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ALEXANDRA KAZARIAN SBN 244494 DANIEL TAPETILLO SBN 297658 Attorneys for Defendant, MARIO LOPEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES

DESIREE GUERRIERE TOWNSEND, an individual

CASE NO.: 25NNCV04089

Plaintiff,

Assigned for all purposes to:

VS.

NOTICE OF MOTION AND SPECIAL MOTION BY DEFENDANT MARIO LOPEZ TO STRIKE PLAINTIFF'S FIRST AMENDED COMPLAINT; SUPPORTING MEMORANDUM OF POINTS AND AUTHORITIES [C.C.P. § 425.16]

MARIO LOPEZ, an individual; and DOES 1-50, inclusive,

Hearing Date: September 12, 2025

,

Time: 8:30 am

Defendants.

Dept.: E

Reservation ID: 760241912018

Action Filed: June 13, 2025

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on September 12, 2025 at 8:30 a.m., or as soon thereafter as the matter may be heard in Department E of the Superior Court of California, County of Los Angeles, located at 600 East Broadway, Glendale, CA 91206, Defendant, Mario Lopez ("Defendant"), will and hereby does move this Court, pursuant to California Code of Civil Procedure Section 425.16 (the "anti-SLAPP statute"), for an order striking the First Amended Complaint ("FAC") of Plaintiff Desiree Guerriere Townsend ("Plaintiff"), and all of its causes of action, with prejudice.

This motion is brought on the grounds that the FAC arises from Defendant's constitutionally protected activity, specifically, a public Instagram post commenting on a viral video involving Plaintiff, which is a matter of public interest. Defendant's statement was made in a public forum and concerning public issues such as vaccine safety and viral misinformation. As such, it qualifies for protection under Code of Civil Procedure § 425.16(e)(3) and (e)(4).

Because the causes of action asserted in the FAC arise from protected speech, the burden shifts to Plaintiff to demonstrate a probability of prevailing on her claims. Plaintiff cannot meet that burden. Accordingly, Defendant respectfully requests that the Court strike the FAC in its entirety, with prejudice, and award Defendant his attorneys' fees and costs as provided under Code of Civil Procedure § 425.16(c).

This Motion is based on this Notice, the concurrently filed Memorandum of Points and Authorities, the Declaration of Daniel Tapetillo and supporting exhibits, all pleadings and papers on file in this action, and such other evidence and argument as may be presented at the hearing.

DATED: August 14, 2025 GERAGOS & GERAGOS, APC

> By: /s/ Daniel Tapetillo MARK J. GERAGOS ALEXANDRA KAZARIAN DANIEL TAPETILLO Attorneys for Defendant, MARIO LOPEZ

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MEMORANDUM OF POINTS AND AUTHORITIES

I. SUMMARY OF ARGUMENT AND BACKGROUND FACTS

Plaintiff Desiree Guerriere Townsend ("Plaintiff") describes herself in her lawsuit as a litigation and intellectual property paralegal residing in Los Angeles, California. (Ex. A, FAC. ¶ 6.)

However, she is better known for her appearance in a widely circulated 2010 viral *Inside* Edition news segment and the succeeding public controversy. Initially, Plaintiff was perceived to have suffered from a rare neurological condition. However, *Inside Edition* later aired a follow-up segment in early 2010, during which its producers observed Plaintiff walking normally, playing with her dogs, and driving—casting doubt on her earlier claims of neurological impairment.

Defendant Mario Lopez ("Defendant") is a nationally recognized actor, television host, and media personality with a significant online following. On or about June 19, 2024, Defendant posted to his public Instagram account a video clip taken from the original 2010 Inside Edition segment of Plaintiff, accompanied by the caption: "There's gotta be some kind of award for this performance..." followed by hashtags such as #MethodActor and #OscarWorthy. (Ex. A., FAC ¶ 12.)

Shortly thereafter, Plaintiff publicly commented on Defendant's post in a hostile and inflammatory manner, using profanity and expressing clear ill will toward Defendant and his livehihood. (Id.) She was subsequently blocked by Defendant, preventing any further communication between them on that or any other platform. (Id.) Defendant made no further statements that are at issue in this litigation.

The remainder of Plaintiff's lawsuit is built on speculation and conclusory allegations, not on any additional act by Defendant. In FAC ¶¶ 18–23, Plaintiff attempts to attribute anonymous internet activity to Defendant based solely on the "timing and nature" of the posts by alleging that an unidentified Reddit user ("Top-Strategy-1261") and two unrelated TikTok accounts later posted content critical of her. She concedes she does not know who operated these accounts and pleads no facts showing Mr. Lopez directed, authorized, or even knew of their postings. Her theory rests entirely on conjecture: because the posts appeared after she publicly criticized Mr. Lopez, they must

have been coordinated by him. California courts consistently reject such speculation as legally insufficient to impose liability.

In reality, Plaintiff's claims arise from a single Instagram post, a protected opinion about a publicly debated news segment that has been the subject of media scrutiny for over 16 years, in which Plaintiff has actively participated. (Ex. A, FAC ¶ 39.) This expressive conduct in a public forum on a matter of public interest involving a public figure is protected by the First Amendment, the California Constitution, and the anti-SLAPP statute, Code of Civil Procedure § 425.16.

Because section 425.16 applies, the burden shifts to Plaintiff to establish a probability of prevailing on each claim. She cannot do so, and her First Amended Complaint should be stricken in its entirety, with prejudice.

II. SECTION 425.16 APPLIES TO PLAINTIFF'S LAWSUIT

A. The Anti-SLAPP Statute Broadly Protects Speech on Matters of Public Interest

The Legislature enacted Code of Civil Procedure § 425.16 to allow courts to quickly dispose of claims that target the exercise of free speech rights and acts in furtherance of those rights. *Braun v. Chronicle Publ''g* (1997) 52 Cal. App. 4th 1036, 1042. Section 425.16 is to be broadly construed. Cal. Civ. Proc. Code § 425.16(a).

Section 425.16 was enacted "to nip SLAPP litigation in the bud" and to protect constitutionally protected free speech. *Braun v. Chronicle Publ''g* (1997)2 Cal. App. 4th 1036, 1042. In evaluating an anti-SLAPP motion, courts first determine "whether the defendant has made a threshold showing that the challenged cause of action is one arising from protected activity" within the meaning of the statute. *Navellier v. Sletten* (2002) 29 Cal. 4th 82, 88. If so, the burden shifts to the plaintiff to demonstrate "a probability of prevailing" on the claim, or else the claim must be stricken. *Id*.

Section 425.16 subsection (e) provides categories of speech that are protected by the SLAPP statute. Within these categories, the subsection (e)(3) identifies "any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest," while subsection (e)(4) protects" any other conduct in furtherance of the exercise of the

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constitutional right of petition or the constitutional right of free speech in connection with a public issue or an issue of public interest." Cal. Civ. Proc. Code § 425.16(e)(3)-(4).

B. **Social Media Platforms Constitute Public Forums**

A public forum has traditionally been defined as a place that is open to the public and where information is freely exchanged. Clark v. Burleigh (1992) 4 Cal.4th 474, 482. Courts have routinely held that social media platforms such as Twitter (now "X") and Facebook are publicly accessible websites and therefore constitute public forums for purposes of speech. Daniel v. Wayans (2017) 8 Cal.App.5th 367, 387–388; Cross v. Facebook, Inc. (2017) 14 Cal.App.5th 190, 199. Instagram is no different.

Defendant's Instagram account was publicly accessible and regularly used for commentary on current events, viral media, and public figures, the very type of forum that falls squarely within the anti-SLAPP statute's protection. (Ex. A., FAC ¶¶ 12-13.)

C. The Statement Concerns a Matter of Public Interest

"Public interest" is construed broadly under § 425.16 to include any issue of concern to a substantial number of people. Rivero v. American Federation of State, County and Municipal Employees (2003) 105 Cal.App.4th 913, 919. Courts have further held that speech addressing ongoing controversies or public disputes satisfies this requirement. Du Charme v. International Brotherhood of Electrical Workers, Local 45 (2003) 110 Cal. App. 4th 107, 118-119.

Here, the allegedly "defamatory statements" referenced in Plaintiff's FAC are protected by Cal. Civ. Proc. Code § 425.16. According to Plaintiff's FAC, the subject statement was posted on a public forum—Defendant's publicly accessible Instagram account, where users routinely comment on current events, media, and public figures. The post referenced a widely circulated and publicly debated Inside Edition segment concerning Plaintiff's alleged rare neurological condition, which had become a topic of national interest and scrutiny. By her own admission, Plaintiff has endured "over 16 years of media-driven scrutiny" and has repeatedly participated in media appearances and interviews to address the controversy, as alleged in her FAC. (Ex. A, FAC ¶ 39.) Accordingly, Defendant has satisfied his burden under the first prong of the anti-SLAPP analysis.

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Plaintiff cannot have it both ways. She has willingly invited public attention and media coverage on this controversy for years when it served her interests, but now seeks to silence others who engage in the very type of public discourse she helped create. The law does not permit such selective censorship.

III. PLAINTIFF CANNOT SHOW A PROBABILITY OF PREVAILING

Once a defendant satisfies the first prong of the anti-SLAPP analysis, the burden shifts to the plaintiff to establish a probability that she will prevail on each cause of action. Code Civ. Proc., § 425.16(b)(1); Macias v. Hartwell (1997) 55 Cal.App.4th 669, 675 (plaintiff must present "competent and admissible evidence" showing she probably will prevail). Plaintiff must establish that her complaint is both legally sufficient and supported by a prima facie showing of facts that, if credited, would sustain a favorable judgment. Taus v. Loftus (2007) 40 Cal.4th 683, 713. Allegations based on speculation, conjecture, or hearsay are insufficient. Gilbert v. Sykes (2007) 147 Cal.App.4th 13, 26.

Other than the single Instagram post, the remainder of Plaintiff's lawsuit rests on speculation and conclusory allegations, not on any additional act by Defendant. In FAC ¶¶ 18–23, Plaintiff seeks to attribute the actions of anonymous internet users to Defendant based solely on the "timing and nature" of their posts. She identifies an unidentified Reddit user ("Top-Strategy-1261") and two unrelated TikTok accounts that later posted content critical of her. Plaintiff concedes she does not know who operated these accounts and pleads no facts showing that Mr. Lopez directed, authorized, encouraged, or was even aware of their postings. Her theory relies entirely on the assumption that, because these posts appeared after she criticized Mr. Lopez, they must have been coordinated by him. California courts consistently reject such speculation as legally insufficient to impose liability. Gilbert, supra, 147 Cal.App.4th at p. 26.

Here, Plaintiff cannot meet her burden on any of her claims. First, the defamation claim fails because Plaintiff cannot identify any actionable false statement of fact, nor can she establish that Defendant acted with the requisite fault, particularly where Plaintiff is a public figure or limited public figure. Second, the false light claim similarly fails as derivative of the defamation claim, and by law should meet the same requirements of the liable claim on all aspects of the case. Couch v.

San Juan Un. Sch.Dist (1995) 33 Cal. App. 4th 1491, 1504. Third, the intentional infliction of emotional distress claim also fails, as the conduct alleged does not rise to the level of extreme and outrageous behavior as required by law, and emotional distress claims may not be used to circumvent constitutional protections applicable to speech. *Hughes v. Pair* (2009) 46 Cal. 4th 1035, 1051.

Accordingly, Plaintiff's claims fail as a matter of law, and her FAC should be stricken and dismissed in its entirety.

A. Plaintiff's Defamation Claim Fails as the Alleged Statement is Non-Actionable Opinion

Only provably false statements of fact are actionable as defamation; expressions of opinion are constitutionally protected. *Summit Bank v. Rogers* (2012) 206 Cal.App.4th 669, 696; *Milkovich v. Lorain Journal Co.* (1990) 497 U.S. 1. In *Summit Bank*, statements that the bank was mismanaged, provided poor service, and that depositors should move their accounts "before it's too late" and "before they close" were held to be nonactionable because they did not imply any verifiable factual assertion. (*Id.* at p. 700.) Likewise, in *ComputerXpress, Inc. v. Jackson* (2001) 93 Cal.App.4th 993, 1013–1014, online statements accusing the plaintiff of running a "scam" and "suckering people" were deemed hyperbolic, informal opinions rather than statements of fact, based on their tone and substance. (*Id.* at pp. 1012–1013.)

The same principle applies here. Defendant's only alleged statement is an Instagram post sharing a clip from a 2010 *Inside Edition* segment about Plaintiff, captioned: "There's gotta be some kind of award for this performance..." with hashtags such as #MethodActor and #OscarWorthy. (Ex. A, FAC ¶ 12.) This is classic rhetorical hyperbole, a subjective viewpoint about a long-publicized controversy, posted in a forum known for informal commentary and debate. It contains no verifiable factual assertion that could be proven true or false.

Furthermore, Plaintiff's attempt to bootstrap liability by pointing to anonymous online content from unrelated third parties (e.g., alleged "smear campaign" posts on Reddit and TikTok) fails as a matter of law because there is no evidence Defendant created, directed, authorized, or was

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even aware of those postings. This showing must be made through "competent and admissible" evidence." Tuchscher Development Enterprises, Inc. v. San Diego Unified Port Dist. (2003) 106 Cal.app.4th 1219, 1236. Speculation and conclusory statements cannot create a triable issue and must be disregarded. Without admissible evidence tying Defendant to any statement beyond his single Instagram post, Plaintiff cannot satisfy her burden under the second prong, and all claims against Defendant must be stricken.

