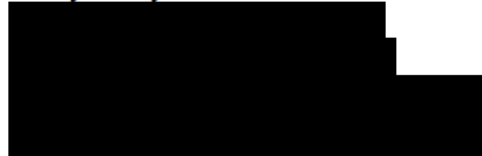


August 31, 2022

VIA EMAIL

"Enty Lawyer"



Re: Demand to Cease and Desist Publication of False and Defamatory Statements
about Sanela Diana Jenkins

Dear Sir:

My firm represents Sanela Diana Jenkins, Neuro Drinks, Neuro Brands, and D Empire Entertainment. This letter concerns a number of false and defamatory statements published by you across multiple media platforms, including:

- Your January 1, 2019, post on the "Crazy Days & Nights" blog titled "Blind Items Revealed #38," in which you falsely imply that Ms. Jenkins facilitated prostitution and child sex trafficking.¹
- Your November 2, 2021, tweet in which you falsely state that Ms. Jenkin's book, *Room 23*, is "a front for celebrity prostitution" and that "[s]he spent a LOT of time with Jeffrey Epstein." In addition, in the tweet, you use an April 8, 1997 photo including Donald Trump, Jeffrey Epstein, and Belgian model Ingrid Seynhaeve,² falsely identifying Ms. Seynhaeve as Ms. Jenkins.³

¹ Available at <https://www.crazydaysandnights.net/2019/01/blind-items-revealed-38.html>.

² See Beth Reinhard, Rosalind S. Holderman, and Marc Fisher, *Donald Trump and Jeffrey Epstein Parties Together. Then an Oceanfront Palm Beach Mansion Came Between Them*, WASHINGTON POST (July 31, 2019, 5:05 PM), https://www.washingtonpost.com/politics/donald-trump-and-jeffrey-epstein-partied-together-then-an-oceanfront-palm-beach-mansion-came-between-them/2019/07/31/79f1d98c-aca0-11e9-a0c9-6d2d7818f3da_story.html; Yvonna Owens, PhD, *An Utterly Compromised American President*, MEDIUM (July 20, 2018), <https://yewtree2.medium.com/an-utterly-compromised-american-president-f4f06a4a704c>.

³ Available at <https://twitter.com/entylawyer/status/1455710990809518083>.

- Your November 3, 2021, tweet in which you falsely state that Ms. Jenkins “mov[ed]” her partner, Asher Monroe, “into her house” and was “sleeping with him beginning when he was 16,” thereby accusing her of statutory rape.⁴
- Your false and defamatory statements during the May 15 and May 22, 2022, episodes of the “Dishing Drama with Dana Wilkey” podcast, including: (1) that Ms. Jenkins engaged in extramarital affairs; (2) that Ms. Jenkins “is the reason [that Barclay’s has] been in trouble for the last 13 or 14 years” due to a connection with a “Qatari sheik;” (3) that Ms. Jenkins is connected to Muammar Gaddafi and received stolen funds associated with him; (4) that *Room 23* was a “sex-trafficking book” and that Ms. Jenkins has “always” been involved in the sex trade; (5) that Ms. Jenkins was “introducing” Hayden Panettiere and other celebrities to “men and woman” who would pay them for sex; (6) that Ms. Jenkins, through a charitable foundation, was involved in the assassination of the president of Haiti; (7) that Ms. Jenkins “facilitated” the sale of a 14-year-old Bosnian girl to Jeffrey Epstein; (8) that Ms. Jenkins and Sean Penn have been involved in trafficking young women across continents; (9) that Ms. Jenkins connected Mr. Penn to “Eastern European strippers;” (10) that Ms. Jenkins had an affair with Rio Ferdinand; (11) that Ms. Jenkins brought a group of “models” and “prostitutes” to a party with Mr. Ferdinand; (12) that Ms. Jenkins has been paid in exchange for performing sexual acts; (13) that Ms. Jenkins was a “madam;” (14) that Ms. Jenkins was involved in embezzlement and tax evasion; (15) that Ms. Jenkins utilizes a website for her illegal activities that is also used by “people who deal in child porn and stuff like that;” (16) that Ms. Jenkins did not make a payment pursuant to a settlement agreement; (17) that Neuro Drinks, Ms. Jenkin’s functional beverage line, is a “soft drink that gives you sex drive;” (18) that Ms. Jenkin’s Neuro Drinks business is a “front” being used to launder money; (19) that the music label founded by Ms. Jenkins, D Empire Entertainment, is being used to launder money, is not a legitimate business, and has connections to Malaysia, implying that it is used for purposes related to sex trafficking; (20) that Ms. Jenkins is lying about her involvement in humanitarian causes; (21) that Ms. Jenkins met Mr. Penn in the course of her providing him with prostitutes; (22) that Ms. Jenkins and Mr. Penn had an extramarital affair; (23) that Neuro Drinks are not available for purchase and, therefore, is not a legitimate business; and (24) that Ms. Jenkins was involved in laundering money through the Vatican Bank.

Specifically, I write to demand that you immediately remove these false and defamatory statements and issue notices acknowledging that you had no factual basis for any of the statements and implications made about Ms. Jenkins. Your continued publication of these statements, both on your own websites and social media accounts and in connection with other media outlets, will be met with immediate legal action by Ms. Jenkins.

First, your statements and implications about Ms. Jenkins are demonstrably false. Ms. Jenkins has never engaged in the illegal and immoral activities you have repeatedly accused her of doing. It should go without saying, but it shall be said to avoid any confusion, Ms. Jenkins has

⁴ Available at <https://twitter.com/entylawyer/status/1455947903348842497>.

never engaged in prostitution, child sex trafficking, embezzlement, money laundering, or any of the other assortment of misdeeds you have claimed. Likewise, her companies are legitimate and successful businesses. They are not fronts for illegal activities. You have deliberately chosen to publish falsehoods.

Your false claims regarding *Room 23* illustrate your reckless disregard for the truth. *Room 23* is a fine art coffee table book featuring photos of countless celebrities, including Cindy Crawford, Heidi Klum, Sharon Stone, Kenny G., Larry King, Kid Rock, George Clooney, Kelly Lynch, James Blunt, Jessica Stam, Lindsay Lohan, and others. It is not a “catalog” of any sort, much less a “sex-trafficking book” as you claim. The list of participants in that project alone makes that plainly clear. Your repeated mischaracterization of a project that Ms. Jenkins self-funded in order to raise money to combat war crimes, genocide, and human rights violations is indefensible.

Second, there is no credible source for the claims you have made about Ms. Jenkins and her companies. The statements you have made about Ms. Jenkins are completely fabricated; and, as such, no credible source can possibly exist. Moreover, you are surely aware that Ms. Jenkins and others have published statements refuting these defamatory and disparaging claims. Your original and continued publication of the defamatory and disparaging claims discussed above, notwithstanding your knowledge that they have been denied and refuted by Ms. Jenkins and others, is a textbook case of actual malice.

By way of example, you falsely identify Ms. Jenkins as being photographed with Jeffrey Epstein. You do so to create the implication that Ms. Jenkins had a relationship with that person and to taint Ms. Jenkins as someone who would participate in the same illegal and immoral behavior as that person. Yet, you surely knew that the woman in the picture was Ingrid Seynhaeve, not Ms. Jenkins. Ms. Jenkins, for one, explained that she is not the person in the picture. Moreover, Ms. Jenkins was never in the same room as that person. Your persistence in tying Ms. Jenkins to that person, notwithstanding Ms. Jenkin’s refutation, proves that you intend and intended to defame her.

You must know that Ms. Jenkins can (and will) easily establish that the statements you made about her and her businesses were false and defamatory. Likewise, you must know that Ms. Jenkins can (and will) easily establish that you acted with actual malice because the claims about her are fabricated, the truth about Ms. Jenkins was readily ascertainable, and no credible source exists for the statements and implications you have made. Finally, as a lawyer, you must know that the statements and implications you have made about Ms. Jenkins and her companies constitute *per se* defamation and disparagement. You have accused Ms. Jenkins and her companies of crimes as well as heinous, immoral activities. Reputational harm is presumed.

