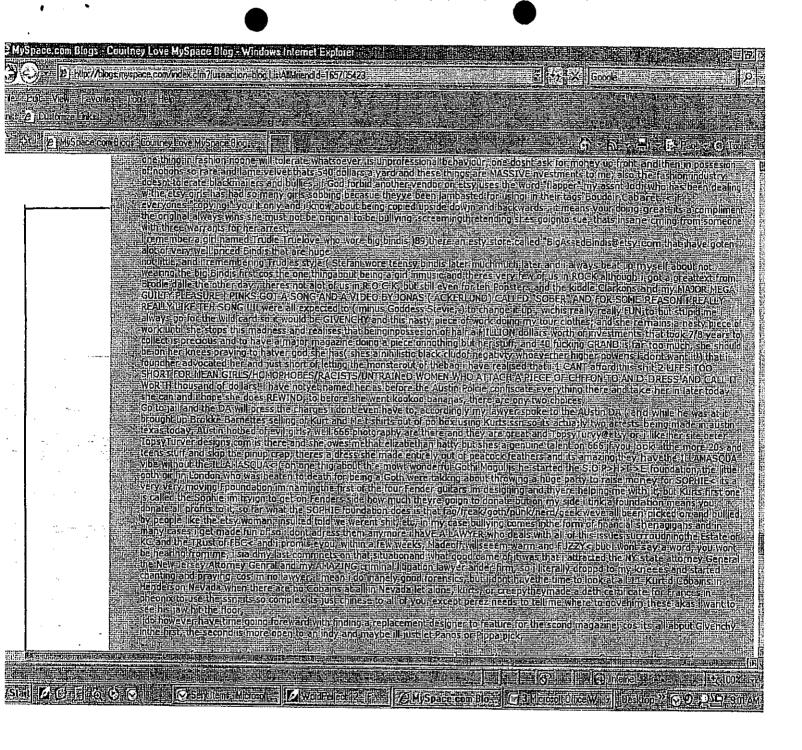


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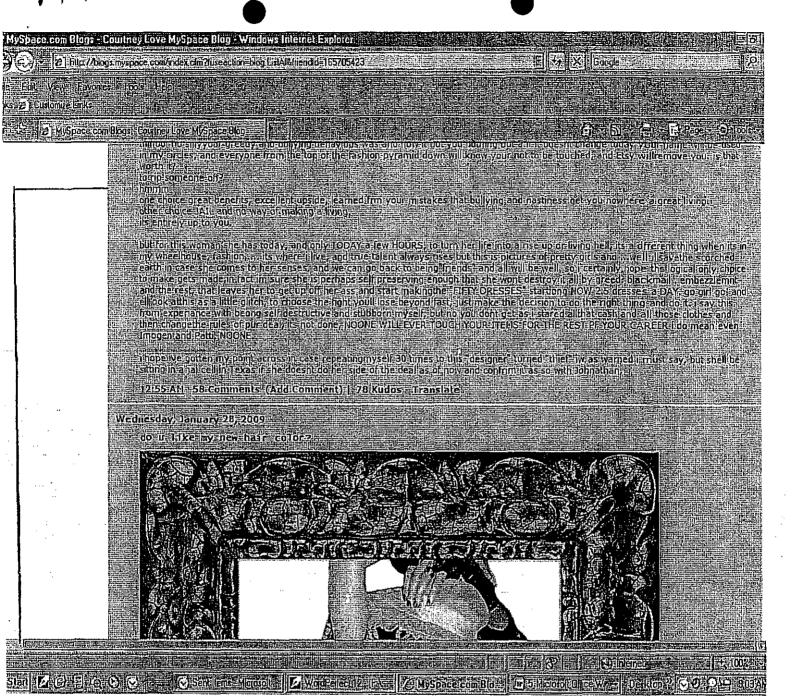


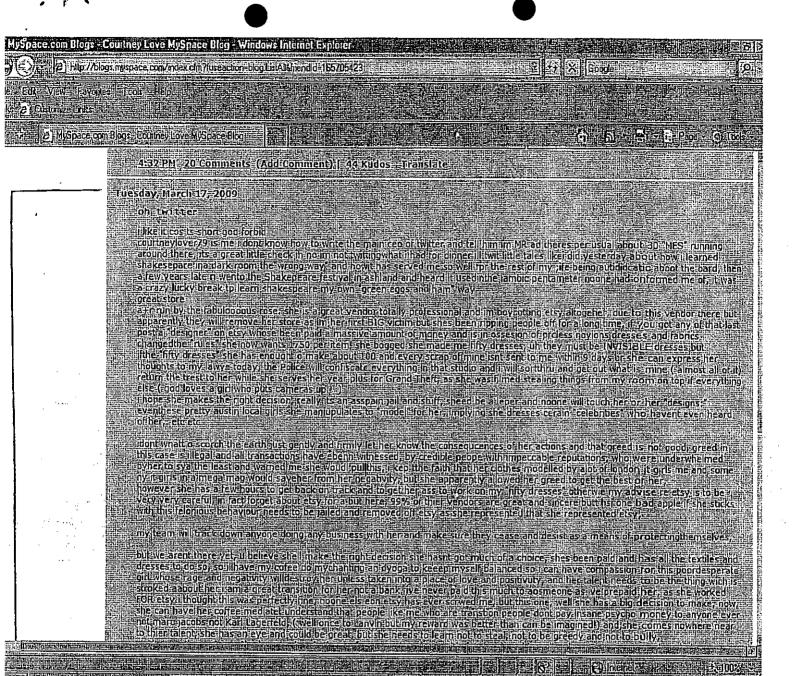




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