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August 4, 2015

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**PUBLICATION OR DISSEMINATION IS PROHIBITED**

**VIA EMAIL:**

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LipStickAlley

**Re: Jared Leto / LipStickAlley.com**  
**Our File No.: 4708-2**

Dear LipStickAlley Operators and Administrators:

Our firm is litigation counsel to Jared Leto, and I am writing regarding false and highly defamatory statements (hereinafter the "Statements") posted on your website under the thread, "Any Jared Leto tea?"<sup>1</sup> The Statements are malicious lies and fabrications which were originally posted anonymously on groupie message boards, and *those defamatory posts were deleted years ago*. The publication of these false and defamatory Statements by users on your website site exposes each of you to millions of dollars in liability. Demand is hereby made that you immediately remove and delete the false and defamatory Statements from your website.

The Statements about our client in your website, which falsely accuse him of engaging in criminal conduct, are outrageous, absolutely false and defamatory *per se*. There is zero

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<sup>1</sup> A link to the thread may be found at:

<http://www.lipstickalley.com/showthread.php/540892-Any-Jared-Leto-tea/page3>. Among the false and defamatory Statements are those posted by the following users: Patsy's Love Child on 7-14 2013 at 2:59 p.m.; Feline Scratches on 7-14 2013 at 3:48 p.m.; Doll Parts on 7-17 2013 at 8:19 a.m.; AnnaLynne M on 7-17, 2013 at 8:37 a.m.; Kuroki Meisa on 1-19 2014 at 5:53 a.m. and 6:46 a.m.; and by Canteloupe on 1-19 2014 at 10:59 p.m.

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truth to those Statements. Our client has never engaged in any of the heinous conduct described in the Statements posted on your website. These vicious lies were originally posted anonymously on groupie message boards<sup>2</sup> by internet trolls seeking attention for themselves by concocting salacious tales of alleged encounters with my client that never occurred. When those original posts came to my client's attention, his representatives immediately demanded that the false and defamatory statements in the posts be removed and those original posts were promptly deleted.

You cannot avoid liability by claiming that you and/or your users were merely reposting rumors previously posted and disseminated by others. *Ray v. Citizen-News Co.*, 14 Cal.App.2d 6, 9, 57 P.2d 527, 528-529 (1936) ("A false statement is not less libelous because it is the repetition of rumor or gossip or of statements or allegations that others have made concerning the matter."); *Jackson v. Paramount Pictures Corp.*, 68 Cal.App.4th 10, 80 Cal.Rptr.2d 1, 27 (1998) ("when a party repeats a slanderous charge, he is equally guilty of defamation, even though he states the source of the charge and indicates that he is merely repeating a rumor."). Thus, any contention that you were merely repeating gossip reported elsewhere will not insulate you or your users from liability. A publisher is deemed to have adopted the defamatory gossip it repeats. *See, e.g., Khawar v. Globe International, Inc.*, 19 Cal.4th 254, 79 Cal.Rptr.2d 178 (1998) ("one who republishes a defamatory statement is deemed thereby to have adopted it and so may be held liable, together with the person who originated the statement, for resulting injury to the reputation of the defamation victim"); Smolla, *Law of Defamation* (2<sup>nd</sup> Ed. 2004) Vol. 1, §4:91 (secondary publisher, or republisher, may be liable for defamatory publication). Put simply, the fact that your users might have mindlessly regurgitated defamatory rumors on your website which were previously published elsewhere will not protect you from liability in this matter. This is particularly so since the original posts that were reposted on your website were deleted years ago.

Compounding the harm to our client is the fact that at least one media outlet has published the false and defamatory Statements from your website and is citing your website as the source. To the extent that the lies posted by users on your website have been repeated in other media, such repetition increases the legal exposure to you and your users. Smolla, *Law of Defamation* (2<sup>nd</sup> Ed. 2004) Vol. 1, §4:91 ("the originator of the statements is liable for any secondary publication that is the natural and probable consequence of his or her act"). It would therefore be in your and your users' best interests to promptly remove and delete the

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<sup>2</sup>

The Statements were originally posted at the following links

<http://www.voy.com/16357/25377.html> and

<http://www.gossiprocks.com/forum/miscellaneous/136188-jared-letto-hurts-like-satan.html>, and those original posts were deleted years ago. Indeed, the posts by Patsy's Love Child and Feline Scratches on 7-14 2013 contain a link to

<http://www.gossiprocks.com/forum/miscellaneous/136188-jared-letto-hurts-like-satan.html>, and when you follow that link you will see that the original post has been deleted.

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Statements from your website, and to take immediate steps to remove and delete any reposts of the Statements.

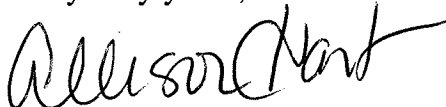
On behalf of Mr. Leto, we demand that you immediately remove and delete the Statements from your website. We further demand you directly notify your responsible users, and confirm the same. Be warned -- your site owners, operators and your users are not anonymous, and your true identities are easily discoverable via subpoena should this matter proceed to litigation. If that becomes necessary, we will hold you and your users fully accountable.

Should you fail to immediately comply with the aforesaid demands, we will have no alternative but to take all action necessary and appropriate to protect and enforce our client's rights and remedies.

If you fail to comply with the foregoing, you will be acting at your own peril.

Nothing contained herein is intended as, nor should it be deemed to constitute, a waiver or relinquishment of any of our client's rights or remedies, whether legal or equitable, all of which are hereby expressly reserved. This letter is a confidential legal communication and is not for publication.

Very truly yours,



ALLISON S. HART

For

LAVELY & SINGER

PROFESSIONAL CORPORATION

cc: Liquid Web, Inc., Host Provider (*via email*)  
Mr. Jared Leto (*via email*)  
Ms. Emma Ludbrook (*via email*)  
Martin D. Singer, Esq.

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