You have put yourself in a precarious and potentially ruinous position. Perhaps you believe that a “get out of jail” card exists if you can persuade a court or jury that your statements about Ms. Jenkins and her companies are “pure opinion.” That is not going to happen. You have held yourself out as someone that your audience can and should rely upon for uncovering facts. That is how you have built a following and a brand. That is why you have used the term “lawyer” as part of your handle. You do not promote yourself as a purveyor of “make believe.” You have

branded yourself as something else for purposes of self-promotion and enrichment. Those facts foreclose the “pure opinion” defense.

Beyond the obvious legal issues, what you have done to Ms. Jenkins is simply wrong. She is a mother, a philanthropist, and an entrepreneur. Her philanthropic endeavors are well known and have generated millions of dollars for victims of human rights violations, natural disasters, wars, and health epidemics. To characterize Ms. Jenkins as a prostitute, sex trafficker, and criminal is not just factually inaccurate, but sexist. Her companies are a success on their own accord. Neuro Drinks are sold in Walmart stores across the country and on Amazon. To reduce her companies to purported “money laundering fronts” is not only factually inaccurate, but misogynistic. Your “blog” may give you an audience (and ad sales), but it does not give you a license to defame and disparage a woman and her companies. There are real world consequences to your actions.

* * *

Your unrelenting repetition of false and defamatory statements must stop. You have already done enough damage to Ms. Jenkins, her family, and her companies. To mitigate the continued accrual of these damages, you must: (1) remove all mentions of Ms. Jenkins and her companies from your website and social media profiles, including any mentions of Ms. Jenkins in comments posted to your blog; (2) issue a corrective statement on your website and social media profiles indicating that all of your past statements about Ms. Jenkins and her companies are factually inaccurate and you had no basis for making the statements; and (3) issue a written apology to Ms. Jenkins for publishing false and defamatory statements about her and her companies. You must also stop appearing on any other media properties, including podcasts, to discuss Ms. Jenkins or her businesses in any way. Please confirm by 5:00 p.m. (eastern time) on September 2, 2022, that you will be taking these actions.

Further, please be advised that Ms. Jenkins and her companies reserve all of their legal rights and remedies, including their right to pursue legal claims against you, including claims for defamation, disparagement, intentional infliction of emotional distress, and tortious interference. Accordingly, you must preserve all potentially relevant documents, information, and communications regarding Ms. Jenkins and/or her companies and suspend all destruction protocols related thereto. These documents, information, and communications are relevant to and necessary for Ms. Jenkins and her companies’ potential lawsuit against you.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in dark ink, appearing to read 'J. Erik Connolly', with a stylized, looping initial 'J' and a long horizontal stroke extending to the right.

J. Erik Connolly

JEC:kwm

August 31, 2022

VIA EMAIL

Jezebel

Laura Bassett, Editor-in-Chief

Re: Request to Remove Articles Containing False and Defamatory Statements about
Sanela Diana Jenkins

Dear Ms. Bassett:

My firm represents Sanela Diana Jenkins. This letter concerns two articles published by Jezebel on its website: “Is a Secret Celebrity Tattletale Actually Robert Downey Jr.?” by Tracie Egan Morrissey, published on March 12, 2012 (the “2012 Article”),¹ and “Who Is Diana Jenkins, Really?” by Audra Heinrichs, published on July 2, 2022 (the “2022 Article”).² Specifically, I write to request that you immediately remove these articles from Jezebel’s website because they contain false and defamatory statements about Ms. Jenkins.

The central issue with both articles is that they falsely accuse Ms. Jenkins of illegal and immoral conduct without any factual support. The 2012 Article relies on a “blind item” and anonymous comments to allege that Ms. Jenkins ran a “secret call girl ring” and that her fine-art book *Room 23* is “actually a catalog of clients and call girls.” The author of the 2012 Article goes on to characterize the “source” of these accusations as someone who is “on a mission to out pedophiles . . . and gossip about whores,” seeking to color Ms. Jenkins with the same brush. These false statements and implications impugn Ms. Jenkins’ moral character and accuse her of serious crimes. As such, they are *per se* defamatory. See *Celle v. Filipino Rep. Enterprises Inc.*, 209 F.3d 163, 180 (2d Cir. 2000) (“[W]here a statement impugns the basic integrity or creditworthiness of a business, an action for defamation lies and injury is conclusively presumed.”) (citation omitted).

The 2022 Article goes even further than the 2012 Article. It begins by stating that Ms. Jenkins is “a woman so shrouded in salacious Hollywood lore and Panthère de Cartier (the preferred jewelry of the nauseatingly nouveau riche) you could almost fail to notice a not-so-little rumor that implicates her as a madam in an international sex-trafficking ring.” This statement goes beyond cruel and offensive—it directly ties her to illegal conduct. The 2022 Article seeks to lend that “rumor” credibility by stating that it “carried enough weight” to warrant an “investigat[ion]”

¹ Available at <https://jezebel.com/is-a-secret-celebrity-tattletale-actually-robert-downey-5892565>.

² Available at <https://jezebel.com/who-is-diana-jenkins-really-1849130832>.

by the author of the 2012 Article. The 2022 Article then goes on to state that Ms. Jenkins was “operating a high class call girl/party-girl ring” and repeats the baseless rumor that *Room 23* was a “menu of women for hire in an international sex-trafficking ring—run by Jenkins herself.” It continues to state and imply that Ms. Jenkins is involved in sordid criminal activities, including improper financial and personal relationships with “Middle Eastern royalty” that would make “the hairs on the back of [the reader’s] neck stand[] up.” Similarly, the 2022 Article impliedly and explicitly associates Ms. Jenkins with Jeffrey Epstein—a man accused of child sexual abuse and child sex trafficking. These comparisons are unfair, unjustified, and incredibly damaging.

The 2022 Article not only falsely accuses Ms. Jenkins of sex trafficking and prostitution, but also of fraud. It suggests that Ms. Jenkins is engaged in illegitimate business dealings and that the proceeds of *Room 23* were not used in charitable efforts. These statements are unequivocally false. *Room 23* is a fine-art book that Ms. Jenkins self-funded in order to raise money to combat war crimes, genocide, and human rights violations. There is no support for your allegation of “suspicious charity fundraising.” Her companies are not a “front” for illegal conduct. Here again, you have falsely accused Ms. Jenkins and her companies of crimes as well as heinous, immoral activities—that is *per se* defamatory.

To the extent Jezebel will argue that it cannot be liable for defamation because it included a “denial” from Ms. Jenkins, that argument would be unavailing. First, Jezebel never sought a comment from Ms. Jenkins in advance of the 2022 Article. Had it done so, Ms. Jenkins would have unequivocally denied the false allegations and implications contained therein. She also would have provided facts that would undermine the credibility of any “source” you may claim to have for these accusations. Second, while the 2022 Article does include a quote from Ms. Jenkins denying allegations of sex trafficking during an episode of *The Real Housewives of Beverly Hills*, it does so in a manner that explicitly casts doubt on those denials:

“It’s honestly so ridiculous that I can’t even believe, actually, that it caught on,” [Ms. Jenkins] responds ***with the laugh of a person well-versed in waving off a sordid story as a silly rumor. Despite the fact that at least two of her castmates didn’t appear to be convinced,*** the conversation shifted. As of now, it’s not been discussed any further on the show.

The framing of Ms. Jenkins’ denial in this fashion effectively negates it, making her look not only like a criminal, but a liar. See *Karedes v. Ackerley Grp., Inc.*, 423 F.3d 107, 117 (2d Cir. 2005) (reversing motion to dismiss where “article’s defamatory tendency is not wholly offset by the giving of [plaintiff’s] side of the story,” including plaintiff’s denials and explanations); *Tomblin v. WCHS-TV8*, 434 F. App’x 205, 209–12 (4th Cir. 2011) (reversing summary judgment in case where news organization implied that plaintiff’s worker abused child even though defendant reported that plaintiff denied the allegation).

Beyond the obvious legal issues, what you have done to Ms. Jenkins is simply wrong. She is a mother, a philanthropist, and an entrepreneur. Her philanthropic endeavors are well known and have generated millions of dollars in assistance for victims of human rights violations, natural disasters, wars, and health epidemics. To characterize Ms. Jenkins as a prostitute, sex trafficker, and criminal is not just factually inaccurate, but sexist. Her companies are a success on their own

accord. Neuro Drinks are sold in Walmart stores across the country and on Amazon. To reduce her companies to purported money laundering fronts is not only factually inaccurate, but harmful to the individuals her companies employ. These false statements and allegations cause real harm.