В. Plaintiff's Defamation Claim Fails as She Is a Public Figure and Cannot demonstrate Actual Malice

Plaintiff, by her own conduct, has voluntarily and repeatedly thrust herself into the public eye by giving interviews, participating in media appearances, and engaging in public discussions concerning her condition for over 16 years. (Ex. A, FAC ¶ 39.) By doing so, she has, at minimum, become a limited-purpose public figure. Gertz v. Robert Welch, Inc. (1974) 418 U.S. 323, 351; Ampex Corp. v. Cargle (2005) 128 Cal.App.4th 1569, 1577; Copp v. Paxton (1996) 45 Cal.App.4th 829, 845-846.

A limited-purpose public figure is one who voluntarily injects herself into a particular public controversy, thereby assuming the burden of proving "actual malice" to sustain a defamation claim. Ampex, supra, at 1577. The test requires: (1) a public controversy involving substantial public debate; (2) voluntary participation by the plaintiff to influence the controversy; and (3) a nexus between the alleged defamatory statement and plaintiff's role in the controversy. Copp, supra, at 845-846.

Here, Plaintiff has publicly and repeatedly promoted claims that her condition resulted from vaccine-related injury, actively participating in a broad public debate over vaccine safety and medical misinformation. Having voluntarily sought public attention to advance her own narrative, Plaintiff now seeks to silence opposing viewpoints simply because they do not align with her preferred version of events. The statement at issue directly relates to her public claims and her participation in this ongoing controversy. She therefore qualifies, at a minimum, as a limited-purpose public figure.

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A public figure may not recover for defamation without proving, by clear and convincing evidence, that the defendant published the challenged statement with actual malice—that is, with knowledge that it was false or with reckless disregard for the truth. Masson v. New Yorker Magazine (1991) 501 U.S. 496, 510 (citing New York Times Co. v. Sullivan (1964) 376 U.S. 254, 279-280.)

A "reckless disregard" for the truth requires more than a departure from reasonably prudent conduct. There must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication. St. Amant v. Thompson (1968) 390 U.S. 727, 731. The standard is a subjective one—there must be evidence showing that Defendant actually had a "high degree of awareness of probable falsity." Garrison v. Louisiana (1964) 379 U.S. 64, 74.)

Here, Plaintiff fails to allege any facts sufficient to establish actual malice. Instead, Plaintiff speculates that Defendant's professional position at NBCUniversal and his potential exposure to other reporting within the company should have made him aware of alternative narratives, and that this somehow establishes malice. This is legally insufficient. Speculation as to what Defendant could have known or might have discovered falls far short of meeting the constitutional standard.

Even if Defendant had access to additional information, the law imposes no duty to investigate or contact Plaintiff prior to publication.

1. Defendant Had No Duty to Investigate or Contact Plaintiff Before **Publishing**

As the U.S. Supreme Court has further explained, "failure to investigate before publishing, even when a reasonably prudent person would have done so, is not sufficient to establish reckless disregard." Harte-Hanks Commc'ns, Inc. v. Connaughton (1989) 491 U.S. 657, 688. Likewise, under well-established California law, a publisher's failure to contact the subject of an allegedly defamatory publication or to conduct an independent investigation is inconsequential to the actual malice analysis, particularly where Plaintiff has voluntarily placed the subject matter into the public arena for scrutiny and commentary. A publisher may rely on reputable sources, and where the publication comes from a known reliable source and there is nothing to suggest inaccuracy, there is no duty to investigate or to present both sides of the story. *Id.* at pp. 247-248.

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Accordingly, Plaintiff's attempt to impose a duty to investigate or contact her prior to publication fails as a matter of law.

C. Plaintiff's Derivative Claims for False Light and Intentional Infliction of **Emotional Distress Also Fail**

Plaintiff cannot evade dismissal by recharacterizing her defamation claim as one for false light or intentional infliction of emotional distress ("IIED"), as these claims are entirely derivative of the same underlying publication. California law is clear that where claims arise from the same alleged false statements, the same constitutional protections apply across all theories of liability. Blatty v. New York Times Co. (1986) 42 Cal.3d 1033, 1043 ["the collapse of the defamation claim spells the demise of all other causes of action which allegedly arise from the same publications"]; Gilbert v. Sykes (2007) 147 Cal. App. 4th 13, 34.

A false light claim is simply a species of defamation that requires substantially identical elements. Fellows v. National Enquirer, Inc. (1986) 42 Cal.3d 234, 242; Eisenberg v. Alameda Newspapers, Inc. (1999) 74 Cal.App.4th 1359, 1385 fn. 13. The same is true for emotional distress claims. Hustler Magazine, Inc. v. Falwell (1988) 485 U.S. 46, 50-56 [public figures cannot circumvent First Amendment protections by repackaging defamation claims as emotional distress claims]; Reader's Digest Ass'n v. Superior Court (1984) 37 Cal.3d 244, 265; Couch v. San Juan Unified Sch. Dist. (1995) 33 Cal. App. 4th 1491, 1504.

Here, each of Plaintiff's claims rests entirely on Defendant's single Instagram post, which simply reposted a publicly available media clip that Plaintiff herself has long discussed and promoted publicly for years. Plaintiff has voluntarily inserted herself into ongoing public debates about her condition, appearing in national media segments, interviews, and other public forums to advance her narrative. Having done so, she cannot now insulate herself from critical commentary on the same subject.

The FAC contains no additional facts unique to the false light or IIED counts that could survive if the defamation claim is stricken. Each rests entirely on the same alleged publication, the Defendant's single Instagram post and asserts no independent conduct or injury. Because these

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claims arise from the same protected speech as the defamation claim, they fail on both constitutional and substantive grounds and must likewise be dismissed.

D. Plaintiff's Derivate Claim for Civil Conspiracy Also Fails

Civil conspiracy is not an independent tort; it is a doctrine that imposes joint liability for an underlying wrong. Applied Equipment Corp. v. Litton Saudi Arabia Ltd. 1994 7 Cal.4th 503, 510-511. To prevail, Plaintiff must show: (1) formation and operation of a conspiracy, (2) wrongful conduct in furtherance, and (3) resulting damages. Kidron v. Movie Acquisition Corp. (1995) 40 Cal. App. 4th 1571, 1581. Because conspiracy is derivative, if the underlying tort fails, the conspiracy claim automatically fails. Favila v. Katten Muchin Rosenman LLP (2010) 188 Cal. App. 4th 189, 211.

Here, the only "wrongful conduct" plausibly attributed to Mr. Lopez is the same alleged defamation underlying Plaintiff's first cause of action, a single Instagram post containing protected opinion on a matter of public interest. Plaintiff attempts to inflate this into a "coordinated smear campaign" involving anonymous Reddit users, unrelated TikTok accounts, and alleged third-party statements, but the FAC offers no competent factual allegations linking Mr. Lopez to any of this online activity. Instead, Plaintiff speculates that because the "timing and nature" of these posts followed her public criticism of Mr. Lopez, he must have been involved. Such conjecture is legally insufficient to plead specific facts showing a "meeting of the minds" or an overt act in furtherance of an unlawful objective. Kidron, supra, at p. 1582. There must be some evidence. Mere association (or mere proximity in time) does not make a conspiracy. (Id.) And as previously stated, speculation and conclusory statements cannot create a triable issue and must be disregarded. Tuchscher, supra, 106 Cal.App.4th at p. 1236.

The sole concrete act pled, the singe Instagram post, falls squarely within the protection of the anti-SLAPP statute. Plaintiff's attempt to re-label this protected expression as "intimidation" or part of a broader "campaign" does not alter its protected nature. Because the defamation claim fails under Code of Civil Procedure section 425.16, there is no viable underlying tort to support conspiracy liability. The conspiracy claim is also inadequately pled, consisting entirely of speculation and conclusory allegations without factual support. Consequently, Plaintiff cannot

demonstrate a probability of prevailing on this claim, and the fourth cause of action must be stricken in its entirety.

IV. **CONCLUSION**

Because Defendant's speech falls squarely within the protection of Code of Civil Procedure § 425.16, and because Plaintiff cannot demonstrate a probability of prevailing on any of her claims, Defendant respectfully requests that this Court grant the motion and strike Plaintiff's First Amended Complaint in its entirety.

DATED: August 14, 2025

GERAGOS & GERAGOS, APC

By: _/s/ Daniel Tapetillo ALEXANDRA KAZARIAN DANIEL TAPETILLO Attorneys for Defendant, MARIO LOPEZ

DECLARATION OF DANIEL TAPETILLO

I, DANIEL TAPETILLO, declare:

- I am an attorney at Geragos & Geragos, APC, and counsel of record for the Defendant,
 Mario Lopez in this case. I am admitted to practice law in the state of California. I have
 personal knowledge of the following facts and if called as a witness, I would testify thereto.
- 2. I submit this declaration in support of Defendant's Special Motion to Strike, filed pursuant to Code of Civil Procedure section 425.16. The facts set forth below establish that Plaintiff's claims arise from protected activity, and that Plaintiff cannot meet her burden of showing a probability of prevailing.
- 3. In preparing this motion, I reviewed Plaintiff's First Amended Complaint ("FAC"), a true and correct copy of which is attached as Exhibit A.
- 4. Based on my review of the public record, Plaintiff has actively and repeatedly engaged in public media appearances, interviews, and discussions concerning her alleged medical condition for more than 16 years. She has been the subject of, and has voluntarily participated in, extensive national and local media coverage, including the Inside Edition segment referenced in the FAC and multiple other televised interviews, online features, and public forums.
- 5. The single Instagram post referenced in paragraph 12 of the FAC was published on a public social media platform accessible to anyone with internet access. Defendant's account regularly features commentary on viral media, public figures, and entertainment-related topics of general public interest. The post itself consisted of a verbatim repost of an existing news segment without alteration to the underlying factual content and accompanied by commentary in the nature of opinion. Plaintiff does not dispute the accuracy of the video segment itself.
- 6. In connection with preparing this motion, I also reviewed the allegations in paragraphs 18–23 of the FAC concerning anonymous postings on Reddit, TikTok, and other online platforms.

 Defendant did not create, direct, authorize, or have any knowledge of the creation of these

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- postings. I have no personal knowledge of the identity of the individuals responsible for such postings, and no evidence has been presented to me suggesting Defendant's involvement.
- 7. Instagram is a public forum under section 425.16, subdivision (e)(3), as it is an interactive website where users engage in discourse visible to the general public.
- 8. Plaintiff's longstanding voluntary engagement with media about her condition has generated commentary, debate, and public interest for over a decade. The post at issue directly concerned this ongoing public discourse, satisfying section 425.16, subdivision (e)(4).
- 9. All of Plaintiff's claims in this action, including defamation, false light, intentional infliction of emotional distress, and civil conspiracy are entirely derivative of the same Instagram post constituting Defendant's protected expression and cannot survive if the defamation claim fails. No claim is based on any separate or unprotected conduct.
- 10. Because the Instagram post constitutes protected activity under Code of Civil Procedure § 425.16, subdivisions (e)(3) and (e)(4), as a written statement made in a public forum in connection with an issue of public interest—all derivative claims implicate core constitutional free speech principles and must be stricken.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct.

Executed this 14th day of the month of August 2025, at Los Angeles, California.

s/Daniel Tapetillo DANIEL TAPETILLO

Exhibit "A"

1	Desirée Townsend 2901 Ocean Park Blvd., Suite 201				
2	Santa Monica, CA 90405				
3	desiree@sparktrademarks.com				
4 5	Plaintiff, DESIREE GUERRIERE TOWNSEND				
6					
7	SUPERIOR COURT OF THE STATE OF CALIFORNIA				
8	FOR THE COUNTY OF LOS ANGELES - UNLIMITED				
9					
10	DESIRÉE GUERRIÈRE TOWNSEND, an individual,	Case No.: 25NNCV04089			
11	Plaintiff,	ASSIGNED FOR ALL PURPOSES TO THE HON. ASHFAQ G. CHOWDHURY, DEPT. E			
12	v.				
13	MARIO LOPEZ, an individual; and DOES 1	FIRST AMENDED COMPLAINT FOR:			
14	through 50, inclusive,	(1) DEFAMATION(2) FALSE LIGHT INVASION OF PRIVACY			
15 16	Defendants.	(3) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (4) CIVIL CONSPIRACY			
		ACTION FILED: June 13, 2025			
17 18		TRIAL DATE: TBD			
19					
20	Plaintiff Desirée Guerrière Townsend ('	'Townsend" or "Plaintiff") complains of Defendant			
21	Mario Lopez ("Lopez") and Does 1 through 50	, inclusive (collectively, "Defendants"), and alleges as			
22	follows:				
23	<u>NATURE</u>	OF THE ACTION			
24					
25	"Apparently I'm the bearer of fake news? What's @AccessHollywood got to say about it?"				
26	- Mario Lopez, Instagram post, @mariolopez, March 13, 2024				
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].					

