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ATTORNEYS AT LAW

April 12, 2019

VIA Certified Mail [REDACTED] and Email
[REDACTED]

Jamie Marchi
[REDACTED]
[REDACTED]

RE: Vic Mignogna; Request for correction, clarification, or retraction pursuant to Texas Civil Practice & Remedies Code (“CPRC”) §§73.052 et seq.

Dear Ms. Marchi:

As you are aware, my firm, Beard Harris Bullock Hughes, has been retained to represent Mr. Vic Mignogna regarding false, misleading and unsubstantiated statements about him represented as fact. This is a demand specifically relating to the publication of status posts and “tweets” via your personal social media accounts including ~~@ro8toe~~ containing statements that defame Mr. Mignogna.

@marchimark

The bullet list below sets forth examples of your online statements that defame Mr. Mignogna.

- On February 6, 2019 at 9:05 p.m. on Twitter, you stated, “Yes, I want his head. I want his balls. I want him to feel an ounce of the pain he’s cause others and then fucking choke on it. I want you to take his dick out of your ears so you can actually hear reality. But, you know, that’s just me.” This statement is not only defamatory and false but purely malicious. You have not personally witnessed any of the alleged incidents that you claim Mr. Mignogna committed to cause pain to

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others. You imply he has committed some type of criminal offense worthy of castration yet have zero facts to validate what led to this threatening, hateful tweet you made toward another human being.

- The Twitter statement on February 8, 2019 at 3:50 p.m. where you told, “Your story” is attached due to the lengthy nature of this tweet. The defamatory parts of this tweet include the statement that “he gave almost all the women at my job the creeps.” Clearly false as he had been working at this company for 15 years and had friends. Your claim that he whispered something “sexual in nature” to you is purely fantasy and is false because you can’t remember what he said. You imply that he yanked your head backwards which implies he committed some type of crime and as you put it “his actions qualify as simple assault.” You emphatically state that he committed a crime, which is defamatory and false. You indicate half a dozen women you personally know came forward with accounts, yet you never witnessed a single “account” personally to be able to comment, which means this statement is false. Furthermore, you call Mr. Mignogna “a predator.” This is defamatory and false because there has never been a criminal action against Mr. Mignogna where a court determined that he was a predator to anyone. This just implies that he is the worst kind of criminal and he clearly, as evidenced by thousands of fans who respect and admire him, is not the truth.

- On February 7, 2019 at 12:32 a.m. you tweeted, “What would Jesus do? Light him on fire and send him to hell.” This statement besides being blasphemous is defamatory and it too is false. There is not a single place in the Bible where Jesus states that he would “light someone on fire and send him to hell.” Jesus spread the message of love for everyone, not vindictiveness and defamation.

- The Twitter statement in the same thread as the previous tweet’s state, “Fighting back does not, in any way, shape or form, make me as bad as Vic.” This statement is defamatory and false because Mr. Mignogna, is not a bad person, but you imply that he is a bad person akin to a criminal.

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These specific statements published by you are defamatory because they allege that Mr. Mignogna has committed sexual assault and is a sexual predator, and they go so far as to endorse these allegations as being based on truth, even though no inquiry was ever made into the truth or falsity of those allegations in a forum designed to seek the truth. This campaign that you are championing against Mr. Mignogna has resulted in loss of employment by Mr. Mignogna and Mr. Mignogna having numerous conventions cancel convention appearances by Mr. Mignogna.

Demand is made that you immediately cease disparaging and defaming Mr. Mignogna to anyone in any manner. Further, demand is hereby made that you immediately remove any defamatory or disparaging comments posted anywhere on the internet, including Twitter, Facebook, the ANN website, Tumblr, and YouTube to include all Twitter posts attached to this letter. Demand is further made that you publish a retraction of these defamatory statements.

Please be aware that Mr. Mignogna takes this matter very seriously and failure to immediately comply with this demand will result in a lawsuit. Mr. Mignogna will use any and all means available to him under the law and/or in equity to protect his rights. This includes, but is not limited to, seeking the recovery of actual monetary damages and punitive damages suffered as result of the canceled conventions, contracts, future contracts and the loss of earnings. Based upon what currently exists, we believe that Mr. Mignogna has claims against you individually for defamation, defamation per se, tortious interference with contract, business disparagement, and intentional infliction of emotional distress.

You are under a continuing obligation to preserve the requested data related to Vic Mignogna that exists or may come into existence after the date of this letter.