* * *

In accordance with your legal and ethical obligations as journalists, I request that you remove the 2012 and 2022 Articles from your website immediately. Please be advised that Ms. Jenkins reserves all of her legal rights and remedies, including her right to pursue a defamation claim against Jezebel. Accordingly, please confirm that Jezebel will preserve all potentially relevant documents, information, and communications regarding any reporting on Ms. Jenkins and suspend all destruction protocols related to these documents, information, and communications. These documents, information, and communications are relevant to and necessary for Ms. Jenkins' potential claims.

You may direct all future communications on this matter to my attention. Please confirm by 5:00 p.m. (eastern) on September 2, 2020, that you will be removing the 2012 and 2022 Articles. I look forward to your response regarding this important matter.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in black ink, appearing to read 'J. Erik Connolly', with a long horizontal flourish extending to the right.

J. Erik Connolly

JEC:kwm

August 31, 2022

VIA EMAIL

Heavy Inc.
Aaron Noble, Editor-in-Chief

Re: Request to Remove Article Containing False and Defamatory Statements and
Implications about Sanela Diana Jenkins

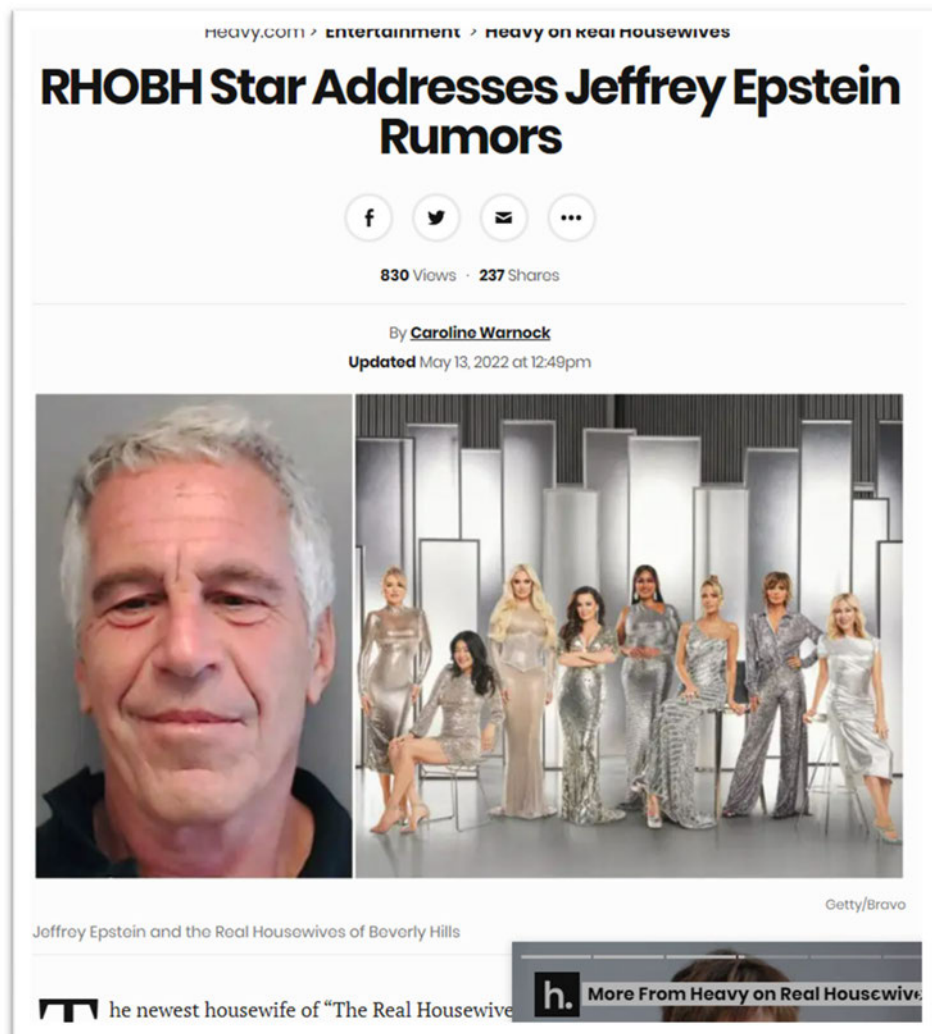
Dear Mr. Noble:

My firm represents Sanela Diana Jenkins. This letter concerns an article Heavy Inc. ("Heavy") published on its website, Heavy.com: "RHOBH Star Addresses Jeffrey Epstein Rumors," by Caroline Warnock, published on May 13, 2022 (the "Article").¹ Specifically, I write to request that you immediately remove the Article from Heavy's website because it contains false and defamatory statements and implications about Ms. Jenkins.

The central issue with the Article is that it falsely accuses Ms. Jenkins of illegal and immoral conduct without any factual support. While the Article purports to be about Ms. Jenkins' denial of "rumors" about an association with Jeffrey Epstein, Heavy drafted the Article to create the impression that Ms. Jenkins' denial should not be believed. That is, Heavy turned an article ostensibly about Ms. Jenkins' denial into an article falsely accusing her of having a past relationship with Epstein. She has never had an association or relationship with that person and any statement or implication to the contrary is false and defamatory.

Let me begin by identifying how Heavy manipulated the Article to create the false implication. The Article—which uses "addresses" in its title instead of more accurate words such as "denies" or "rejects"—is immediately preceded by a large mugshot of Jeffrey Epstein:

¹ Available at <https://heavy.com/entertainment/real-housewives/diana-jenkins-jeffrey-epstein-rumors/>.



Thus, the first impression the Article makes is that of a visual association between Ms. Jenkins and a notorious, convicted sex trafficker. As if that were not enough, the Article then goes on to introduce the rumors with the word “ridiculous” in quotations, casting doubt not on the veracity of the rumors themselves, but instead on Ms. Jenkins’ characterization of them. Ms. Warnock’s failure to attach the same level of skepticism to the rumors as she does to Ms. Jenkins’ denial of them speaks volumes. Ultimately, the Article impliedly and explicitly associates Ms. Jenkins with Jeffrey Epstein—a man accused of child sexual abuse and child sex trafficking. These comparisons are unfair, unjustified, and incredibly damaging. These false implications impugn Ms. Jenkins’ moral character and accuse her of serious crimes. As such, they are *per se* defamatory. See *Celle v. Filipino Rep. Enterprises Inc.*, 209 F.3d 163, 180 (2d Cir. 2000) (“[W]here a statement impugns the basic integrity or creditworthiness of a business, an action for defamation lies and injury is conclusively presumed.”) (citation omitted).

To the extent that Heavy will argue that it cannot be liable for defamation because it included a “denial” from Ms. Jenkins, that argument would be unavailing. First, Heavy never sought a comment from Ms. Jenkins in advance of the Article. Had it done so, Ms. Jenkins would

have unequivocally denied the false allegations and implications contained therein. Second, while the Article does include a quote from Ms. Jenkins denying allegations of sex trafficking, it does so in a manner that explicitly casts doubt on those denials. As mentioned above, Ms. Warnock strategically uses quotations in the denials to cast doubt on them. The framing of Ms. Jenkins' denial in this fashion effectively negates it, making her look not only like a criminal, but a liar. *See Karedes v. Ackerley Grp., Inc.*, 423 F.3d 107, 117 (2d Cir. 2005) (reversing motion to dismiss where "article's defamatory tendency is not wholly offset by the giving of [plaintiff's] side of the story," including plaintiff's denials and explanations); *Tomblin v. WCHS-TV8*, 434 F. App'x 205, 209–12 (4th Cir. 2011) (reversing summary judgment in case where news organization implied that plaintiff's worker abused child even though defendant reported that plaintiff denied the allegation).

* * *

In accordance with your legal and ethical obligations as journalists, I request that you remove the Article from your website immediately. Or—at the very least—remove the large picture of Jeffrey Epstein that sets the tone for the Article, and change "Addresses" to "Rebukes" in the Article's headline. Please be advised that Ms. Jenkins reserves all of her legal rights and remedies, including her right to pursue a defamation claim against Heavy. Accordingly, please confirm that Heavy will preserve all potentially relevant documents, information, and communications regarding any reporting on Ms. Jenkins and suspend all destruction protocols related to these documents, information, and communications. These documents, information, and communications are relevant to and necessary for Ms. Jenkins' potential claims.