1. Defendant Mario Lopez ("Lopez" or "Defendant") has long cultivated a polished public image that belies a darker reputation, one marked by persistent allegations of arrogance, abusive behavior, and multiple accounts of sexual misconduct. For years, Lopez has used his celebrity status to silence critics, bully those beneath his perceived social rank, and deflect serious accusations with charm and media protection. This lawsuit seeks to hold Lopez accountable for weaponizing his platform to defame and humiliate Plaintiff in retaliation for her refusal to stay silent. Rather than respond to criticism or controversy with integrity, Lopez chose to smear Plaintiff publicly, furthering a pattern of reckless and harmful conduct that has recently come to light through numerous accounts shared across social media platforms, including TikTok. His conduct reflects not only a disregard for truth, but a broader pattern of cruelty, elitism, and exploitation that the public is only now beginning to uncover.

- 2. This is a civil action for defamation arising from a false, malicious, and reputation-destroying statement made by Defendant Mario Lopez on or about June 19, 2024. The defamatory statement concerning the Plaintiff was published on Lopez's official Instagram account, where it was visible to his audience of over 3 million followers on social media. As a nationally recognized media personality, Lopez's platform carries significant influence and credibility, which made his knowingly false statement especially damaging to Plaintiff's personal and professional reputation. The publication not only spread a harmful falsehood but was done with reckless disregard for the truth, triggering a cascade of reputational harm, emotional distress, and online harassment against Plaintiff that continues to this day.
- 3. Upon information and belief, in the days that followed, Defendant orchestrated what appeared to be a swift, calculated, and almost formulaic public relations smear campaign, executed with the precision of a playbook response, aimed at discrediting and further humiliating the Plaintiff in direct retaliation for her public confrontation and stated intent to pursue legal action. The speed, coordination, and tone of the campaign evoke tactics more commonly associated with powerful figures seeking to

suppress accountability, drawing uncomfortable parallels to the reputation management strategies once used by Harvey Weinstein, rather than those expected of a wholesome actor and television personality.

- 4. The speed and precision of the smear campaign launched against Plaintiff is particularly troubling in light of a recent surge of viral TikTok videos concerning Defendant Mario Lopez, many of which have garnered hundreds of thousands of views. These videos are accompanied by a consistent pattern of user comments alleging troubling behavior, including claims of sexual misconduct, mistreatment of fans, entitlement, and inappropriate demands for free goods and services from small businesses. While Plaintiff makes no assertion as to the truth of these claims, the volume and consistency of these accounts raise legitimate questions as to whether similar reputation management tactics may have been used in other instances to suppress or discredit those who have come forward with criticism or allegations against the Defendant.
- 5. Defendant Mario Lopez is no stranger to public controversy, having faced multiple serious allegations of sexual misconduct, including rape accusations dating back to the 1990s. Fully aware of the harm public accusations can cause, Lopez nevertheless chose to weaponize his platform to spread a false and defamatory narrative about Plaintiff. Despite being the subject of multiple serious allegations himself, Defendant Lopez knowingly and recklessly published a defamatory statement falsely implying that Plaintiff was fabricating or performing her illness for attention followed by a coordinated and malicious smear campaign that extended across multiple social media platforms. Lopez, whose public image has survived largely due to the **restraint of a public unwilling to condemn him without criminal charges**, opted not to afford Plaintiff the same benefit of the doubt. Instead, he exploited his substantial platform to amplify public ridicule and undermine her credibility, in a move that reflects not only gross hypocrisy, but also a calculated disregard for truth, fairness, and the reputational harm such accusations can cause.

Plaintiff will amend this Complaint to state their proper identities and roles once that information becomes available. Plaintiff is informed and believes, and on that basis alleges, that each of the Doe defendants was directly or indirectly involved in the publication, distribution, or amplification of the defamatory content described herein. Plaintiff further alleges that each of these unknown defendants contributed to, enabled, or otherwise participated in the wrongful conduct that forms the basis of this action. The term "Defendants" as used throughout this Complaint refers collectively to Mario Lopez and Does 1 through 50, inclusive.

JURISDICTION AND VENUE

- 9. Jurisdiction is proper, and venue lies in the Superior Court of the State of California, County of Los Angeles, pursuant to Code of Civil Procedure §§ 395 and 395.5, because Defendant Mario Lopez resides and conducts substantial professional activities within Los Angeles County, and because the wrongful acts and omissions alleged herein occurred, in whole or in part, within this County. Venue is further proper as to Defendants sued herein as Does 1 through 50, inclusive, as their identities and connection to the conduct alleged are currently unknown but believed to be similarly based in or connected to Los Angeles County.
- 10. This Court has personal jurisdiction over Defendant Mario Lopez because he resides in La Cañada Flintridge, California, and regularly conducts business within the County of Los Angeles, including in North Hollywood.

FACTUAL ALLEGATIONS

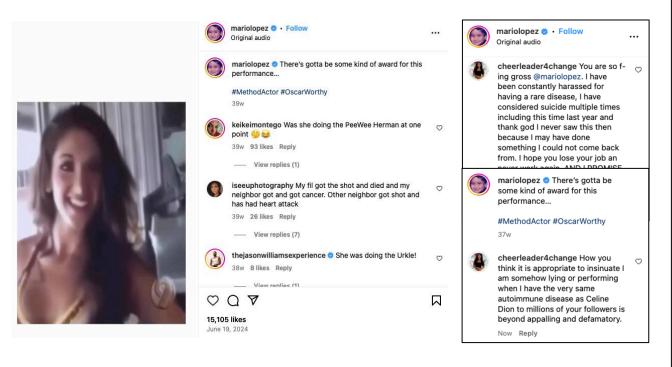
A. THE DEFAMATORY INSTAGRAM POST ON JUNETEENTH

"It's all about the 5 Fs: Family, faith, food, fitness and fun, that's sort of, not to be corny, but my brand if you will."

- Mario Lopez, interview on *The Candace Owens Show*, YouTube, June 23, 2019. https://www.youtube.com/watch?v=FSDlx23uiDY
- 11. On or about June 19, 2024, Juneteenth, a national holiday commemorating the end of

slavery and honoring the recognition of Black suffering, resilience, and liberation, Defendant Mario Lopez used his public platform not to uplift, but to defame and dehumanize Plaintiff, a woman living with a rare neurological disability. Instead of honoring a day rooted in justice, dignity, and the fight against systemic oppression, Lopez chose to weaponize his celebrity to perpetuate stigma, mock disability, and ignite public ridicule. His conduct on a day meant for healing and solidarity was not just ironic, it was grotesque. It reflects a troubling and increasingly apparent pattern of disregard for empathy, integrity, and social awareness.

12. On or about March 10, 2025, Plaintiff discovered that Defendant Lopez had published a false and defamatory statement about her on Instagram, https://www.instagram.com/reel/C8Zx0QdpG9c (last visited June 7, 2025). In an effort to correct the record and publicly defend herself, Plaintiff posted two comments directly addressing the defamatory nature of the statement on the same post. Rather than respond or retract his statement, Lopez took the retaliatory step of blocking Plaintiff's account, thereby silencing and preventing her from engaging with the post or correcting the harmful falsehood in the same public forum where it was made.



- 13. Upon information and belief, in the days following Plaintiff's discovery of Defendant Lopez's defamatory Instagram post, and his subsequent awareness that Plaintiff had identified and objected to the content, Lopez, either directly or through agents acting on his behalf, including what is believed to be a retained crisis public relations team, initiated a coordinated smear campaign targeting Plaintiff across multiple social media platforms.
- 14. Upon information and belief, while Plaintiff is not personally aware of any specific prior smear campaigns orchestrated by Defendant Lopez, such as those potentially used in response to allegations of sexual misconduct or other reputational threats, the rapid escalation from Plaintiff's public confrontation to the launch of a coordinated, multi-platform smear campaign within mere days strongly suggests the existence of a premeditated and well-practiced playbook. Defendant's swift and aggressive deployment of a tactical public relations team to discredit Plaintiff, immediately after learning of her intent to pursue legal action, constitutes not merely retaliation, but a calculated strategy bearing the hallmarks of a familiar response he has likely used before to silence or delegitimize those who challenge him. The timing, tone, and scale of the attack support a reasonable inference that Lopez is familiar with deploying reputational warfare as a tool of intimidation, particularly when facing potential exposure.
- 15. As stated during his appearance on *The Candace Owens Show*, Defendant Lopez publicly defines his personal "brand" around the "5 Fs" of family, faith, food, fitness, and fun. This branding is prominently featured across his widely followed Instagram account, which showcases curated, family-friendly content, inspirational messaging, and a stream of sponsored advertisements. Defendant has carefully cultivated a public image rooted in positivity, wholesomeness, and trustworthiness, an image that stands in stark contrast to the defamatory and malicious conduct he directed toward Plaintiff. His defamatory post about Plaintiff appeared grossly out of character and off-brand, until one considers the underlying motive: to exploit Plaintiff's reputation for his own algorithmic and reputational gain,

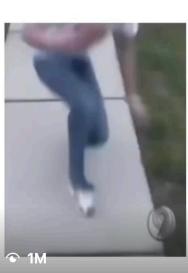
then discard her once the intended effect was achieved.

16. Upon information and belief, Defendant Lopez's republication of a defamatory *Inside Edition* segment, accompanied by his own defamatory commentary, was strategically timed to manipulate Instagram's engagement algorithm. Two days prior to the defamatory post, on or about June 17, 2024, Defendant had published a paid advertisement with the Mott's juice company, which, under Meta's well-known platform behavior, can suppress organic post visibility. By posting inflammatory and provocative content and commentary likely to drive comments, shares, and user engagement, **Defendant used Plaintiff's reputation as a tool to boost his reach and recover favor in Instagram's unforgiving and opaque algorithm—one that routinely penalizes creators following sponsored content unless they can <u>provoke viral outrage</u>.**



17. Lopez's attempt to manipulate Instagram's algorithm appears to have been successful. The defamatory post targeting Plaintiff quickly amassed over 1 million views, followed by a subsequent post that surged to 14.4 million views. This engagement stands in stark contrast to the post Lopez published the day after Mott's paid advertisement, which reached only 350,000 views. See https://www.instagram.com/mariolopez/reels (last accessed June 7, 2025). Upon information and belief, Defendant used the inflammatory nature of his defamatory commentary with Paramount Global's defamatory content to "recover" his standing within Meta's algorithm, capitalizing on outrage and public engagement to regain traction after the promotional content suppressed his organic reach. The sudden spike in visibility suggests that Plaintiff was used as a tool for algorithmic gain at the cost of her reputation.





June 19, 2024



B. THE COORDINATED SMEAR CAMPAIGN ACROSS SOCIAL MEDIA

18. Upon information and belief on or about March 13, 2025, approximately three days after Plaintiff confronted Defendant on Instagram, Lopez, either directly or through agents acting on his behalf, including a retained crisis public relations team, initiated a coordinated online smear campaign targeting

Plaintiff. After Plaintiff discovered Lopez's defamatory post and was subsequently blocked by him, an anonymous Reddit account operating under the handle "Top-Strategy-1261" began flooding existing threads regarding the Plaintiff with a barrage of approximately eight malicious and defamatory comments about Plaintiff. The timing and nature of these posts strongly suggest retaliatory intent. See https://www.reddit.com/user/Top-Strategy-1261 (last visited June 7, 2025).

19. In a striking display of irony, a Reddit user operating under the handle "Top-Strategy-1261" targeted multiple posts discussing Plaintiff, engaging in a deliberate effort to defame and discredit her. The username itself—"Top Strategy"—appears to reflect the very tactic employed: a calculated campaign to malign Plaintiff's character and sway public opinion ahead of the filing of this Complaint. The user referred to Plaintiff as "mentally ill" and "obsessed with Mario Lopez," comments clearly designed to discredit her credibility and preemptively undermine her claims. At least two of the comments were removed by Reddit moderators for violating platform policies due to their inflammatory and harassing nature. The timing, tone, and focus of the posts suggest that this was not random internet trolling, but rather part of a broader strategy to suppress Plaintiff's voice through public ridicule and reputational harm.

r/skeptic ·



'Flu Shot Cheerleader' speaks out years after stoking anti-vaccine movement: Desiree Jennings went viral in 2009 after claiming she had been injured by a seasonal flu shot. Jennings has changed her perspective since then and is speaking out on being used by the anti-vaccine movement's "PR machine."

Top-Strategy-1261 replied to Benocrates 18 days ago

You're asking excellent questions. She has an instagram called cheerleader4change. It's absolute madness. Seems she is legitimately mentally ill. Not a reliable narrator at all.

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r/illnessfakers · Desiree Jennings- Dystonia

Top-Strategy-1261 replied to wet-otter 18 days ago

Check out her instagram handle @cheerleader4change. She's obsessed with Mario Lopez and James Franco. Runs multiple websites targeting them. It looks like she has legitimate mental illness and I feel bad for her. Regardless, the vaccine court case proves she was still trying to connect vaccine injury to her "symptoms" and now is claiming she has stiff person syndrome like Celine Dion. Except there's no proof of this, and it's even addressed in the vaccine court case. All very strange.

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r/illnessfakers · Desiree Jennings- Dystonia

Top-Strategy-1261 replied to Connect-Membership 18 days ago

You should check out her current instagram handle @cheerleader4change and witness the absolute madness that unfolded. I'm really surprised the media hasn't picked up on it. It's a bit sad as it looks like she's actually mentally ill, but with a huge axe to grind against James Franco apparently?