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Thank you for your attention to this matter. Please confirm receipt of this notice and intention to comply. If you have any questions or concerns regarding anything contained in this letter, please feel free to contact myself or Beard, Harris, Bullock & Hughes.

Sincerely,

Ty Beard

Cc: Client

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Jamie Marchi ✓

@marchimark

Follow



Replying to @AlishaNico @Rialisms

Yes, I want his head. I want his balls. I want him to feel an ounce of the pain he's cause others and then fucking choke on it. I want you to take his dick out of your ears so you can actually hear reality. But, you know, that's just me.

9:05 PM - 6 Feb 2019

40 Retweets 664 Likes



202

40

664



Tweet your reply



matthew naico @MatthewNaico · Feb 10

Replying to @marchimark @AlishaNico @Rialisms

Someone needs to chill and memeber this isn't Salem 1692

This media may contain sensitive material. Your media settings are configured to warn you when media may be sensitive.

View



2

37



Mr. Pickle @kurogale · Feb 9

Replying to @marchimark @AlishaNico @Rialisms

What is she on about?

2

1

18



matthew naico @MatthewNaico · Feb 10

Witch hunt mostly



Jamie Marchi ✓

@marchimark

Follow

I stand with the victims. My experience is minor in comparison to many others; however, having realized this wasn't an isolated incident, I felt compelled to share.

Several years ago, I was in the lobby at my job when I was approached by a co-worker. This guy gave me the creeps already (he gave almost all the women at my job the creeps), but I always felt like I had to be nice to him anyway because of how revered he was in the industry. As we said hello, he stood to the side of me and started running his fingers through my hair. Now, I do work in an affectionate industry; we hug a lot, and on occasion, will give a kiss on the cheek. But even for an affectionate environment, this felt off. I didn't say anything to him about it, though. It was just his fingers in my hair, I didn't think it was a big deal. At that point, he splayed his fingers, put his hand at the base of my skull, and made a fist. When he did this, he grabbed my hair close to the root, effectively preventing me from moving my head at all. He then jerked his fist, yanking my head backwards and towards him, and whispered something in my ear. I don't remember what he said specifically, but I do remember it being sexual in nature. This was not normal. This was not just a hug or a kiss on the cheek. I did not like it. I have no memory of getting out of his grasp, but I assume, "What the fuck are you doing?" was part of my technique.

Afterwards, I completely and utterly dismissed this experience. I dismissed the way I had been touched, dismissed having this man grab me. I dismissed the head jerked back. I dismissed the inappropriate. I dismissed this entire encounter.

I never reported this event to the company, it also didn't even occur to me that I should have. Although it had occurred to me, I can't say I would have reported. This guy was worshipped by his fans. He was worshipped by the studios because of his fans. He was the most popular voice actor on the convention circuit. Even treated him with kid gloves because he was the only Vic Mignogna. Who was I? A nobody in comic didn't matter, and I knew it. Risking being blacklisted my work and conventions simply wouldn't have it.

When I look back on this moment and discuss it with my far friends, I can see that his actions qualify as simple assault. Would he have gone to jail had I pressed charges? Not sure. Why would people believe me over a man who has a bible studies in hotel lobbies? And even if they did, they care about the truth if that meant tarnishing the reputation of their favorite voice actor?

In the last week or so, I've heard accounts of him doing something to half a dozen other women that I personally know. I am friends with these women, and we never told each other about our experiences. Some dismissed it, others felt too ashamed or scared to say anything. I struggle with the guilt I feel for having been so dismissive. Had I been able to speak up then, maybe these women would have had to experience what happened when I was unable to get out of Vic's grasp.

When speaking up now because I didn't even think about it until I realized other women had experienced the same thing. I thought it was just me. And at first, I didn't want to say anything because my experience was not as bad as what other people have suffered at the hands of a man. I wanted their stories to be heard first because theirs were the important ones. But, in this moment, I want others who I know are out there to hear this: it was me. It's okay if you didn't say anything, to him or to me else. You are not responsible for what happened. You do not have to be dismissive, ashamed, or afraid. If anyone ever goes through a similar experience, know from the start that their body is not up for grabs. Their body is not property of the most popular person in the room. Their body is not responsible for a company, or a show, or an artwork. Their body is most definitely not responsible for the reputation and livelihood of a predator.