You may direct all future communications on this matter to my attention. Please confirm by 5:00 p.m. (eastern) on September 2, 2022 that you will be removing the Article (or remove the picture of Jeffrey Epstein and change its headline). I look forward to your response regarding this important matter.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP



J. Erik Connolly

JEC:jrb

August 31, 2022

VIA EMAIL

Gawker / BDC

Leah Finnegan, Editor in Chief

Re: Request to Remove Article Containing False and Defamatory Statements about
Sanela Diana Jenkins

Dear Ms. Finnegan,

My firm represents Sanela Diana Jenkins. This letter concerns an article by Kelly Conaboy published by Gawker on June 22, 2022, titled "Things May Have Gotten Worse for Real Housewife Diana Jenkins" (the "Article").¹ Specifically, I write to request that you remove the portion of the Article that refers to Ms. Jenkins as "a rumored sex trafficker."

The central problem with the Article is that it goes out of its way to associate Ms. Jenkins with a rumor that is unequivocally false. There is no reason to include a description of Ms. Jenkins as "a rumored sex trafficker." In fact, the Article's false description links directly to an article from E! News that directly *refutes* the allegations.² Despite being aware of that refutation, Gawker did not include the fact that Ms. Jenkins denied it in the Article. By repeating a "rumor" that Ms. Jenkins has unequivocally denied without acknowledging her denial, Gawker has created the false implication that Ms. Jenkins has engaged in illegal and immoral conduct. As such, the Article is *per se* defamatory. See *Celle v. Filipino Rep. Enterprises Inc.*, 209 F.3d 163, 180 (2d Cir. 2000) ("[W]here a statement impugns the basic integrity or creditworthiness of a business, an action for defamation lies and injury is conclusively presumed.") (citation omitted).

To be clear, any assertion that Ms. Jenkins has ever engaged in sex trafficking is unequivocally false. Indeed, had you sought comment from Ms. Jenkins in advance of publication, Ms. Jenkins would have vehemently denied the false allegation and implication contained in the

¹ Available at <https://www.gawker.com/celebrity/diana-jenkins-racist-instagram-lawsuit-jan-koum>.

² See Allison Crist, *RHOBB's Diana Jenkins Shuts Down "Ridiculous" Sex Trafficking and Madam Rumors*, E! NEWS (June 15, 2022, 8:15 PM), <https://www.eonline.com/news/1333917/rhobbs-diana-jenkins-shuts-down-ridiculous-sex-trafficking-and-madam-rumors>.

Article. She also would have provided facts that would undermine the credibility of any “source” you may claim to have for these accusations.

Moreover, to the extent that Gawker will argue that it cannot be liable for defamation because it included a link to an article from another publisher that contains a “denial” from Ms. Jenkins, that argument would be unavailing. First, it is not reasonable to assume that every reader will click on the text that links to Ms. Jenkins’ denial. Failing to include the denial in the text of the Article itself has the same effect of not including the denial at all. Second, even if the reader *were* to click on the link and see Ms. Jenkins’ denial, that would not be enough to absolve Gawker of liability. The tone of the Article is overwhelmingly negative in its portrayal of Ms. Jenkins, and any denial—no matter how easy it is to locate—would not be effective in negating the impact of her offensive and unnecessary characterization as a “rumored sex trafficker.” *See Karedes v. Ackerley Grp., Inc.*, 423 F.3d 107, 117 (2d Cir. 2005) (reversing motion to dismiss where “article’s defamatory tendency is not wholly offset by the giving of [plaintiff’s] side of the story,” including plaintiff’s denials and explanations).

In accordance with your legal and ethical obligations as journalists, we ask that you remove the portion of the Article that refers to Ms. Jenkins as “a rumored sex trafficker” immediately. Please be advised that Ms. Jenkins reserves all of her legal rights and remedies, including her right to pursue a defamation claim against Gawker. Accordingly, please confirm that Gawker will preserve all potentially relevant documents, information, and communications regarding any reporting on Ms. Jenkins and suspend all destruction protocols related to these documents, information, and communications. These documents, information, and communications are relevant to and necessary for Ms. Jenkins’ potential claims.

You may direct all future communications on this matter to my attention. Please confirm by 5:00 p.m. (eastern) on September 2, 2020, that you will be removing the portion of the Article discussed above. I look forward to your response regarding this important matter.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in dark ink, appearing to read 'J. Erik Connolly', with a stylized, looping initial 'J' and a long horizontal stroke extending to the right.

J. Erik Connolly

JEC:kwm

August 31, 2022

VIA EMAIL

South China Morning Post
Tammy Tam, Editor-in-Chief

Re: Request to Remove Articles Containing False and Defamatory Statements about
Sanela Diana Jenkins

Dear Ms. Tam:

My firm represents Sanela Diana Jenkins. This letter concerns an article published by the South China Morning Post on its website: “Is Diana Jenkins RHOBH’s richest (and most controversial) star yet? Following fraud accusations and a raunchy book, the Real Housewives of Beverly Hills cast member’s net worth even beats Kathy Hilton” by Saul Lipchik, published on June 16, 2022 (the “Article”).¹ Specifically, I write to request that you immediately remove the Article from South China Morning Post’s website because it contains false and defamatory statements about Ms. Jenkins.

The central issue with the Article is that it falsely accuses Ms. Jenkins of illegal and immoral conduct without any factual support, namely that she was involved in fraud, prostitution, and sex trafficking. Specifically, the Article discusses “accusations” and “rumours” that Ms. Jenkins was involved in fraudulent activities concerning Barclays, that she was “a high-end madame who operated a clandestine sex trafficking network,” that her fine-art book *Room 23* functioned as a “catalogue” of escorts, and that she has “connections to convicted sex trafficker Jeffrey Epstein.” However, the Article does not mention a single source corroborating these accusations. Nor can it, as these accusations are patently false. Because these false statements and implications impugn Ms. Jenkins’ moral character and accuse her of serious crimes, they are *per se* defamatory. See *Celle v. Filipino Rep. Enterprises Inc.*, 209 F.3d 163, 180 (2d Cir. 2000) (“[W]here a statement impugns the basic integrity or creditworthiness of a business, an action for defamation lies and injury is conclusively presumed.”) (citation omitted).

First, the Article implicates Ms. Jenkins in a “fraud scandal” surrounding funds obtained by Barclays from Qatar. The Article contains a photo from Ms. Jenkins’ Instagram account with

¹ Available at <https://www.scmp.com/magazines/style/celebrity/article/3181801/diana-jenkins-rhobhs-richest-and-most-controversial-star>.

the added caption, “Diana Jenkins has been criticized for her involvement in the Barclays fraud scandal.” Although the Article notes that Ms. Jenkins was “not directly accused of fraud herself,” by emphasizing her “links” to the scandal, including that she helped negotiate the deal with Qatar that resulted in allegations of fraud, the Article tries to bolster its claim that Ms. Jenkins was “involve[d] in” perpetuating fraud. This statement directly ties her to illegal conduct, which is *per se* defamatory.

Next, the Article describes Ms. Jenkins’ book, *Room 23*, as “a ***purported*** attempt to raise funds for charity” (emphasis added). This language suggests that Ms. Jenkins is engaged in illegitimate business dealings and that the proceeds of *Room 23* were not actually used in charitable efforts. This is unequivocally false. *Room 23* is a fine-art book that Ms. Jenkins self-funded in order to raise money to combat war crimes, genocide, and human rights violations. There is no support for undermining the credibility of Ms. Jenkins’ charitable endeavors and painting her as a liar.

Last, the Article presents three accusations surrounding the publication of *Room 23*: that Ms. Jenkins “was, in-fact, a high-end madame who operated a clandestine sex trafficking network,” that *Room 23* was a “catalogue for her high-profile clients and escorts,” and that Ms. Jenkins was “connect[ed] to convicted sex trafficker Jeffrey Epstein.” These baseless accusations are unfair, unjustified, and incredibly damaging. Here again you have falsely accused Ms. Jenkins of crimes as well as heinous, immoral activities—that is *per se* defamatory. Reputational harm is presumed.