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20. The smear campaign did not end with Reddit. On or about April 4th and 5th, 2025, and less than one month after Plaintiff publicly confronted Defendant Lopez on Instagram regarding his defamatory TikTok @lightlyseasonedmike post, two accounts. (www.tiktok.com/@lightlyseasonedmike) and @didyoucatchthis (www.tiktok.com/@didyoucatchthis), each republished the same defamatory video segment that had been obtained and used by Defendant Lopez. One of the accounts, @lightlyseasonedmike, not only reposted the defamatory segment but escalated the attack by adding its own defamatory commentary, portraying Plaintiff as deceptive and untrustworthy in connection with her medical history. The TikTok videos prominently featured footage from a February 4, 2010 broadcast of *Inside Edition*, a clip with a long, damaging legacy that has significantly contributed to widespread public misunderstanding of Plaintiff's condition. This very segment is also the subject of a separate defamation lawsuit currently pending in federal district court against Paramount Global, CBS Broadcasting Inc., and Inside Edition Inc. See Desiree Guerriere

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Townsend v. Paramount Global, CBS Broadcasting Inc., and Inside Edition Inc., No. 2:25-cv-04077 (United States District Court for the Central District of California filed May 7, 2025).

- 21. Upon information and belief, as of June 7, 2025, the two TikTok videos that formed part of the targeted smear campaign against Plaintiff have collectively garnered approximately 9 million views, over 774,200 likes, and more than 12,000 comments, many of which included harassing, mocking, or threatening language directed at Plaintiff. The viral spread of these videos dramatically escalated the reputational harm and emotional distress experienced by Plaintiff, as the online harassment spilled onto Plaintiff's personal TikTok account, which was inundated with hateful and abusive comments and messages. The content and commentary not only defamed Plaintiff, but also painted her in a false light, portraying her as mentally unstable, dishonest, and attention-seeking, thereby compounding the public ridicule and humiliation she endured.
- 22. Plaintiff's personal TikTok account became the target of public backlash after the Defendants' defamatory videos began circulating in the feeds of millions of users. One of Plaintiff's own videos—featuring footage of her walking in Newport Beach, California, around 2023—garnered over 770,000 views and was inundated with hundreds of defamatory and abusive comments, further amplifying emotional inflicted reputational harm and distress See https://www.tiktok.com/t/ZTjsg52r3/ (last accessed June 9, 2025). In both substance and presentation, these videos painted Plaintiff in a false light, distorting her character and public image in a manner that would be highly offensive to a reasonable person, and amplifying a malicious narrative that bore no resemblance to her lived reality.
- 23. Upon information and belief, the timing, sourcing, and coordinated nature of the two TikTok videos, posted less than 24 hours apart, and shortly after Plaintiff publicly confronted Defendant Lopez and signaled her intent to pursue legal action, strongly suggest the involvement of Lopez himself or individuals acting at his direction or in concert with him. The swift rollout, coupled with the striking

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similarity in content, tone, and coordinated use of a difficult-to-access *Inside Edition* segment, strongly suggests a calculated and strategic campaign to smear Plaintiff and undermine her credibility in anticipation of this lawsuit.

- 24. This coordination may have included the use of public relations affiliates, social media contractors, or other agents acting on behalf of Defendant Lopez, including Doe Defendants such as media consultants, digital content managers, or paid influencers. The proximity in time to Plaintiff's public confrontation and the scale of virality achieved reflect a calculated campaign, not an organic Links defamatory follows: resurgence. to the original videos are as https://www.tiktok.com/t/ZT2oJ14MG/ and https://www.tiktok.com/t/ZT2otJLVA/ (last accessed June 7, 2025).
- 25. The irony of Defendant Lopez's conduct is striking: while publicly defaming Plaintiff and attacking her credibility, Lopez himself has currently become the subject of viral discourse across multiple social media platforms. The public is actively resurfacing and scrutinizing past allegations against him—including claims of sexual misconduct, instances of entitled behavior, and a series of questionable associations. Notably, Lopez was seen affectionately embracing controversial internet personality Andrew Tate at a UFC event on or about March of 2025, just days before reports emerged as part of a civil lawsuit alleging Tate's assault of his ex-girlfriend at the Beverly Hills Hotel. The fact that Defendant would weaponize his platform to malign Plaintiff's character while he remains entangled in ongoing reputational controversies and disturbing affiliations, reveals not only staggering hypocrisy, but also a deeply cynical abuse of his public influence.

B. MARIO LOPEZ, PARAMOUNT GLOBAL & ACTUAL MALICE

26. Defendant Lopez appears to have had exclusive access to the defamatory *Inside Edition* footage originally broadcast in 2010, content that upon information and belief, had not been widely available on social media and remained restricted to Paramount Global's digital platforms. Given the

segment's long-standing copyright protections and its unavailability through standard social media or public distribution channels, serious questions arise as to how, and from whom, Lopez obtained the footage. Its sudden reappearance, first on Lopez's Instagram account and then in two widely circulated TikTok videos that surfaced shortly after Plaintiff publicly confronted him—strongly indicates that the segment was sourced from an internal media archive or provided through direct industry contacts at Paramount Global, rather than acquired through any organic or publicly accessible means.

- 27. Given Defendant Lopez's longstanding position within the entertainment industry, particularly his professional affiliations with NBCUniversal and *Access Hollywood*, it is reasonable to infer that he obtained the *Inside Edition* footage through private media channels, most plausibly from individuals within Paramount Global or CBS Broadcasting Inc., both of whom are named Defendants in a separate federal defamation lawsuit currently pending in the Central District of California. *See Townsend v. Paramount Global, No. 2:25-cv-04077*. The timing and circumstances suggest that Lopez was made aware of the original segment's prior virality and, with the implicit or explicit cooperation of Paramount Global, republished the footage to boost engagement on his Instagram account following a preplanned advertisement for Mott's.
- 28. More troublingly, Defendant's professional background as a television host, media figure, and public-facing journalist, who has himself covered multiple stories involving individuals, allegations, and controversies, requires him to exercise a heightened duty of care and awareness regarding the power and consequences of defamatory publications. Lopez is not an uninformed bystander reacting to viral content, he is a seasoned media professional who has spent decades within the entertainment news ecosystem and, given the resurfacing of serious allegations against him, is acutely aware of the reputational consequences such accusations can carry.
- 29. Notably, Lopez was aware of Plaintiff's real-life medical condition as recently as August of 2023, when NBC News ran a human-interest segment about her, which aired nationally. Upon

information and belief, following its release, the 2023 NBC segment was internally circulated and pitched for broader coverage across multiple NBCUniversal-affiliated programs, including, presumably, *Access Hollywood*, where Defendant Lopez serves as a longtime host. Given his direct affiliation with the network and the internal visibility of the segment, it is reasonable to infer that Lopez had access to accurate and updated information about Plaintiff, making his decision to promote outdated and defamatory content all the more reckless and malicious.

- 30. The segment was produced by NBC journalist Brandy Zadrozny, and its internal circulation within NBCUniversal further supports the inference that Defendant Lopez had actual or, at minimum, constructive knowledge of the truth regarding Plaintiff prior to republishing the defamatory content with his own defamatory commentary. That Lopez chose to ignore more recent and credible reporting—produced by his own parent media organization—in favor of amplifying an outdated and discredited segment, demonstrates a knowing disregard for the truth. His decision to publicly defame Plaintiff using the false narrative of a media organization, Paramount Global and its subsidiaries CBS Broadcast Inc. and Inside Edition Inc., long challenged for its accuracy, while deliberately sidestepping more accurate and contemporaneous information readily available to him at NBCUniversal, further supports a finding of malice. Defendant's actions were not merely reckless, they were professionally and ethically indefensible.
- 31. In approximately 2023, Plaintiff was featured in two episodes of *This Week in Virology*, a podcast hosted by Columbia University virologist Vincent Racaniello, Ph.D., where she provided an in-depth explanation of her condition, including its symptoms, etiology, and the fact that she was undergoing treatment and taking prescribed medication at the time she was filmed by *Inside Edition*. Given Plaintiff's continued and ongoing efforts to educate the public and correct misinformation, Defendant's failure to consider or acknowledge these efforts before publishing his defamatory statement demonstrates a reckless disregard for the truth. This is especially egregious given that he operates under

the same corporate umbrella as NBCUniversal, which produced Plaintiff's updated news segment in August 2023. Defendant's actions are further compounded by the fact that Plaintiff has proactively addressed these issues in the public sphere, making his baseless attack not only intentional, but malicious.

C. PLAINTIFF'S PROFESSIONAL STANDING AND PUBLIC IMPACT

- 32. After years of immune-suppressive therapy and intensive lifestyle modifications to manage her disability, Plaintiff's condition eventually stabilized, allowing her to reenter the workforce full-time. Her first full-time position was as an intellectual property legal assistant at Outpace Bio, Inc., a biotechnology company headquartered in Seattle, Washington. There, she contributed to the development and management of the company's intellectual property portfolio, including pending and issued patents involving chimeric antigen receptor T-cell (CAR-T) technology. Despite receiving a stellar performance review, Plaintiff's employment was abruptly and prematurely terminated after her employer became aware of the defamatory narrative about her circulating online.
- 33. Plaintiff currently works as a litigation and intellectual property paralegal for law firms based in the Los Angeles area. She holds a Bachelor of Science in Biochemistry and Molecular Biology from the University of California, Irvine (UCI), where she also conducted scientific research in the Gershon Laboratory, assisting in the analysis of mass spectrometry data related to the molecular structure of the vaccinia virus. Her STEM background qualifies her to sit for the United States Patent and Trademark Office (USPTO) registration exam to become a licensed patent practitioner.
- 34. In the fall of 2024, Plaintiff spent several months in Washington, D.C., advocating for expanded access to legal services for underserved individuals and small businesses, as well as for the restoration of the trademark logo of former Washington Redskins figure Chief Two Guns White Calf. She lobbied members of Congress, including those on the Senate and House Judiciary Subcommittees on Intellectual Property, urging the creation of a federal registration system for non-attorney trademark practitioners. Modeled after the Patent Office's existing process for licensing patent agents, this proposed

reform would significantly reduce the cost barrier to federal trademark protection by allowing qualified individuals to represent clients before the USPTO without a law degree. A 32-page draft of the proposed legislation, titled The Chief Two Guns White Calf Trademark Integrity Act of 2025, is currently under review by Congressman Lance Gooden of Texas and his legislative team.

- 35. In 2009, Plaintiff was employed as a Marketing Communications Manager, where she developed scripting and authored internal content for the technical phone queues at AOL. Previously she worked within AOL's Public Relations and Communications Department on internal and external messaging initiatives, contributing to the company's corporate communication strategy. During the summer of 2009, Plaintiff was selected to serve as a Washington Redskins Cheerleader Ambassador, representing the team at official events and community engagements.
- 36. Plaintiff previously served as a registered securities representative at Morgan Stanley, one of the largest global investment firms. She held multiple advanced financial licenses, including Series 7, Series 66, and Series 31, authorizing her to advise clients and execute trades in securities, futures, options, and commodities. These credentials reflect a high level of financial acumen, professional trust, and regulatory clearance—further underscoring the reputational damage caused by Defendants' defamatory actions.
- 37. Plaintiff's accomplishments and public perception stand in stark contrast to those of Defendant Mario Lopez, who—despite the resurfacing of multiple sexual misconduct allegations on social media—continues to enjoy a thriving media career, including his role at *Access Hollywood*. Meanwhile, Plaintiff has been publicly vilified and discredited for no greater offense than suffering from a rare neurological condition, one that the medical community itself has historically struggled to fully understand or diagnose.
- 38. Despite enduring over 16 years of media-driven scrutiny, mockery, and reputational harm, Plaintiff has made every effort to rebuild her life and restore her professional standing. Since 2009, she

has dedicated herself to public service and professional advancement, including working in the legal field, advocating for trademark reform before Congress, and actively pursuing registration as a patent agent. In sharp contrast, Defendant Lopez appears to face minimal professional consequences despite repeated allegations of sexual misconduct and a well-documented pattern of entitled behavior.

39. Defendant's defamatory statement, along with the newly viral smear campaign carried out by Defendant and Does, has revictimized Plaintiff and retraumatized her by reigniting the same false narratives that have plagued her for over a decade. These defamatory attacks have effectively dismantled years of hard-earned professional progress within the Los Angeles business community, severing relationships with law firms, universities, and respected members of the public. As a direct result of Defendant Lopez's smear campaign, many of these individuals have encountered the defamatory content in their social media feeds, including Defendant's Instagram post and the widely circulated TikTok videos tied to the coordinated effort to discredit Plaintiff. In addition, the reputational harm caused by this campaign has severely jeopardized Plaintiff's aspirations to run for Mayor of Los Angeles in the 2026 election, as the false portrayal of her as "unhinged" and "delusional" has cast doubt on her credibility, character, and fitness for public office.

D. POST-LITIGATION RETALIATION AND COORDINATED CAMPAIGN TO INTIMIDATE, BULLY, AND DISCREDIT PLAINTIFF

40. On or about June 9, 2025, an individual using the TikTok handle @city_of_angels_la sent a direct message to Plaintiff offering to personally serve Defendant at his workplace at NBCUniversal. The individual identified himself as Angel Mendez. Plaintiff declined the offer, not wanting to jeopardize the individual's employment. The individual provided a phone number associated with area code 805, corresponding to San Luis Obispo County. (See Exhibit A.) This geographic clue assisted Plaintiff in identifying the individual believed to be using the alias. Over the following weeks, Plaintiff engaged in extensive text messaging and phone calls with Mr. Mendez, who appeared to be

building trust with Plaintiff in an effort to collect information and relay it directly to Defendant Lopez and his attorney, Alexandra Siranush Kazarian of Geragos & Geragos (See Exhibit B).

