

Adwokat Joanna Parafianowicz  
**KANCELARIA ADWOKACKA**

Warsaw, February 2022

**NETFLIX, INC.**  
100 Winchester Circle  
Los Gatos, CA 95032, USA

Acting on behalf of the aggrieved party Piotr [REDACTED] represented by me pursuant to a power of attorney granted to me, a copy of which I attach herewith, in view of the publication of the image of my principal in the film entitled "The Tinder Swindler" directed by Felicity Morris, the world premiere of which took place on the Netflix.com platform on 2 February 2022:

- considering and accusing the production of unreliability in the preparation of materials published in the film by omitting the opportunity for my principal to express his opinion on the subject raised in the material,
- as well as unlawful and repeated use of my principal's image and deriving financial benefits from the described violations, and thus a violation of the personal rights of my principal (image, good name and reputation), I ask you:
  - I. to immediately cease and desist the violation of personal rights of Piotr [REDACTED] by abandoning further broadcast of the film entitled "The Tinder Swindler" directed by Felicity Morris,
  - II. to immediately cease and desist the broadcast of the audio series entitled "The Making of a Swindler",
  - III. to perform actions necessary to remove the effects of the described violation by:
    - 1/ publishing an apology worded as follows:

"Netflix, Inc. apologises to Piotr [REDACTED] for the unlawful use of his image in the film "The Tinder Swindler" directed by Felicity Morris, the world premiere of which took place on the Netflix.com platform on 2 February 2022. Netflix, Inc. declares that before the publication of the image of the aggrieved party, Netflix, Inc. did not obtain the consent required by law and despite having the personal and contact data of the aggrieved party (the publication contains a display of a photo of a plane ticket containing, among others, the name and surname of the aggrieved party, and in addition, his name is mentioned in one of the scenes), Netflix, Inc. did not provide the aggrieved party with an ability to express himself in the material, and thus did not allow him to relate to the subject of the film and take a stance on its content (to confirm or deny the theses put forward in the material and to comment on the possible role of the aggrieved party in the described dealings or denying such role).

Netflix, Inc. apologises to Piotr [REDACTED] for the fact that by depriving him of the opportunity to comment or before the publication to grant his consent for the use of his image - given the unambiguously negative purport of the film's content - Piotr [REDACTED] led the aggrieved Piotr

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Kaluski to the loss of good name and reputation essential in performing his current profession, deprived the aggrieved party of privacy and ridiculed the aggrieved party and in public opinion, and taking into account the fact that Piotr Kaluski acted dishonestly and with the purpose of deriving financial benefits from the publication, the action of Netflix, Inc. deserves to be condemned."

- and the above apology should be available on Netflix.com website at <https://www.netflix.com/> address and on the national homepages of the website in all languages of the website's accessibility for a period of 60 consecutive days, in the form of a pop-up displayed for at least 30 consecutive seconds, in the same font, size and colour in which other content is posted on the website, and published on the <https://www.netflix.com/> subpage containing a description of the abovementioned film, with the communication to be maintained on the said website for the entire duration of the film's availability on the website and on the same terms published on the <https://www.netflix.com/> on the national homepages of the website in all languages of the website's accessibility, in the same font, the same size and in the same colour, in which the other communications are posted on the website,
- 2/ to compensate the aggrieved party for the harm suffered by him as described above, the scope of which escalates with subsequent global publications about the production in the media and comments of social media Internet users (content secured in the form of a Notarial deed), which are aimed at establishing the identity of the aggrieved party and sometimes – administering justice to him due to the alleged participation in the dealings – by paying:
  - to 3,000,000 Euro for the harm suffered,
  - and to 2,000,000 Euro as compensation resulting from the inability to continue to practice the profession of a specialist in the protection of persons and property,

by way of a transfer to the bank account of the attorney<sup>1</sup>, payable within 7 days of delivery of this letter; however, please be advised that the above amounts may increase in the absence of a response by the party called to cease and desist.

Considering the above, I declare that my principal is the aggrieved person in the case. Not only because his personal rights have been flagrantly and unlawfully violated, but also because the title character of the film owes my principal a remuneration for the services rendered (approx. 10 000 Euro) and evades such payment.

The unlawful use of the image of my principal in the context of the film's content and the allegations of financial exploitation of women, and the suggestions made about the possible participation of Piotr ██████ in such dealings objectively and understandably contributed to the size of harm suffered. My principal is a person not involved in the project described in the production, had no knowledge of the financial activities of his employer and cannot be associated in any manner whatsoever with the formulated allegations.

Because of the above, I demand that the violations be brought to an immediate end and that the actions mentioned above necessary to remedy their effects be executed. I would like to advise that if the deadline expires ineffectively, the case shall be forthwith submitted to the court, which, given the unlawful nature of the actions of Netflix.com, shall undoubtedly affect both the escalation of the harm suffered by my principal and the damage sustained by him resulting from the scale of the violations sustained.

On behalf of my principal, I regret the lack of professionalism on the part of the film production and the Netflix, Inc., which, having all the human and material resources to describe in a way that is reliable and

<sup>1</sup> Bank account number: 11 1160 2202 0000 0001 5455 5362, BIC/SWIFT: BIGBPLPW, holder of account: Advocate Joanna Parafianowicz Kancelaria Adwokacka, ulica Grójecka 43 lok. 1, 02-031 Warszawa.

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consistent with the social interest the problem of abuse against women, which the aggrieved party is opposed to and in which he never participated, decided to raise the subject disregarding the credibility of its undertaking, but above all - the good of my principal.

  
ADVOCATE JOANNA PARAFIANOWICZ