To the extent that the South China Morning Post will argue that it cannot be liable for defamation because it included a “denial” from Ms. Jenkins, that argument would be unavailing. First, the South China Morning Post never sought a comment from Ms. Jenkins in advance of the Article. Had it done so, Ms. Jenkins would have unequivocally denied the false allegations and implications contained therein. She also would have provided facts that would undermine the credibility of any “source” you may claim to have for these accusations. Second, while the Article does include a section titled “Her response to the accusations” that contains a quote from Ms. Jenkins previously provided to E! News denying the accusations repeated in the Article, the inclusion of the denial is insufficient to offset and negate the defamatory statements made earlier in the Article, many of which impliedly cast doubt on Ms. Jenkins’ credibility. See *Karedes v. Ackerley Grp., Inc.*, 423 F.3d 107, 117 (2d Cir. 2005) (reversing motion to dismiss where “article’s defamatory tendency is not wholly offset by the giving of [plaintiff’s] side of the story,” including plaintiff’s denials and explanations); *Tomblin v. WCHS-TV8*, 434 F. App’x 205, 209–12 (4th Cir. 2011) (reversing summary judgment in case where news organization implied that plaintiff’s worker abused child even though defendant reported that plaintiff denied the allegation).

* * *

In accordance with your legal and ethical obligations as journalists, I respectfully request that you remove the Article from your website immediately. Please be advised that Ms. Jenkins reserves all of her legal rights and remedies, including her right to pursue a defamation claim against the South China Morning Post. Accordingly, please confirm that the South China Morning Post will preserve all potentially relevant documents, information, and communications regarding

any reporting on Ms. Jenkins and suspend all destruction protocols related to these documents, information, and communications. These documents, information, and communications are relevant to and necessary for Ms. Jenkins' potential claims.

You may direct all future communications on this matter to my attention. Please confirm by 5:00 p.m. (eastern) on September 2, 2022 that you will be removing the Article. I look forward to your response regarding this important matter.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line that extends to the right and then curves back up to meet the 'J'.

J. Erik Connolly

JEC:kwm

August 31, 2022

VIA EMAIL

Lara Marie Schoenhals & Carey O'Donnell
Sexy Unique Podcast
[REDACTED]

Re: Demand to Cease and Desist Publication of False and Defamatory Statements
about Sanela Diana Jenkins

Dear Ms. Schoenhals and Mr. O'Donnell:

My firm represents Sanela Diana Jenkins. This letter concerns a number of false and defamatory statements published by you across multiple media platforms, including:

- Your July 21, 2022 episode of "Sexy Unique Podcast" titled "Beverly Hell's Angels Ep. 34 - Battle of the Birkins," in which you falsely imply that Ms. Jenkins facilitated prostitution and sex trafficking.¹
- Your August 17, 2022 TikTok post in which you falsely imply that Ms. Jenkins facilitated prostitution and sex trafficking.² In this post, you state that while you "don't know what her, like, affiliations are," you "feel as though she has been a part of something." You further stated that you "see, like, a level of darkness and terror . . . like, psychically, I'm in the place of someone that's being, like, allegedly sex trafficked by her, and I'm telling her, like, 'I don't want to do this anymore, can I have my passport back?' allegedly. And she's licking her lips and just saying, 'no.'"
- Your August 17, 2022 Instagram post in which you re-post the false and defamatory statements in your TikTok post from the same day, further disseminating your false implications that Ms. Jenkins facilitated prostitution and sex trafficking.³

Specifically, I write to demand that you immediately remove these false and defamatory statements and issue notices acknowledging that you had no factual basis for any of the statements and implications made about Ms. Jenkins. Your continued publication of these statements, both on

¹ Available at <https://podbay.fm/p/sexy-unique-podcast/e/1658397629>.

² Available at https://www.tiktok.com/@sexyuniquepodcast/video/7132902699372203306?is_copy_url=1&is_from_webapp=v1.

³ Available at <https://www.instagram.com/p/ChXx4YOMpJG/>.

your own websites and on social media accounts and in connection with other media outlets, will be met with immediate legal action by Ms. Jenkins.

First, your statements and implications about Ms. Jenkins are demonstrably false. Ms. Jenkins has never engaged in the illegal and immoral activities you have repeatedly implied her association with. It should go without saying, but it shall be said to avoid any confusion: Ms. Jenkins has never engaged in prostitution or sex trafficking of any kind. You have deliberately chosen to publish falsehoods about her for the sole purpose of gaining views and followers.

Second, there is no credible source for the claims you have made about Ms. Jenkins. The statements you have made about Ms. Jenkins are fabricated; and, as such, no credible source can possibly exist. Moreover, you are surely aware that Ms. Jenkins and others have published statements refuting these defamatory and disparaging claims. Your continued publication of the defamatory and disparaging claims discussed above, notwithstanding your knowledge that they have been denied and refuted by Ms. Jenkins and others, is a textbook case of actual malice.

You must know that Ms. Jenkins can (and will) easily establish that the statements you made about her were false and defamatory. Likewise, you must know that Ms. Jenkins can (and will) easily establish that you acted with actual malice because the claims you made about her are fabricated, the truth about Ms. Jenkins was readily ascertainable, and no credible source exists for the statements and implications you have made and published. Furthermore, you may not already know, but will quickly be told by counsel, that the statements and implications you have made about Ms. Jenkins constitute *per se* defamation. You have accused Ms. Jenkins of crimes and heinous, immoral activities. Reputational harm is presumed.

You have put yourself in a precarious position. Perhaps you believe that a “get out of jail” card exists if you can persuade a court or jury that your statements about Ms. Jenkins and her companies are “pure opinion,” highlighted by your persistent use of the phrase “allegedly.” That is not going to happen. For one, using the phrase “allegedly,” while repeatedly making allegations you know are without factual support, is not enough to absolve you from liability. See *Karedes v. Ackerley Grp., Inc.*, 423 F.3d 107, 117 (2d Cir. 2005) (reversing motion to dismiss where “article’s defamatory tendency is not wholly offset by the giving of [plaintiff’s] side of the story,” including plaintiff’s denials and explanations); *Tomblin v. WCHS-TV8*, 434 F. App’x 205, 209–12 (4th Cir. 2011) (reversing summary judgment in case where news organization implied that plaintiff’s worker abused child even though defendant reported that plaintiff denied the allegation). And even if the law did not negate your “alleged” defense, you have negated any protection that could ever be afforded by the qualification through your sarcastic use of the word.

That leaves you trying to argue that no one believes that what you say is true. Your own activity again forecloses that defense. You have held yourself out as someone that your audience can and should rely upon for uncovering facts, especially when it comes to Bravo programming and *The Real Housewives of Beverley Hills*. That is how you have built a following and a brand. You do not promote yourself as a purveyor of “make believe.” You have branded yourself as something else for purposes of self-promotion and enrichment. Those facts foreclose the “pure opinion” defense.

Beyond the obvious legal issues, what you have done to Ms. Jenkins is simply wrong. She is a mother, a philanthropist, and an entrepreneur. Her philanthropic endeavors are well known and have generated millions of dollars in assistance for victims of human rights violations, natural disasters, wars, and health epidemics. To characterize Ms. Jenkins as a sex trafficker and criminal is harmful not only to her, but to the many charitable organizations with which she is associates. Your podcast may give you an audience (and ad sales), but it does not give you a license to defame and disparage my client. There are real-world consequences to your actions.

* * *

Your publication of false and defamatory statements about Ms. Jenkins must stop. You have already done enough damage to Ms. Jenkins, her family, and her companies. To mitigate the continued accrual of these damages, you must remove all mentions of Ms. Jenkins from your podcast and social media profiles, including any mentions of Ms. Jenkins in comments posted to your social media profiles. You must also refrain from appearing on any other media properties, including podcasts, to discuss Ms. Jenkins in any way. Please confirm by 5:00 p.m. (eastern time) on September 2, 2022, that you will be taking these actions.

Further, please be advised that Ms. Jenkins reserves all of her legal rights and remedies, including her right to pursue legal claims against you, including claims for defamation, disparagement, intentional infliction of emotional distress, and tortious interference. Accordingly, you must preserve all potentially relevant documents, information, and communications regarding Ms. Jenkins and suspend all destruction protocols related thereto. These documents, information, and communications are relevant to and necessary for Ms. Jenkins' potential lawsuit against you.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in black ink, appearing to read 'J. Erik Connolly', with a long horizontal flourish extending to the right.