- 41. On or about July 7, 2025, the individual disclosed, upon information and belief, his true intent: to deliberately feed Plaintiff a fabricated "false narration" and to solicit statements from Plaintiff's ex-husband and former NFL cheerleaders with the express purpose of portraying Plaintiff as "crazy." These statements were intended to be delivered to Defendant's attorney, Alexandra Kazarian, for use in connection with a retaliatory civil harassment restraining order filed against Plaintiff on or about June 20, 2025, in Case No. 25STRO03858, *Lopez, Mario v. Townsend, Desiree*, pending in the Superior Court of California, County of Los Angeles.
- 42. Plaintiff conducted a reverse image search of photographs provided by the individual who identified himself as Angel Mendez, which depict him alongside several high-profile public figures, including Mario Lopez, Nancy Pelosi, and Chuck Liddell, among others. (See Exhibit C and associated metadata for verification of these images.) The search identified the individual as believed to be **Josiah James Johnstone**, a convicted felon with a documented history of stalking and making criminal threats against women he previously dated. According to public records, Mr. Johnstone pled guilty, fled the state prior to sentencing, was later located in Nevada, and subsequently extradited to San Luis Obispo County. (See *The People of the State of California vs. Josiah James Johnstone*, DA Case No. 079-606387 in San Luis Obispo County detailing the charges against Mr. Johnstone.) Plaintiff has contacted the District Attorney's Office that handled the case and is currently awaiting official confirmation that the individual in question is, in fact, Mr. Johnstone.
- 43. Upon information and belief, the individual identified as Johnstone has been coconspiring with Defendant and Defendant's attorney Alexandra Kazarian, who represents Mr. Lopez in the retaliatory restraining order filed on or about June 20, 2025, to intimidate Plaintiff, gather information under false pretenses, and disseminate false information with the intent to discredit, further defame, and

harass. That petition largely parrots the same defamatory language and narrative alleged in this First Amended Complaint, as part of a broader smear campaign against Plaintiff—using nearly identical verbiage to portray her as "unhinged," "mentally ill," "delusional," and "obsessed" with Defendant.

- 44. Upon information and belief, this individual was tasked with gathering information about Plaintiff and deliberately feeding her false claims—including fabricating a story that Mr. Lopez was under internal investigation for sexual harassment at NBCUniversal. The apparent intent was to undermine Plaintiff's litigation efforts and provoke a reaction that could later be weaponized against her. (See Exhibit B for text messages from this individual.)
- 45. This belief is further corroborated by the social media activity of Mr. Lopez's attorney, Alexandra Kazarian, who, upon information and belief, "liked" two specific TikTok videos posted by Plaintiff from what appears to be Ms. Kazarian's professional account: (1) a video discussing the false sexual harassment rumor involving Mr. Lopez at NBCUniversal, and (2) a video exposing the coordinated use of a third party to harass and intimidate Plaintiff. (See Exhibit D for full screenshots.) Upon information and belief, Defendant Mario Lopez has personally contributed to the ongoing intimidation and harassment of Plaintiff by engaging with videos on her TikTok account through his verified account, @mariolopez.

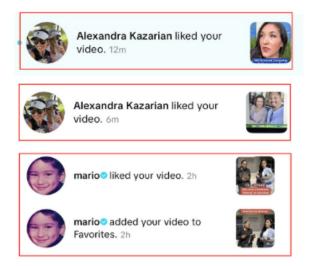


Exhibit D: Video Interaction from Alexandra Kazarian's unverified TikTok account on or about June 30, 2025 Video Accessible at: https://www.tiktok.com/t/ZT6LxYPNU/

Exhibit D: Video Interaction from Alexandra Kazarian's unverified TikTok account on or about July 8, 2025 **Video Accessible at:** https://www.tiktok.com/t/ZT6LxJsLd/

Exhibit D: Video Interaction from Mario Lopez's verified TikTok account on or about July 12, 2025

Video Accessible at: https://www.tiktok.com/t/ZT6L9mUJG/

Exhibit D: Video Interaction from Mario Lopez's verified TikTok account on or about July 12, 2025 **Video Accessible at:** https://www.tiktok.com/t/ZT6L9CDSa/

46. Upon further information and belief, this coordinated effort to discredit and intimidate Plaintiff was advanced through the creation of a fake TikTok account using the handle @walking_backwards, which featured copyright-protected video content owned by Paramount Global. The account, believed to be operated either by Defendant Mario Lopez or an individual acting in concert with him, falsely claimed that "Mario paid 50k alone, just for the retainer fee" to file a retaliatory restraining order against Plaintiff through Geragos & Geragos. This account is further believed to be operated by the same individual who previously contacted Plaintiff under false pretenses and fed her fabricated information, and who—upon being identified—engaged in retaliatory conduct. In a clear escalation, this individual used the @walking_backwards account to publicly disclose Plaintiff's personal cell phone number in a TikTok comment, an act of doxxing intended to threaten, harass, and further intimidate Plaintiff in an effort to "help" the Defendant. (See Exhibit D for screenshot of the doxxing comment.)



47. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered significant reputational and professional harm. She has lost contact with members of Congress with whom she was actively collaborating on trademark legislation. Her employment is now at risk, as her employer questions the credibility of Defendant's coordinated smear campaign and the retaliatory restraining order filed against her. Plaintiff's aspirations to run for Mayor of Los Angeles have been severely damaged, as she

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is being publicly painted as "unhinged" and "delusional" — both in the defamatory narrative advanced online and in the retaliatory court filing. Notably, despite Defendant's assertion that Plaintiff posed an urgent threat, his legal counsel appeared unprepared to proceed at the "emergency" hearing scheduled for July 11, 2025, resulting in a continuance to August 5, 2025. Since then, Defendant and his affiliates have continued to harass and intimidate Plaintiff online, exacerbating the harm to her personal safety, professional standing, and political future.

- 48. Plaintiff brings this lawsuit, filed *pro se*, not only to protect her livelihood and reputation, but to shield her current employer, professional network, and legislative advocacy efforts from the collateral damage of false, defamatory, and retaliatory actions orchestrated by Defendant Mario Lopez and his enablers. In the weeks following service of the original complaint, Defendant and those acting in concert with him escalated their misconduct—filing a retaliatory civil harassment restraining order grounded in protected activity, coordinating a smear campaign across multiple social media platforms, and weaponizing a fake TikTok account to publicly dox Plaintiff's phone number and further intimidate her. This action is about reclaiming truth, demanding accountability, and dismantling the coordinated apparatus of legal and reputational abuse used to silence whistleblowers and victims alike.
- 49. This lawsuit also serves a broader purpose: it is a warning to the powerful in Hollywood who have long operated behind closed doors—those who victimize, retaliate, and exploit their platforms to discredit survivors and suppress dissent. Defendant's own public image is shadowed by serious accusations, yet he now leverages his influence to vilify a private citizen who dared to stand up. Plaintiff will no longer be silenced. This suit is the first of many measures intended to expose and hold accountable every enabler, predator, and powerbroker who sustains the entertainment industry's entrenched culture of impunity and silence. The time for reckoning is now.

FIRST CLAIM FOR RELIEF

(Defamation)

Plaintiff Townsend v. All Defendants

- 50. Ms. Townsend hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if set forth fully herein.
 - 51. Ms. Townsend is a private figure.
- 52. As alleged hereinabove, Defendants Mario Lopez and Does 1 to 50, inclusive, either directly or through their agents, employees, crisis public relations teams, or social media contractors, published, caused the publication of, participated in the publication of, and/or reasonably should have foreseen that their conduct would result in the publication and viral dissemination of materially false and defamatory statements of fact about Plaintiff. These defamatory statements included but were not limited to false claims that Plaintiff was "faking" her neurological illness, was mentally unstable, and had fabricated her condition for attention—statements that were spread across Instagram, TikTok, and Reddit, reaching millions of viewers and causing substantial reputational and emotional harm.
- 53. Defendants Mario Lopez and Does 1 through 50, inclusive, through their agents, public relations affiliates, and/or social media operatives, intentionally made and disseminated false statements of fact and republished content that conveyed a false and defamatory meaning about Plaintiff. These statements, initially posted by Defendant Lopez on his Instagram account and subsequently echoed in coordinated TikTok videos and Reddit commentary, were reasonably understood by the public to imply that Plaintiff was mentally unstable, dishonest, and fabricating or exaggerating a rare medical condition for public attention. Defendant Lopez's own remarks, including a comment suggesting Plaintiff deserved "an Oscar," falsely characterized her as a fraud and attention-seeker. The defamatory implications of these statements—that Plaintiff was deceitful, emotionally unwell, and untrustworthy—were widely circulated and understood to malign her personal integrity, credibility, and professional reputation. These statements were false and were made with actual malice or with reckless disregard for the truth,

particularly given Defendant Lopez's position as a seasoned media professional with access to accurate information through internal NBCUniversal channels.

- 54. As a reasonably foreseeable, and in fact intended, consequence of Defendants' actions, third parties repeated, reposted, and amplified these false and defamatory statements across various media platforms, causing ongoing and compounding harm to Plaintiff's reputation, livelihood, and well-being.
- 55. The defamatory nature of Defendants' statements and coordinated social media campaign is evident on its face. Defendant Mario Lopez, by republishing a misleading and outdated *Inside Edition* segment, part of a separate federal defamation lawsuit, alongside his own false and mocking commentary on Instagram, intentionally conveyed defamatory implications about Plaintiff—that she was mentally unstable, dishonest, and seeking attention under false pretenses. These misrepresentations were amplified by multiple TikTok videos and Reddit posts from accounts reasonably believed to be affiliated with or acting on behalf of Defendant Lopez and/or his public relations team. These posts employed selective video clips, inflammatory language, and sensationalist framing that falsely portrayed Plaintiff as fabricating her condition. These statements and implications were presented as fact and designed to incite public ridicule, harassment, and reputational destruction. Upon information and belief, the *Inside Edition* video clip used in Defendant Lopez's post has since been removed from Paramount Global's digital platforms—an implicit acknowledgment of its defamatory nature and the harm it has inflicted upon Plaintiff.

SECOND CLAIM FOR RELIEF

(False Light Invasion of Privacy – California Const., Art. I, § 1)
Plaintiff Townsend v. All Defendants

- 56. Ms. Townsend hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if set forth fully herein.
 - 57. As alleged hereinabove, Defendants Mario Lopez and Does 1 to 50 publicly disclosed

false and misleading information about Plaintiff's medical condition, personal history, and moral character—most notably by republishing an outdated and defamatory Inside Edition segment alongside his own mocking commentary, and by triggering or coordinating a viral smear campaign across TikTok and Reddit. These acts portrayed Plaintiff in a false light that would be highly offensive to a reasonable person and were clearly designed to provoke public ridicule, humiliation, and widespread distrust. The effect was to distort the truth of Plaintiff's lived experience and maliciously recast her as a manipulative, unstable figure, when in fact she suffers from a rare neurological condition misunderstood even by medical professionals.

- 58. The false light created by Defendants Lopez and Does 1 to 50 would be highly offensive and objectionable to a reasonable person in Plaintiff's position, as it falsely cast Plaintiff as mentally unstable, dishonest, and attention-seeking, turning her into the object of public scorn, ridicule, humiliation, and baseless suspicion. This portrayal was not only inaccurate, but deliberately calculated to damage her reputation and personal dignity in the eyes of the public.
- 59. Defendants Lopez and Does 1 to 50 knew, or acted with reckless disregard as to whether, their public disclosures, including Lopez's Instagram post and the subsequent viral TikTok smear campaign, would create a false and misleading impression about Plaintiff, namely that she was mentally unstable, dishonest, or fabricating her medical condition. Defendants proceeded with publication and amplification of these defamatory narratives in conscious disregard of the truth and the profound harm it would inflict on Plaintiff's reputation and livelihood.
- 60. As a direct and proximate result of the false, misleading, and widely disseminated defamatory statements made and orchestrated by Defendant Mario Lopez and Does 1 to 50, Plaintiff has suffered significant damage to her professional reputation, career prospects, and personal credibility. The public smear campaign, including Lopez's defamatory Instagram post and the coordinated viral videos, triggered a sudden and destructive shift in public perception, leading to severe emotional distress,

including anxiety, humiliation, and reputational trauma. Plaintiff has experienced tangible professional setbacks, including loss of employment, interference with business relationships, and diminished future earning potential across the legal, media, and advocacy fields in which she works.

61. The conduct of Defendants Mario Lopez and Does 1 to 50, as described herein, was a substantial factor in causing Plaintiff serious reputational and emotional harm, constituted a grave invasion of her right to privacy, and reflected an egregious abuse of influence and media power, conduct so extreme and outrageous it shocks the conscience. Defendants acted with oppression, fraud, and malice by initiating, amplifying, and allowing the viral spread of defamatory and misleading narratives about Plaintiff across multiple social media platforms. Despite knowing or having reason to know the truth, they failed to retract, correct, or mitigate the damage. Accordingly, Plaintiff is entitled to an award of punitive and exemplary damages in an amount to be determined at trial.