3:50 PM - 8 Feb 2019

1,332 Retweets 5,003 Likes

631 1.3K 5.0K

Tweet your reply



Shannon McCormick ✓ @sadogre · Feb 8

Replying to @marchimark
Got yr back

99



Justin Briner ✓ @justinbriner · Feb 8

Replying to @marchimark
Thank you for your courage. You inspire me to be stronger. ❤️

12 9 618

1 more reply



J Michael Tatum @JMichaelTatum · Feb 8

Several years ago, I was in the lobby at my job when I was approached by a co-worker. This guy gave me the creeps already (he gave almost all the women at my job the creeps), but I always felt like I had to be nice to him anyway because of how revered he was in the industry. As we said hello, he stood to the side of me and started running his fingers through my hair. Now, I do work in an affectionate industry; we hug a lot, and on occasion, will give a kiss on the cheek. But even for an affectionate environment, this felt off. I didn't say anything to him about it, though. It was just his fingers in my hair; I didn't think it was a big deal. At that point, he splayed his fingers, put his hand at the base of my skull, and made a fist. When he did this, he grabbed my hair close to the root, effectively preventing me from moving my head at all. He then jerked his fist, yanking my head backwards and towards him, and whispered something in my ear. I don't remember what he said specifically, but I do remember it being sexual in nature. This was not normal. This was not just a hug or a kiss on the cheek. I did not like it. I have no memory of getting out of his grasp, but I assume, "What the fuck are you doing?" was part of my technique.

Afterwards, I completely and utterly dismissed this experience. I dismissed the way I had been touched. I dismissed having this man grab me. I dismissed having my head jerked back. I dismissed the inappropriate comment. I dismissed this entire encounter.

| I never reported this event to the company. It actually didn't even occur to me that I should have. Although, if it had occurred to me, I can't say I would have reported him. This guy was worshipped by his fans. He was worshipped by the studios because of his fans. He was the most popular voice actor on the convention circuit. Everyone treated him with kid gloves **because he was the one and only Vic Mignogna**. Who was I? A nobody in comparison. I didn't matter, and I knew it. Risking being blacklisted from my work and conventions simply wouldn't have been worth it.

As I look back on this moment and discuss it with my family and friends, I can see that his actions qualify as simple assault. Would he have gone to jail had I pressed charges? I'm not sure. Why would people believe me over a man who holds bible studies in hotel lobbies? And even if they did, would they care about the truth if that meant tarnishing the reputation of their favorite voice actor?

In the last week or so, I've heard accounts of him doing this exact thing to half a dozen other women that I personally know. I am friends with these women, and we never told each other about our experiences. Some dismissed it, like me. Others felt too ashamed or scared to say anything. I struggle with the guilt I feel for having been so dismissive of his actions. Had I been able to speak up then, maybe less women would have had to experience what happened when they were unable to get out of Vic's grasp.

I'm speaking up now because I didn't even think about this event until I realized other women had experienced the same thing. I thought it was just me. And at first, I didn't want to say anything because my experience was not nearly as bad as what other people have suffered at the hands of this man. I wanted their stories to be heard first because they were the important ones. But, in this moment, I want the others who I know are out there to hear this: it wasn't just you. It's okay if you didn't say anything, to him or anyone else. You are not responsible for what happened. You do not have to be dismissive, ashamed, or afraid. Also, I hope if anyone ever goes through a similar experience, they will know from the start that their body is not up for debate. Their body is not property of the most popular person in the room. Their body is not responsible for a company, or a show, or an artform. **Their body is most definitely not responsible for the reputation and livelihood of a predator.**



Jamie Marchi 
@marchimark



What would Jesus do?
Light him on fire and send him to hell.

12:32 AM · 2/7/19 · Twitter Web Client

60 Retweets **614** Likes





Mario Tainaka @SlaveOfSuzumiya · 4h ✓

I want his head, and I want him to suffer for what he did to my friend. Not just her but every other voice actor or actress he's harassed. This has been Going on for over a decade he needs to face the music



1



6



JoJo [The World 🌐] @jojo_dam... · 4h ✓

I agree that he needs to face the music but by getting angry and letting ourselves be consumed by rage towards a man who's already finished, we're no better than he is.



2



1



Jamie Marchi ✓ @marchimark · 2h ✓

I beg to differ. It's time to get angry. It's time to stand up. It's time to let our rage motivate us into making a change. Fighting back does not, in any way, shape, or form, make me as bad as Vic. That logic is why only 1 out of 3 victims come forward.



3



19



Mario Tainaka @SlaveOfSuzumiya · 2h ✓

^