J. Erik Connolly

JEC:jrb

August 31, 2022

VIA EMAIL

Trena Sharrell Lloyd aka Sharrell
William Lloyd aka Perry
Sharrell's World LLC



Re: Demand to Cease and Desist Publication of False and Defamatory Statements
about Sanela Diana Jenkins

Dear Ms. and Mr. Lloyd:

My firm represents Sanela Diana Jenkins. This letter concerns your multi-month campaign of making numerous false and defamatory statements on your YouTube video show, *Sharrell's World*, regarding Ms. Jenkins, including:

- Your June 16, 2022 YouTube video titled "Diana RHOBH outted [sic] for being a Madam! Lisa and Erika target Sudden [sic] + recap review," in which you repeatedly stated: (1) Ms. Jenkins is a prostitute and a madam and otherwise insinuate that she is such by repeatedly calling Ms. Jenkins a "ho," "the main ho in charge," "a Beverly Hills pimp; and (2) Ms. Jenkins' book, *Room 23*, was a book of Ms. Jenkins' johns and prostitutes.¹
- Your June 17, 2022 YouTube video titled "Ex PROSTITUTE Diana Jenkins RHOBH calls out BLACK BLOGGER! Kyle and Mauricio split news," in which Ms. Lloyd (1) repeatedly stated that Ms. Jenkins is an escort, a prostitute, a madam and otherwise insinuate as such by stating, among other things, that Ms. Jenkins is a "ho," a "hooker," a "whore," a "dirty cock sucker that sucked [her] way to the top," "suck[ed] dick for a living," "blows men for money," "la[id] on [her] fucking back participating in nasty ass threesome licking the balls of people [she] d[id]n't even know," "licked balls of people with money," and "blew [her] way to the top, dick after dick;" (2) stated that men peed on Ms. Jenkins for money; (3) stated that Ms. Jenkins' book, *Room 23*, was a book of Ms. Jenkins' johns and prostitutes; (4) showed an Instagram post from the

¹ Available at <https://www.youtube.com/watch?v=0VWS1-oPWTo>.

account “northeast_housewives” stating, among other things, that Ms. Jenkins “pimped out the vulnerable [Hayden] Panettiere who had been abused in childhood to sick men for profit;” (5) had a guest on named “Mel NYC Reviews” who stated that Ms. Jenkins was a sexual predator; and (6) repeatedly stated that Ms. Jenkins participated in sex trafficking of young women and children, including, among other things, that Ms. Jenkins “sent people to Jeffery Epstein” and forced “young women out to be with men, force[d] them into threesomes, do their kinky acts, pee on them, [and] shit on them,” “t[ook] innocent people and ruin[ed] their lives,” “ruined someone’s life, many women,” and was “no better than Ghislaine [Maxwell].”²

- Your June 24, 2022 YouTube video titled “Ex Madam Diana Jenkins lawsuits + Erica new lawsuit + RHOBH recap + review,” in which you repeatedly stated that Ms. Jenkins is a prostitute, a madam, and sex trafficker.³
- Your June 28, 2022 YouTube video titled “RHOBH behind the scenes CHAOS! Diana bad behavior to Garcelle + Room 23 pic + Sheree Zampino,” in which Ms. Lloyd (1) repeatedly stated that Ms. Jenkins is “a sex trafficker” or otherwise insinuate as such by stating, among other things, that she is “a female Epstein” and “needs to be in prison” “like Ghislaine Maxwell;” (2) repeatedly stated that Ms. Jenkins was a madam, and (3) Ms. Jenkins’ book, *Room 23*, was a book of Ms. Jenkins’ johns and prostitutes.⁴
- Your June 30, 2022 YouTube video titled “Diana Jenkins RHOBH deplorable acts! Sutton takes her on & Lisa Rinna defends her + rhobah recap,” in which Ms. Lloyd stated that Ms. Jenkins is not only a madam, but also participated in child sex exploitation and abuse.⁵ For example, Ms. Lloyd stated that Ms. Jenkins “had some kids do some unthinkable things for people’s fetishes,” “forc[ed] children to do unthinkable acts,” “forc[ed] children into doing deplorable acts,” “t[ook] advantage of children,” “is getting away with the most atrocious acts,” and did not have time to donate to charity because she was “too busy taking advantage of children.”
- Your July 1, 2022 YouTube video titled “Diana Jenkins RHOBH to be FIRED! Lisa Rinna windmills for her + RHODUBAI Chanel Ayan & cast upset,” in which Ms. Lloyd again stated that Ms. Jenkins is a “sex traffick[er]” including of children and insinuate as such by calling Ms. Jenkins “the R. Kelly of Beverly Hills.”⁶
- The false and defamatory statements made by Ms. Lloyd during your July 6, 2022 YouTube video titled “Hayden Panettiere Diana’s RHOBH alleged victim [sic] speaks

² Available at <https://www.youtube.com/watch?v=MZEKdSoowgY>.

³ Available at <https://www.youtube.com/watch?v=M6CRzYWoAs8>.

⁴ Available at <https://www.youtube.com/watch?v=FiZWmhmOVm0&t=10s>.

⁵ Available at https://www.youtube.com/watch?v=Rd_ee4Lkwws.

⁶ Available at <https://www.youtube.com/watch?v=ShpmfaQoqw0>.

on her addictions.”⁷ In the video, Ms. Lloyd stated that Hayden Panettiere was one of Ms. Jenkins’ sex trafficking victims and that Ms. Panettiere’s July 6, 2022 interview with *Good Morning America* showed “the ugly side of sex trafficking.” Ms. Lloyd then played a clip from Ms. Panettiere’s interview that has a very prominent banner stating: “Hayden Panettiere Opens Up: Actress on Battling Postpartum Depression & Alcoholism.”⁸ Ms. Lloyd then later stated that there was a “P file [a pedophile file] associated with [Ms. Jenkins]” and Ms. Jenkins “made children do unruly acts.”

- Your July 7, 2022 YouTube video titled “Ashanti & Diana Jenkins secret connection! Kyle gaslighting + RHOBH recap review,” in which Ms. Lloyd again stated that Ms. Jenkins was involved in sex trafficking including sex trafficking children.⁹
- Your July 14, 2022 YouTube video titled “Khloe K lies about Tristan relationship & baby + Andy Cohen responds to Jen Shah + RHOBH recap review,” in which Ms. Lloyd stated that Ms. Jenkins was a “madam” and a “sex trafficker.”¹⁰
- Your July 22, 2022 YouTube video titled “Lisa Rinna Harry Hamlin twisted love affairs! Kathy’s cover up + Dianna’s quiets Hollywood + RHOBH,” in which Ms. Lloyd (1) yet again repeatedly stated that Ms. Jenkins was a madam, sex trafficker, and participated in sex trafficking rings, (2) stated that Hayden Panettiere and Amanda Bynes were victims in Ms. Jenkins’ sex trafficking ring and that Robert Downey, Jr. “confirmed” this,” (3) insinuated that Ms. Jenkins provided children to “elite men” including politicians and “powerful producers” for sex and that she would get away with it because she “paid off the right people” including “politicians.”¹¹
- Your August 17, 2022 YouTube video titled, “Diana Jenkins & Lisa Rinna NOT Returning to RHOBH + Denise Richards wants to be back on the show,” in which Ms. Lloyd yet again stated that Ms. Jenkins is an “escort,” a “madam,” and a sex trafficker.¹²
- Your August 22, 2022 YouTube video titled, “Diana RHOBH says Sutton & Garcelle are b*lling her! Teddi caught in lie about Lisa Vanderpump,” in which Ms. Lloyd

⁷ Available at <https://www.youtube.com/watch?v=VYP2YIdqghg>.

⁸ Postpartum depression is a form of depression experienced after childbirth. See, e.g., Mayo Clinic, *Postpartum Depression*, <https://www.mayoclinic.org/diseases-conditions/postpartum-depression/symptoms-causes/syc-20376617> (last accessed Aug. 30, 2022).

⁹ Available at <https://www.youtube.com/watch?v=szWtdV97Ix4&t=1547s>.

¹⁰ Available at https://www.youtube.com/watch?v=_kS_c4lwR6I.

¹¹ Available at <https://www.youtube.com/watch?v=4croWi14bMs>.

¹² Available at <https://www.youtube.com/watch?v=wQQ3UFogOQs>.

again stated that Ms. Jenkins is a “sex trafficker,” who not only harmed “young women,” but also children, and referred to her as a “Ghislaine Maxwell reject.”¹³

You must immediately remove these false and defamatory statements and any other similar false and defamatory statements and issue notices acknowledging that you had no factual basis for any of the statements and implications made about Ms. Jenkins. Your continued publication of these statements will be met with immediate legal action by Ms. Jenkins.