THIRD CLAIM FOR RELIEF

(Intentional Infliction of Emotional Distress) Plaintiff Townsend v. All Defendants

- 62. Ms. Townsend hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if set forth fully herein.
- 63. Defendants Mario Lopez and Does 1 to 50, as alleged herein, engaged in extreme and outrageous conduct with the intent to cause, or with reckless disregard for the probability of causing, Plaintiff severe emotional distress. Immediately following Plaintiff's public confrontation of Defendant Lopez regarding his defamatory Instagram post, Defendants launched or participated in a coordinated smear campaign across multiple social media platforms, republishing misleading and outdated footage alongside commentary that painted Plaintiff as mentally unstable, dishonest, and obsessed.
- 64. As a direct and substantial result of Defendants' wrongful and malicious conduct, Plaintiff suffered severe emotional distress.
 - 65. Defendants' acts were willful, wanton, malicious, oppressive, and carried out in conscious 26

disregard for Plaintiff's rights, thereby justifying an award of punitive and exemplary damages according to proof at trial.

FOURTH CLAIM FOR RELIEF

(Civil Conspiracy)

Plaintiff Townsend v. All Defendants

- 66. Ms. Townsend hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if set forth fully herein.
- Open information and belief, Defendant Mario Lopez, his attorney Alexandra Kazarian, and a third-party individual believed to be Josiah James Johnstone (or a person acting under the alias "Angel Mendez"), knowingly entered into an agreement and acted in concert to execute a coordinated scheme designed to intimidate, defame, discredit, and emotionally destabilize Plaintiff. This agreement included, but was not limited to: the dissemination of false and defamatory information, the filing of a retaliatory and baseless civil restraining order, the strategic use of social media for harassment, and the recruitment of a third-party intermediary to bait and manipulate Plaintiff under false pretenses. These acts were not isolated; they were part of an orchestrated campaign to undermine Plaintiff's credibility, provoke a reaction that could be weaponized in court, and chill her legal and political advocacy.
- 68. The conspirators took overt steps in furtherance of this scheme. These steps included: (1) the third-party individual feeding Plaintiff fabricated claims of sexual harassment against Mr. Lopez at NBCUniversal; (2) collection of personal information about Plaintiff's employment, ex-husband, and former colleagues to spread reputational harm; (3) TikTok activity from Defendant's attorney and potentially Defendant himself, used to monitor, provoke, and intimidate Plaintiff; (4) the creation of a fake TikTok account using Paramount Global copyrighted material to falsely disclose the amount paid in legal fees to pursue the restraining order; and (5) the filing of a civil harassment petition parroting defamatory language used by Paramount and Mario Lopez, including calling Plaintiff "unhinged," "delusional," and "obsessed.".

- 69. As a direct and proximate result of Defendants' civil conspiracy and the overt acts taken in furtherance of it, Plaintiff has suffered significant harm, including but not limited to: severe emotional distress, reputational damage, loss of professional opportunities, fear for personal safety, and interference with political and legislative endeavors.
- 70. Defendants' conduct was willful, wanton, malicious, oppressive, and carried out with conscious disregard for Plaintiff's rights, thereby justifying an award of punitive and exemplary damages in an amount to be determined at trial.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for judgment as follows:

- 1. Due to the ongoing and escalating nature of the harm, Plaintiff now seeks damages in the amount of \$25,000,000.
- 2. For general damages, including emotional distress damages, according to proof on each cause of action for which such damages are available.
- 3. For special damages, according to proof of each cause of action for which such damages are available.
- 4. For compensatory damages, including emotional distress damages according to proof on each cause of action for which such damages are available.
- 5. For punitive damages and/or exemplary damages, as allowed by law, in an amount according to proof on each cause of action for which such damages are available.
 - 6. For prejudgment interest and post-judgment interest according to law.
 - 7. For costs of suit incurred in this action.
 - 8. For such other and further relief that the Court deems proper and just.
- 9. Plaintiff affirms that any monetary award recovered in connection with this action will be donated equally to Women in Media, founded by Tema Staig, and the Triumph Foundation, founded by

1	Andrew Skinner, both registered 501(c)(3) nonprofit organizations based in Los Angeles, California
2	These donations will support their respective missions of advancing equality and inclusion in the
3	entertainment industry and assisting individuals with spinal cord injuries and disorders.
4	
5	Dated: July 13, 2025 By: DESIREE GUERRIERE TOWNSEND
6	Plaintiff
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28	29

EXHIBIT A













Account not found

@city_of_angels_la

Jun 9, 2:49 PM



Hi you work with Mario?

I don't want you to get in trouble at work though. That's my only concern.

Hello. I don't work with him anymore, but work for the same company Access llywood is aired on and wo e able to figure out how you can serve him.









Share post











Ah I see I think I found his home address for Sunday. But if we can't serve him could I ask you to do it during the week at Access? I just don't want you to get in trouble at work that's my only concern.



Jun 9, 3:18 PM

Of course. Let me know and we could work it out.

Jun 9, 3:28 PM

I really appreciate it. Can I reach out to you Sunday? If we have no luck serving I will send you the docs and pay you to serve.

Jun 9, 3:38 PM

Yes of course. You can reach out whenever you need to









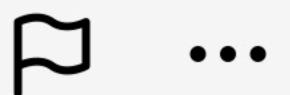


Share post









Hello. I don't work with him anymore, but work for the same company Access Hollywood is aired on and would be able to figure out how you can serve him. Only thing, you wanted to serve him on Father's Day. He won't be at Universal on that day, they only film there Monday-Friday

Jun 9, 3:05 PM

Ah I see I think I found his home address for Sunday. But if we can't serve him could I ask you to do it during the week at Access? I just don't want you to get in trouble at work that's my only concern.



Jun 9, 3:18 PM

Of course. Let me know and we could work it out.



Jun 9, 3:28 PM



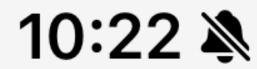






Share post











Jun 9, 3:38 PM

Yes of course. You can reach out whenever you need to

Jun 9, 5:41 PM

Thank you so much! Here is my number:

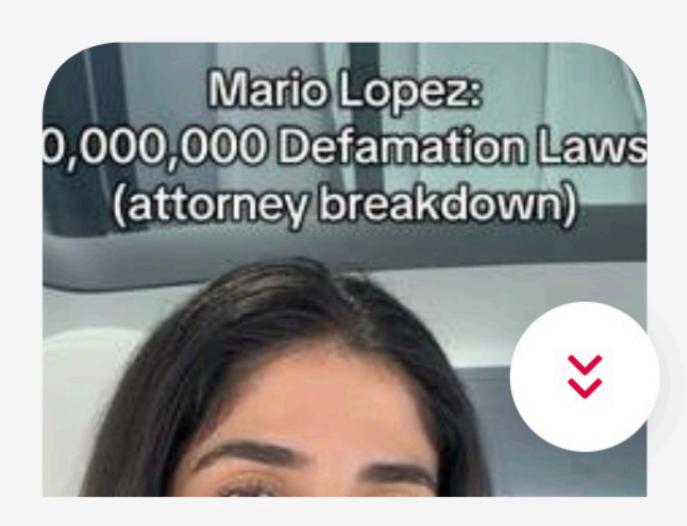


You're welcome. Here's mine: 805-

Great what is your name by the way?

I didn't see it on your profile

Jun 16, 5:41 PM











Share post



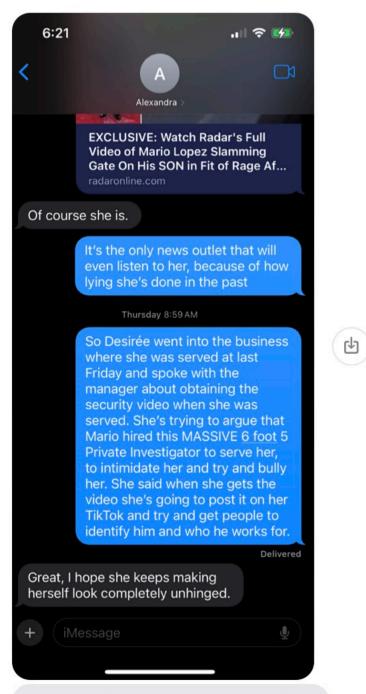
EXHIBIT B



Yesterday 6:19 AM

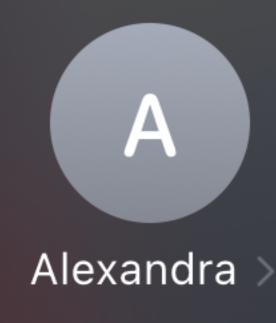
Just felt like telling you, I've been texting with Mario's attorney Alexandra for over two weeks now and have been forwarding everything the whole time we've been talking and even purposely giving you false narration. I'll see you on the 11th.

So I guess I should say, thanks for all the info hahaha.



Don't believe me, here's proof lol.







EXCLUSIVE: Watch Radar's Full Video of Mario Lopez Slamming Gate On His SON in Fit of Rage Af...

radaronline.com

Of course she is.

It's the only news outlet that will even listen to her, because of how lying she's done in the past

Thursday 8:59 AM

So Desirée went into the business where she was served at last Friday and spoke with the manager about obtaining the security video when she was served. She's trying to argue that Mario hired this MASSIVE 6 foot 5 Private Investigator to serve her, to intimidate her and try and bully her. She said when she gets the video she's going to post it on her TikTok and try and get people to identify him and who he works for.

Delivered

Great, I hope she keeps making herself look completely unhinged.



U



Wow, that was not a smart move. I can now use all of this in court. Yes, see you there!

I could care less lol. Everything I was feeding you was purposely a false narration and you're stupid ass ran with it and posted videos left and right lol. There was never an investigation with NBC into Mario lol. And I did not resign. I was collecting info from you to help Mario, because you're an insane stalker

You don't think I did not know that?



Who is the fool now?

You have no idea how many steps ahead of you I am.

All I needed from you is what you just sent me

You didn't know that, because you made multiple videos of the false info I told you lol. You don't even know my real name

proof you are working with Mario like I suspected all along

I dont' need to

I just needed to know you work with Mario

Case closed

See you Friday

Haha. You've won zero cases. You're just a mentally ill woman who the whole world caught in a lie and now you're trying to stay relevant hence why no news agency want to touch you or your fake story

Hence why Radar didn't do a story on those messages you sent him. I reached out to him and informed him of some things and that's why he even told me, "I'm done covering this." Lol



they didn't do it because I asked them not to to protect the woman

and because I had a suspicion it was a lie, the fact that you keep disclosing this information is insane to me

Nope, that's only the excuse they told you, so you would stop bugging them

Make sure you walk backwards into court

Ok sweetheart, are you done feeling good about yourself? This does nothing to help Mario in court but only makes things so much worse for him.

You don't even know my name, the real name of my friend who used to work there. I changed the names of everything and everyone to protect them. I was a cop for 8 years and have a degree in criminal justice and even know the PI that served you, yet had to act like I didn't lol

Ok princess

You ok?

I've already reached out to your ex husband and some members of the NFL cheerleading team you used to be with. They all said you're crazy. I've been collecting statements from people for weeks and handed them all over to Alexandra. This is why I kept blowing you off, when you wanted to meet me. Next thing, you'll be stalking me like you did Mario.

> Hahaha, you were the one that was hitting on me remember? It's in the text messages here. You can collect all the statements you want.

> > oh by the way, thank you for sending this now, this helps for my amended complaint!

It's called a pattern of malice

Yesterday 8:45 AM

By the way, let Alexandra know I will be filing a complaint against her with the California State bar. Her behavior in this scheme is reprehensible.

And I will be subpoening these text messages and any text messages she had with you in my civil defamation case, so remind her to preserve all messages.





Jun 9, 6:09 PM



2

Here's Mario and I Pre-Pandemic

(805) 286-6094 • Jun 9, 8:32 PM



To: Angel Mendez











Today 6:10 PM

Funny how you think it's ok to falsely identify someone. I guess you didn't learn anything from that RO Mario got you, so I guess I will be getting one as well. You may want to study the law, before you accuse someone of a crime (as I have not committed one). I've never been near you, neither wanted to. Mario did not hire me and neither did the law firm representing him. Truthfully think Mario is a great person and just wanted to help him out. I have send over all of the articles on you (how you got caught lying on national news). I sent over several articles and even a very recent message from Radar to me on how they don't want to touch this story because of your past, to that DA your trying to threaten me with. You have lost all credibility, because if the lies you spread. I will make sure there is a TRO granted and served on you. Have a nice evening. As I know others in your life and family have distanced themselves from you.

I've also attached a copy of the restraining order Mario Lopez got on you and sent it into that district attorney so he can review just how crazy you are

Being I live in Glendale, my TRO will most likely be granted and will be read by the same judge that granted Mario's. Can't wait to have you served and have it posted on social media.

Also: good thing all of our calls were recorded. Trying to say I'm harassing you or stalking you, is completely slanderous. I even have the voice message of you ASKING me to go to Washington DC and emails from you, asking me to go to DC with you. I've also emailed that Congressman about you and informed him about all your past articles and about the slanderous campaign you're trying to do against Mario.