First, the statements and implications that you have made and published about Ms. Jenkins are demonstrably false. Ms. Jenkins has never engaged in the illegal and immoral activities you have accused her of doing. It should go without saying, but it shall be said to avoid any confusion, Ms. Jenkins has never engaged in prostitution, sex trafficking, child sex abuse, bribery, or any of the other assortment of misdeeds you have claimed. You have deliberately chosen to publish falsehoods. This is most obviously demonstrated in your July 6, 2022 YouTube video where you claim that Hayden Panettiere was a victim of Ms. Jenkins, and Ms. Panettiere gave an interview to *Good Morning America* regarding “the ugly side of sex trafficking” when the banner of the very *Good Morning America* interview clip you showed stated that Ms. Panettiere was discussing her struggles with postpartum depression, a medical issue completely unrelated to being a victim of sex trafficking.

Second, there is no credible source for the claims you have made and published about Ms. Jenkins. The claims about Ms. Jenkins are completely fabricated; and, as such, no credible source can possibly exist. Moreover, you are surely aware that Ms. Jenkins and others have published statements refuting these defamatory and disparaging claims. Your original and continued publication of the defamatory and disparaging claims discussed above, notwithstanding your knowledge that they have been denied and refuted by Ms. Jenkins and others, is a textbook case of actual malice.

Third, you are legally responsible for the false statements that you have made, the false statements made by guests on your YouTube video show, *Sharrell's World*, and the false statements that you have repeated. Defamation liability attaches to the publisher of the false statements, and you are the publisher of your YouTube show. *See* Prosser & Keeton, *THE LAW OF TORTS* (5th ed. 1984) § 113, p. 803; Smolla, *THE LAW OF DEFAMATION* (2d ed. 2005) § 4:92, p. 4-140.15; *REST.2D TORTS*, § 568. As for repeating falsehoods, it is black letter law that one who repeats a falsehood is as accountable as the original publishers. *Di Giorgio Corp. v. Valley Lab. Citizen*, 260 Cal. App. 2d 268, 273 (Ct. App. 1968) (noting that it is the “general rule” that “anyone who actively participates in the publication of a false and libelous statement is liable for special, general and even punitive damages,” and that “every repetition of the defamation is a separate publication and hence a new and separate cause of action”) (citing Prosser, *supra*, at p. 787). Thus, the scope of falsehoods you are responsible for is significant.

You must know that Ms. Jenkins can (and will) easily establish that the statements you made about her were false and defamatory. Likewise, you must know that Ms. Jenkins can (and

¹³ Available at <https://www.youtube.com/watch?v=fBDaWruV2UU>.

will) easily establish that you acted with actual malice because the claims about her are fabricated, the truth about Ms. Jenkins was readily ascertainable, and no credible source exists for the statements and implications you have made and published. Furthermore, you may not already know, but will quickly be told by counsel, that the statements and implications you have made about Ms. Jenkins constitute *per se* defamation and disparagement. You have accused Ms. Jenkins of crimes as well as heinous, immoral activities. Reputational harm is presumed.

You have put yourself in a precarious and potentially ruinous position. Perhaps you believe that a “get out of jail” card exists because you run a banner throughout your show—“Everything in this video is Alleged [sic] & in our opinion!”—and therefore, you can persuade a court or jury that your statements about Ms. Jenkins are “pure opinion.” That is not going to happen. As an initial matter, you have repeatedly made these above-described statements over multiple months creating the obvious inference that these are facts and not opinions. In addition, you have held yourself out as someone that your audience can and should rely upon for uncovering facts. You would have no audience if you acknowledged that everything you say is pure, hateful make believe. You have branded yourself as someone your audience can trust for facts, and you have used that brand for purposes of self-promotion and enrichment. These facts alone foreclose the “pure opinion” defense.

Further, you have eliminated the “pure opinion” defense by telling your audience that your statements about Ms. Jenkins are based on facts. For example, during the June 17, 2022 YouTube video, Ms. Lloyd stated: “No, I’m not dragging her. I’m telling the truth,” and “I’m not sure why you’re laughing [indecipherable] because I’m telling the honest truth.” Similarly, Ms. Lloyd stated during the July 6 and 7, 2022 YouTube videos that Ms. Jenkins “needs to be held accountable for the things that she has done,” and “needs to be held accountable,” respectively. Similarly, during her June 24, June 28, June 30, July 1, July 22, and August 22, 2022 YouTube videos, Ms. Lloyd repeatedly stated that Ms. Jenkins was “getting away with” and “is never going to pay for” the above described conduct, and/or needs to be in prison for the above described conduct. Additionally, many of the videos have titles that are plainly stated as purported facts such as “Diana RHOBH outted [sic] for being a Madam!,” “Ex PROSTITUTE Diana Jenkins,” and “Ex Madam Diana Jenkins.”

Beyond the obvious legal issues, what you have done to Ms. Jenkins is simply wrong. She is a mother, a philanthropist, and an entrepreneur. Her philanthropic endeavors are well known and have generated millions of dollars in assistance for victims of human rights violations, natural disasters, wars, and health epidemics. To characterize Ms. Jenkins as a prostitute, madam, sex trafficker, child abuser, and criminal is not just factually inaccurate, but ethically wrong. This is not entertainment. This is someone’s life and reputation. Your YouTube show may give you an audience (and advertising and other revenue), but it does not give you a license to defame and disparage Ms. Jenkins. There are real world consequences to your actions.

* * *

Your publication of false and defamatory statements must stop. You have already done enough damage to Ms. Jenkins and her family. To mitigate the continued accrual of these damages, you must: (1) take down all of the above identified YouTube videos, (2) remove all mentions of

Ms. Jenkins from your social media accounts, including YouTube, Twitter, Instagram, TikTok, Facebook, and any other social media account owned and/or controlled by you; (3) issue a corrective statement on your YouTube show indicating that all of your past statements about Ms. Jenkins are factually inaccurate and you had no basis for making the statements; and (4) issue a written apology to Ms. Jenkins for publishing false and defamatory statements about her. Please confirm by 5:00 p.m. (eastern time) on September 2, 2022, that you will be taking these actions.

Further, please be advised that Ms. Jenkins reserves all her legal rights and remedies, including their right to pursue legal claims against you, including claims for defamation, disparagement, and intentional infliction of emotional distress. Accordingly, you must preserve all potentially relevant documents, information, and communications regarding Ms. Jenkins and suspend all destruction protocols related thereto. These documents, information, and communications are relevant to and necessary for Ms. Jenkins' potential lawsuit against you.

Very truly yours,

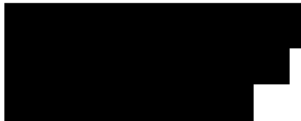
BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in black ink, appearing to read 'J. Erik Connolly', with a long horizontal flourish extending to the right.

J. Erik Connolly

JEC: CJL


cc: Bendernator, LLC
Attn: Ben Lehavi



August 31, 2022

VIA EMAIL

Dana Wilkey
Dishing Drama with Dana Wilkey



Re: Demand to Cease and Desist Publication of False and Defamatory Statements
about Sanela Diana Jenkins

Dear Ms. Wilkey:

My firm represents Sanela Diana Jenkins, Neuro Drinks, Neuro Brands, and D Empire Entertainment. This letter concerns a number of false and defamatory statements published by you across multiple media platforms, including:

- Your November 10, 2021 YouTube video titled “NEW RHOBH CAST MEMBER Diana Jenkins SHOCKING story Room 23 & S12 RHOBH,” in which you falsely state that Ms. Jenkins had extramarital affairs with Rio Ferdinand, Justin Timberlake, and Guy Ritchie.¹
- The false and defamatory statements made by you and your “guest,” Enty Lawyer, during the May 15 and May 22, 2022 episodes of your podcast “Dishing Drama with Dana Wilkey,” including: (1) that Ms. Jenkins engaged in extramarital affairs; (2) that Ms. Jenkins “is the reason [that Barclay’s has] been in trouble for the last 13 or 14 years” due to a connection with a “Qatari sheik;” (3) that Ms. Jenkins is connected to Muammar Gaddafi and received stolen funds associated with him; (4) that *Room 23* was a “sex-trafficking book” and that Ms. Jenkins has “always” been involved in the sex trade; (5) that Ms. Jenkins was “introducing” Hayden Panettiere and other celebrities to “men and women” who would pay them for sex; (6) that Ms. Jenkins, through a charitable foundation, was involved in the assassination of the president of Haiti; (7) that Ms. Jenkins “facilitated” the sale of a 14-year-old Bosnian girl to Jeffrey Epstein; (8) that Ms. Jenkins and Sean Penn have been involved in trafficking young women across continents; (9) that Ms. Jenkins connected Mr. Penn to “Eastern European strippers;” (10) that Ms. Jenkins had an affair with Rio Ferdinand; (11) that Ms. Jenkins brought a group of “models” and “prostitutes” to a party with Mr. Ferdinand; (12) that Ms. Jenkins has been paid in exchange for performing sexual acts;

¹ Available at <https://www.youtube.com/watch?v=Ezhy8zUM3Ic/>.

(13) that Ms. Jenkins was a “madam;” (14) that Ms. Jenkins was involved in embezzlement and tax evasion; (15) that Ms. Jenkins utilizes a website for her illegal activities that is also used by “people who deal in child porn and stuff like that;” (16) that Ms. Jenkins did not make a payment pursuant to a settlement agreement; (17) that Neuro Drinks, Ms. Jenkin’s functional beverage line, is a “soft drink that gives you sex drive;” (18) that Ms. Jenkin’s Neuro Drinks business is a “front” being used to launder money; (19) that the music label founded by Ms. Jenkins, D Empire Entertainment, is being used to launder money, is not a legitimate business, and has connections to Malaysia, implying that it is used for purposes related to sex trafficking; (20) that Ms. Jenkins is lying about her involvement in humanitarian causes; (21) that Ms. Jenkins met Mr. Penn in the course of her providing him with prostitutes; (22) that Ms. Jenkins and Mr. Penn had an extramarital affair; (23) that Neuro Drinks are not available for purchase and, therefore, is not a legitimate business; and (24) that Ms. Jenkins was involved in laundering money through the Vatican Bank.

- Your June 23, 2022 YouTube video titled “RHOBH S12 Ep7 Ex Gossip, Erika’s Yacht Illegal and MX Messy!,” in which you falsely imply that Ms. Jenkins’ purported first introduction to her now-fiancé Asher Monroe at a Victoria’s Secret Fashion Show was connected to sex trafficking.²

Specifically, I write to demand that you immediately remove these false and defamatory statements and issue notices acknowledging that you had no factual basis for any of the statements and implications made about Ms. Jenkins. Your continued publication of these statements will be met with immediate legal action by Ms. Jenkins.

First, the statements and implications that you have made and published about Ms. Jenkins are demonstrably false. Ms. Jenkins has never engaged in the illegal and immoral activities you have accused her of doing. It should go without saying, but it shall be said to avoid any confusion, Ms. Jenkins has never engaged in prostitution, child sex trafficking, embezzlement, money laundering, or any of the other assortment of misdeeds you have claimed. Likewise, her companies are legitimate and successful businesses. They are not fronts for illegal activities. You have deliberately chosen to publish falsehoods.

Second, there is no credible source for the claims you have made and published about Ms. Jenkins and her companies. The claims about Ms. Jenkins are completely fabricated; and, as such, no credible source can possibly exist. Moreover, you are surely aware that Ms. Jenkins and others have published statements refuting these defamatory and disparaging claims. Your original and continued publication of the defamatory and disparaging claims discussed above, notwithstanding your knowledge that they have been denied and refuted by Ms. Jenkins and others, is a textbook case of actual malice.

Third, you are legally responsible for the false statements that you have made, the false statements made by guests on your podcast, and the false statements that you have repeated. As for your guests, defamation liability attaches to the publisher of the false statements, and you are

² Available at <https://www.youtube.com/watch?v=VVMueEHBatc>.

the publisher of your podcast. *See* Prosser & Keeton, THE LAW OF TORTS (5th ed. 1984) § 113, p. 803; Smolla, THE LAW OF DEFAMATION (2d ed. 2005) § 4:92, p. 4-140.15; REST.2D TORTS, § 568. As for repeating falsehoods, it is black letter law that one who repeats a falsehood is as accountable as the original publishers. *Di Giorgio Corp. v. Valley Lab. Citizen*, 260 Cal. App. 2d 268, 273 (Ct. App. 1968) (noting that it is the “general rule” that “anyone who actively participates in the publication of a false and libelous statements is liable for special, general, and even punitive damages,” and that “every repetition of the defamation is a separate publication and hence a new and separate cause of action”) (citing Prosser, *supra*, at p. 787). Thus, the scope of falsehoods you are responsible for is significant.

You must know that Ms. Jenkins can (and will) easily establish that the statements you made about her and her businesses were false and defamatory. Likewise, you must know that Ms. Jenkins can (and will) easily establish that you acted with actual malice because the claims about her are fabricated, the truth about Ms. Jenkins was readily ascertainable, and no credible source exists for the statements and implications you have made and published. Furthermore, you may not already know, but will quickly be told by counsel, that the statements and implications you have made about Ms. Jenkins and her companies constitute *per se* defamation and disparagement. You have accused Ms. Jenkins and her companies of crimes as well as heinous, immoral activities. Reputational harm is presumed.

You have put yourself in a precarious and potentially ruinous position. Perhaps you believe that a “get out of jail” card exists if you can persuade a court or jury that your statements about Ms. Jenkins and her companies are “pure opinion.” That is not going to happen. You have held yourself out as someone that your audience can and should rely upon for uncovering facts. That is how you have built a following and a brand. As someone who previously appeared on *The Real Housewives of Beverly Hills*, your reputation hinges on having access to accurate, behind-the-scenes information on the Real Housewives. You describe yourself in your social media profiles as “a real-life Lady Whistledown with a touch of Elle Woods,” emphasizing your access to “insider” information. You do not promote yourself as a purveyor of “make believe.” You have branded yourself as something else for purposes of self-promotion and enrichment. Those facts foreclose the “pure opinion” defense.

Beyond the obvious legal issues, what you have done to Ms. Jenkins is simply wrong. She is a mother, a philanthropist, and an entrepreneur. Her philanthropic endeavors are well known and have generated millions of dollars in assistance for victims of human rights violations, natural disasters, wars, and health epidemics. To characterize Ms. Jenkins as an adulterer, sex trafficker, and criminal is not just factually inaccurate, but ethically wrong. Her companies are a success on their own accord. Neuro Drinks are sold in Walmart stores across the country and on Amazon. To reduce her companies to purported “money laundering fronts” is not only factually inaccurate, but harmful to the individuals employed by her companies. Your podcast may give you an audience (and subscription sales), but it does not give you a license to defame and disparage a woman and her companies. There are real world consequences to your actions.

Your publication of false and defamatory statements must stop. You have already done enough damage to Ms. Jenkins, her family, and her companies. To mitigate the continued accrual of these damages, you must: (1) take down both the free and subscription versions of the May 15 and May 22, 2022, episodes of *Dishing Drama with Dana Wilkey*, titled “Deep Dive on Sanela Diana Jenkins (with Enty Lawyer)” Parts 1 and 2, from Patreon and all other podcast streaming platforms; (2) remove all mentions of Ms. Jenkins from your social media accounts, including YouTube, Twitter, Instagram, TikTok, and any other social media account owned and/or controlled by you; (3) issue a corrective statement on your podcast and social media profiles indicating that all of your past statements about Ms. Jenkins and her companies are factually inaccurate and you had no basis for making the statements; and (4) issue a written apology to Ms. Jenkins for publishing false and defamatory statements about her and her companies. Please confirm by 5:00 p.m. (eastern time) on September 2, 2022, that you will be taking these actions.

Further, please be advised that Ms. Jenkins and her companies reserve all of their legal rights and remedies, including their right to pursue legal claims against you, including claims for defamation, disparagement, intentional infliction of emotional distress, and tortious interference. Accordingly, you must preserve all potentially relevant documents, information, and communications regarding Ms. Jenkins and/or her companies and suspend all destruction protocols related thereto. These documents, information, and communications are relevant to and necessary for Ms. Jenkins and her companies’ potential lawsuit against you.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in dark ink, appearing to read 'J. Erik Connolly', with a long horizontal flourish extending to the right.

J. Erik Connolly

JEC:kwm