EXHIBIT C









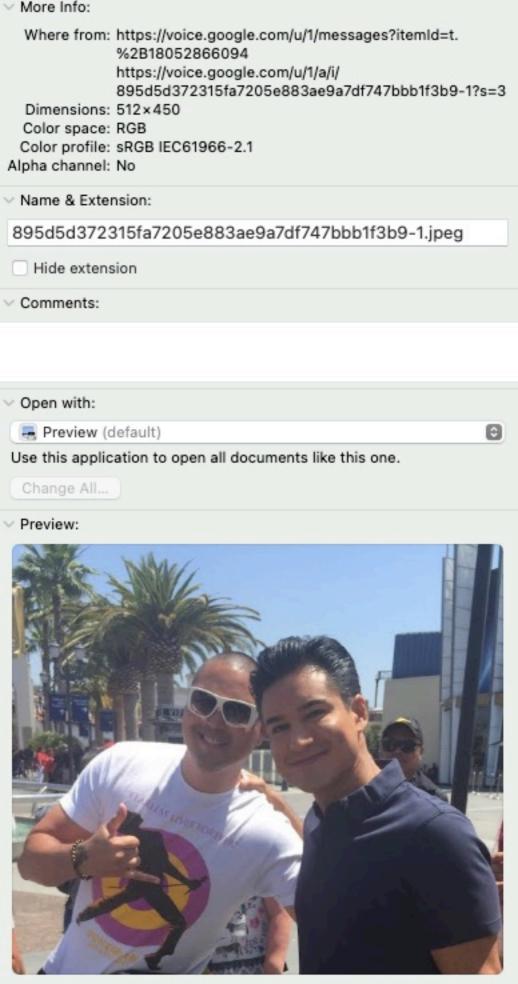


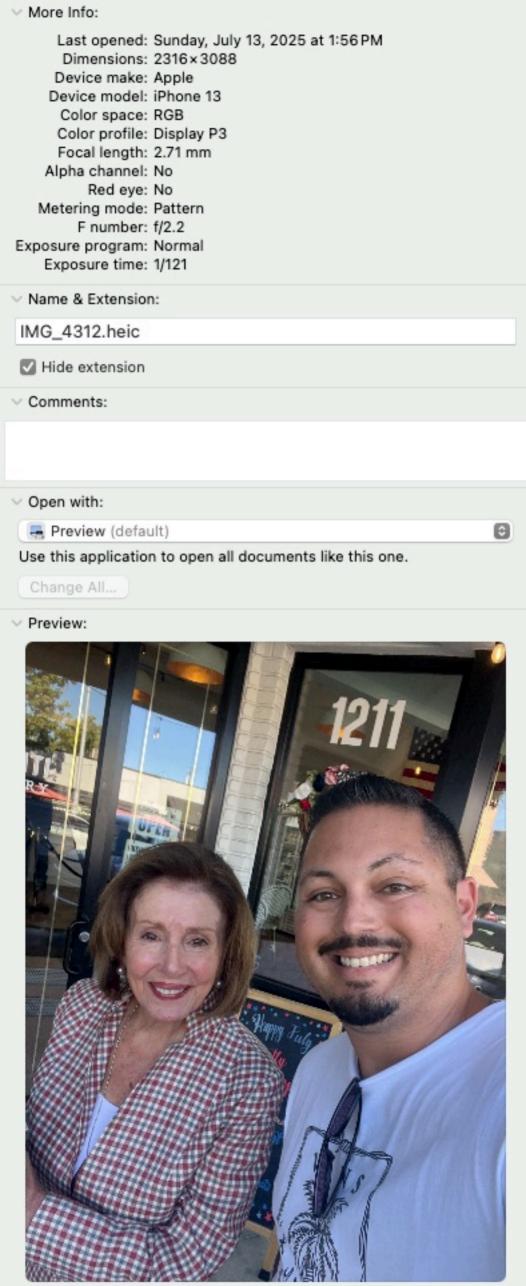


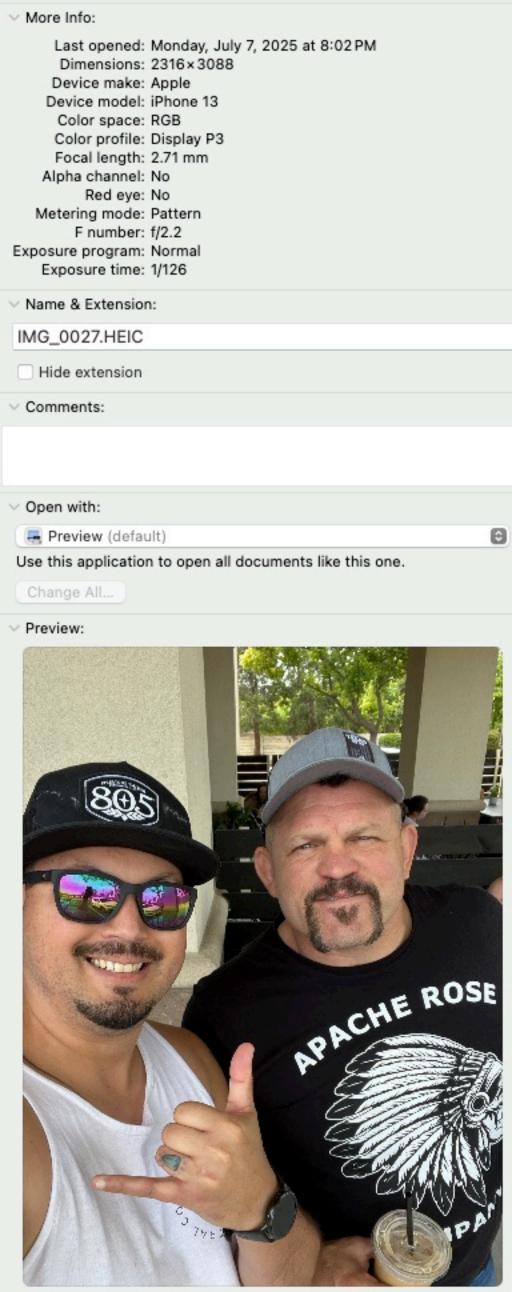


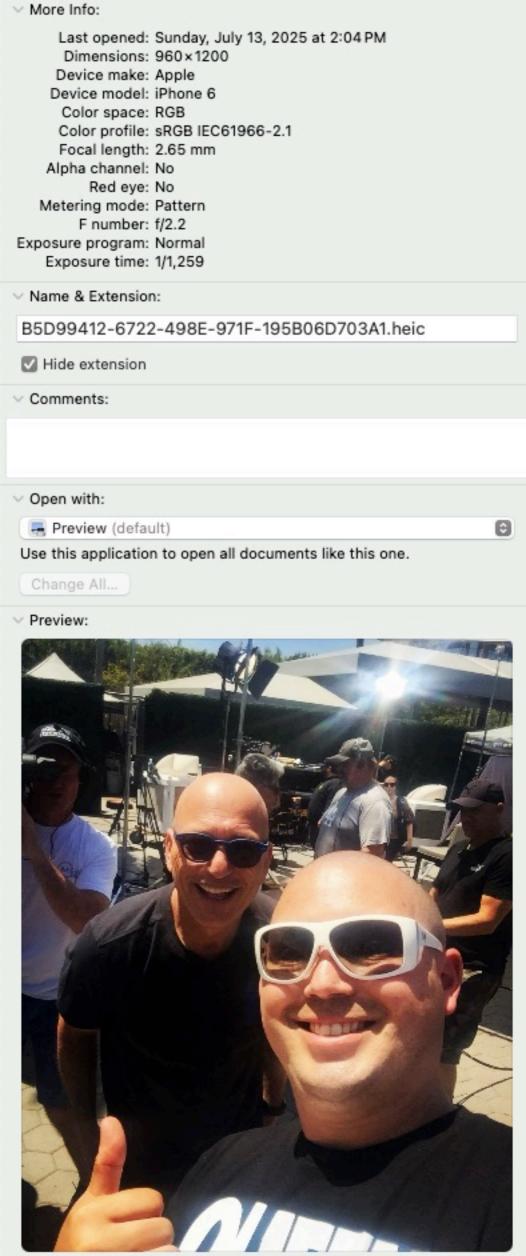


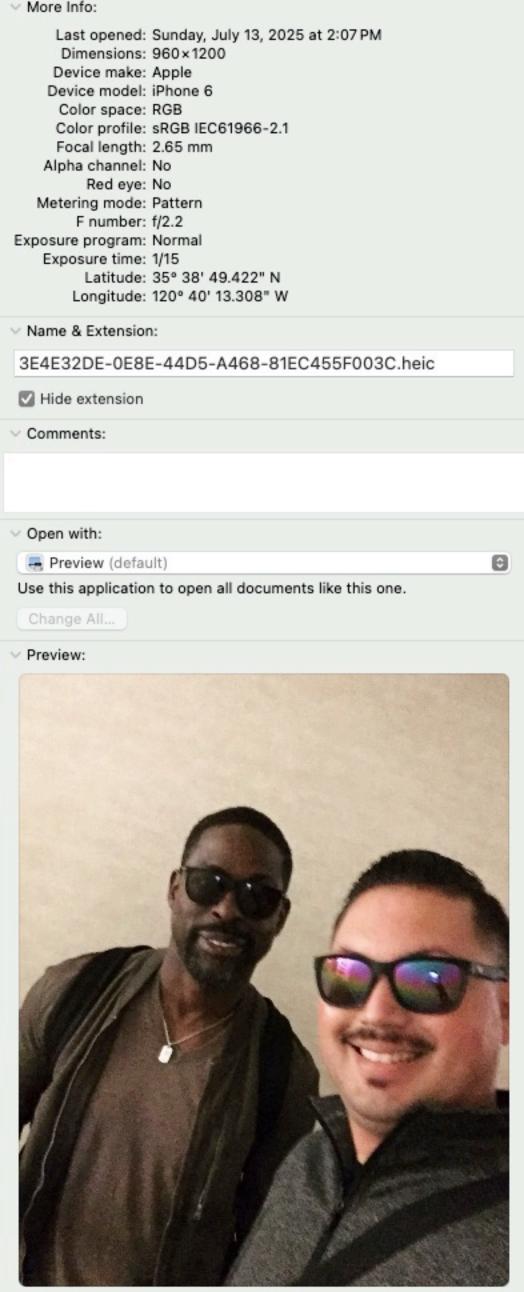














Last opened: Sunday, July 13, 2025 at 2:06 PM

Dimensions: 960×1280 Device make: Apple

Device model: iPhone 6 Color space: RGB

Color profile: sRGB IEC61966-2.1

Focal length: 2.65 mm Alpha channel: No

Red eye: No

Metering mode: Pattern F number: f/2.2

Exposure program: Normal Exposure time: 1/30

V Name & Extension:

IMG_0782.heic

Hide extension

Comments:

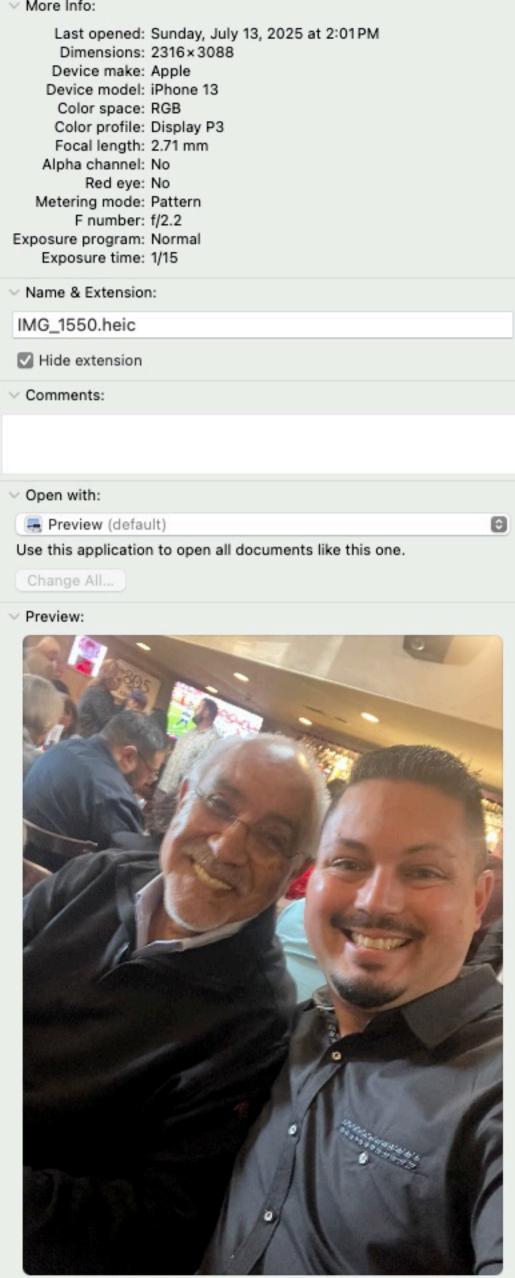
Open with:

Review (default)

Use this application to open all documents like this one.

Change All...





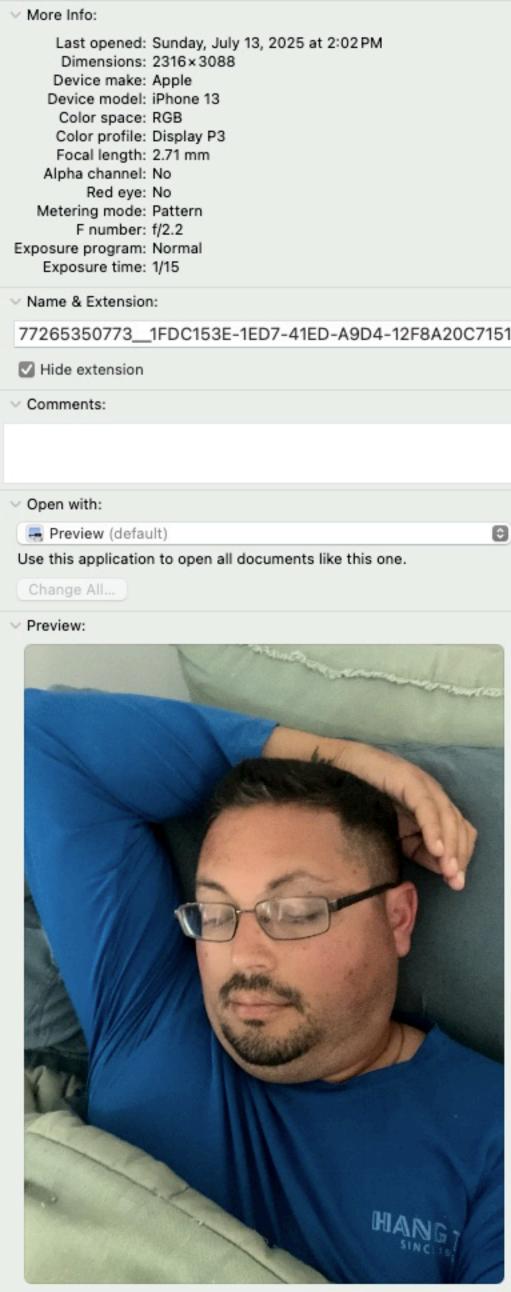


EXHIBIT D





Activity



Alexandra Kazarian liked your video. 6m





blueemoon54 reposted your video. 14m





blueemoon54 liked your video. 14m





Antonio 🎾 🚅 🛂 👼 and hazeyeyedazn liked your video.





countrygalAnnie liked your video.





Tracie liked your video. 36m





Armando Macias 482 added your video to Favorites. 50m





emilija liked your video. 1h





DJ liked your video. 1h







bridgetamichels liked your video.







Activity



one even saw it or cared until you made it a big deal 1h









Davie Dave commented: 🙈 🙈











Others



Alexandra Kazarian liked your video. 12m





Michael liked your video.







Timothy Redman, grubwithdeedub and 2 others liked your video. 1h





Niki Zytion liked your video. 1h







ElGeoTowing777LV and Petpolishers liked your video. 1h





Minerva Rose Go added your video to Favorites. 2h





JohnnyBlaze24 commented: Dude don't you understand everyone is looking for money anyway they can and you dont think she trying to scam? Even if



12:38 ••• 5G+ **Activity** oreosss liked your video. 2h **☆*.** ∴ **♦Arely ♦**∴. *☆ commented: Keyword: I. Meaning you, correct? Just because you enjoy something it doesn't mean every women enjoys it 2h Q Reply ♥ Like 💫 Ana 🐆 liked your video. 2h mario viked your video. 2h mario added your video to Favorites. 2h Ruyon liked your photos. 2h liz, Joel's RemodelingLLC and moni added your video to Favorites. 3h

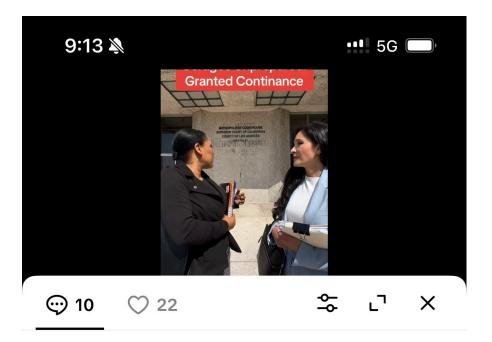


HollywoodPatriot liked a video you reposted. 511

Rojaz liked 2 posts. 3h



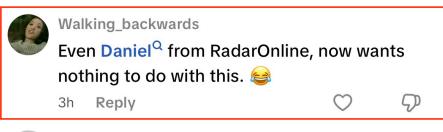






Desirée Townsend · Creator

Only "news" reporting on this case. Mario Lopez's attorneys unprepared for court. 22h





user258619102844

Mario Lopez is shameful! He's full of himself!

21h Reply









Peter V

Keep up your fight Desiree!!!

First comment

22h Reply









NewsRGV

The continuance is to inflict costs and emotional distress

















Replying to Walking_bac...









••• 5G



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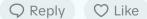
Activity

Priority



Walking_backwards commented: She has zero idea what she's doing. Mario paid 50k alone, just for the retainer fee 4m







Walking_backwards commented: Judge that knows the law and knows the truth 5m







Walking_backwards commented: FACTS 6m





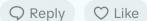




L. Oribio commented on your post. You now have 10 comments. 10m







Others



got2b_amy and Melly liked your video. 8m





user9688146204403, Poppops1960 and 4 others liked your video. 9m





Milada liked your video.



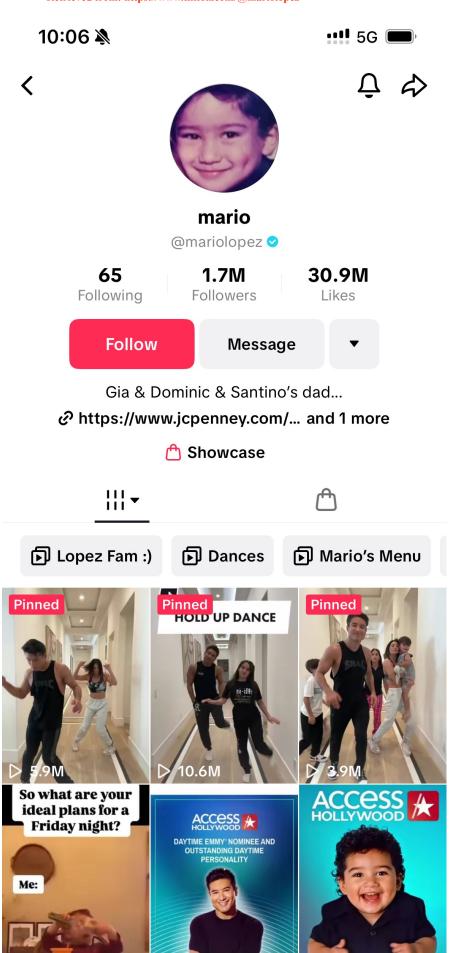














Retrieved from: https://www.tiktok.com/@akincontempt

Alexandra Kazarian







@akincontempt

275

117.5K

1.7M

Following

Followers

Likes

Follow

Message

Instagram: @akincontempt

213-290-2478 Criminal defense and civil trial attorney

@instagram.com/akincontempt





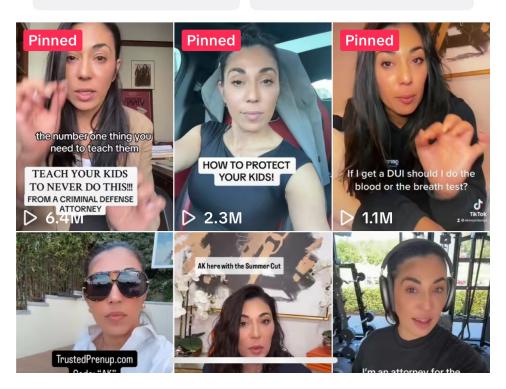


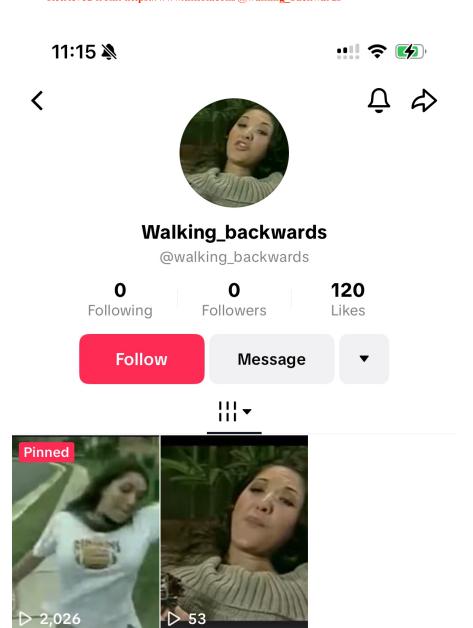




DUI Dos and Don'ts

Protect Your Children





+1 (310)

Favorites, 3m

7m

video. 30m

Q Reply ♥ Like

liked your video. 7m

Others

Q Reply ♥ Like



6·29 Ş	July 13, 2023	
<	Activity 🔻	

Walking_backwards commented:

ValenciaJewelryWatchBattery...

rusty9678 liked your video. 3m

rusty9678 added your video to

Familia Molina commented:

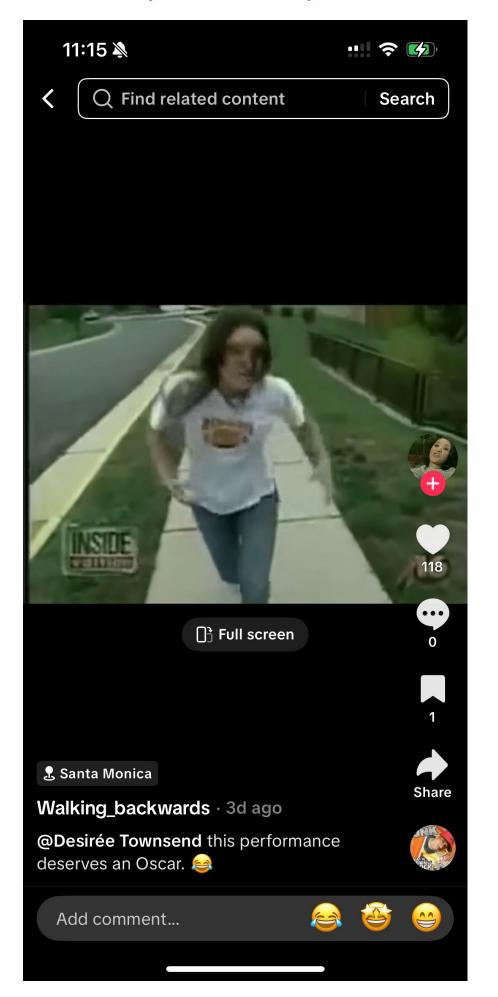
Alma G. Schwartz lic#01356726

Jeanette liked your video. 21m

Brandi Woolsey-Scott liked your

Luis Ángel commented: Sexual harassment and racism 😝 37m

liked your video. Just now



1 **PROOF OF SERVICE** 2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES I am employed in the County of Los Angeles, State of California. I am over the age of 18 3 and not a party to the within action; my business address is 644 South Figueroa Street Los Angeles, California 90017-3411. 4 On August 14, 2025, I served the foregoing document described as **NOTICE OF MOTION** 5 AND SPECIAL MOTION BY DEFENDANT MARIO LOPEZ TO STRIKE PLAINTIFF'S FIRST AMENDED COMPLAINT; SUPPORTING MEMORANDUM OF POINTS AND 6 **AUTHORITIES** [C.C.P. § 425.16] on the interested parties listed below: 7 Desiree Townsend 2901 Ocean Park Blvd., Suite 201 8 Santa Monica, CA 90405 9 desiree@sparktrademarks.com 10 Attorney for Defendant, Mario Lopez 11 Said service was made by placing true copies thereof enclosed in a sealed envelope(s) 12 addressed as stated above AND. 13 $\sqrt{}$ (U.S. MAIL) Placing the envelope for collection and mailing on the date and at our business 14 address following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of 15 business with the United States Postal Service in a sealed envelope with postage fully prepaid. 16 $\overline{\mathbf{V}}$ (BY ELECTRONIC TRANSMISSION) I caused the above-described document to be transmitted by electronic transmission. 17 18 Executed on August 14, 2025, at Los Angeles, California 90017. 19 I declare under penalty of perjury under the laws of the State of California that the above is true and correct. 20 /s/ Tony Benitez 21 TONY BENITEZ 22 23 24 25

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Make a Reservation

DESIREE GUERRIERE TOWNSEND vs MARIO LOPEZ

Case Number: 25NNCV04089 Case Type: Civil Unlimited Category: Defamation (slander/libel)

Date Filed: 2025-06-13 Location: Glendale Courthouse - Department E

Reservation	
Case Name: DESIREE GUERRIERE TOWNSEND vs MARIO LOPEZ	Case Number: 25NNCV04089
Type: Special Motion to Strike under CCP Section 425.16 (Anti-SLAPP motion)	Status: RESERVED
Filing Party: Mario Lopez (Defendant)	Location: Glendale Courthouse - Department E
Date/Time: 09/12/2025 8:30 AM	Number of Motions: 1
Reservation ID: 760241912018	Confirmation Code: CR-UP64K7TTPRKYJ6YUG

Fees			
Description	Fee	Qty	Amount
Special Motion to Strike under CCP Section 425.16 (Anti-SLAPP motion)	0.00	1	0.00
TOTAL			\$0.00

Payment	
Amount: \$0.00	Type: NOFEE
Account Number: n/a	Authorization: n/a
Payment Date: n/a	



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