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14 (*Pro Hac Vice Application To Be Filed*)

15 Attorneys for Plaintiff,
16 KATHERINE HILL

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 FOR THE COUNTY OF LOS ANGELES

19 KATHERINE HILL,
20 Plaintiff,

21 v.

22 KENNETH HESLEP, JENNIFER VAN
23 LAAR, JOSEPH MESSINA, MAIL
24 MEDIA, INC., SALEM MEDIA GROUP,
25 INC., and DOES 1-50, inclusive,
26 Defendants.

CASE NO.:

1. ACTION BASED ON CIVIL CODE SECTION 1708.85

2. CIVIL CONSPIRACY TO VIOLATE CIVIL CODE SECTION 1708.85

3. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

4. ACTION BASED ON BUS. PROF. CODE SECTION 17200

DEMAND FOR JURY TRIAL

27 Plaintiff KATHERINE HILL initiates this suit, by her attorneys, McElroy|Parris Trial
28 Lawyers by Ashley Parris, Esq. and C.A. Goldberg PLLC, by Carrie Goldberg, Esq. against
Defendants KENNETH HESLEP, JENNIFER VAN LAAR, JOSEPH MESSINA, MAIL MEDIA,
INC., SALEM MEDIA GROUP, INC., and DOES 1 through 50 as follows:

PRELIMINARY STATEMENT

1
2 1. This case is about a man, Defendant Kenneth Heslep, stopping at nothing to destroy
3 the life of his ex-wife, Plaintiff Katherine Hill (“Hill”), a US Congress newcomer, when she dared
4 end their relationship after more than fifteen years of physical, sexual, verbal, emotional and
5 psychological abuse that began when she was only sixteen and he was twenty.

6 2. The coercive control and abuse 37 year-old Heslep inflicted upon Hill, age 33,
7 included threatening her with guns, controlling her sleep, appearance, medication, and travel,
8 isolating her from family and friends, monitoring her calls, requiring passwords to her email and
9 social media accounts and access codes to her devices, threatening and abusing her pets, interfering
10 with the veterinary care for her pets, sexual coercion and choking. Heslep threatened suicide if
11 she ever tried to leave and encouraged Hill to kill herself by shoving a gun at her when she spoke
12 up about how unhappy she was in the relationship. The one time Hill tried to leave, two months
13 before her 2018 Congressional election, Heslep threatened to implode her chances of winning by
14 having her involuntarily committed. Hill lived in fear that if she ever tried to leave, he’d kill them
15 both and all their animals.

16 3. In 2019, once Hill relocated to Washington DC to work in Congress, she finally
17 managed to leave the relationship for good. That’s when Heslep’s scorched earth attack began in
18 earnest. He enlisted right-wing politicians and websites, including Defendants Jennifer Van Laar,
19 Joseph Mesina, Mail Media, Inc. (“the Daily Mail”), Salem Media Group, Inc. and Does 1-50
20 (collectively “Media Defendants”) to carry out his public punishment of Hill. Less than five
21 months after the breakup, naked images of Hill that only Heslep had previously possessed were
22 published globally on the internet, alongside intimate text messages and cruel lies. Media
23 Defendants helped Heslep maximize injury to Hill, widely amplifying and publishing deeply
24 private and degrading confidential information and false statements, all supplied by Heslep.

25 4. On October 18, 2019 *RedState*, a right-wing online publication that often posts
26 conspiracy theories and hit pieces on Democrats, published the first in a barrage of articles that
27 included pictures and intimate text messages. Then the sexually graphic photos were released. The
28 harassment was nonstop and escalated. Days later, the Daily Mail published two sexually graphic

1 images. The Daily Mail's website is ranked number 266 in global internet engagement,
2 guaranteeing that the humiliating pictures were seen throughout the world¹. One local Republican
3 operative said he'd been supplied with a file containing over 700 photos and texts which they
4 intended to release bit by bit until Hill resigned from or was forced out of Congress. And sure,
5 enough, *RedState* continued to publish new material on an almost daily basis, for two weeks, until
6 Hill finally stepped down.

7 5. Hill's life was irreparably altered by the abuse and nonconsensual dissemination
8 and publication of her intimate images. Hill experienced extreme violence and threats from
9 strangers and viewers of the nonconsensual porn She suffered extreme emotional distress,
10 attempted suicide, and was forced to quit her job, which in this case was the Representative of
11 California's 25th Congressional District, one of the most difficult-to-get jobs in the universe.

12 6. Hill had hoped that after the divorce was final, Heslep's frightening obsession with
13 her would be over and he would move on. However, it was just the opposite. The pair executed
14 the final Judgment dissolving the marriage on September 15th and 17th 2020 respectively, and
15 then on November 13th and 19th 2020, Hill's representatives began getting hounded by a Daily
16 Mail journalist asking for comments on new details and lies for an article about Hill's sexual,
17 medical and financial history that Heslep had pitched to them. Counsel to Hill twice alerted the
18 journalist to the fact that their source had a long history of intimate partner violence and abuse
19 toward Hill and that they were being used by Heslep to complete his threats to ruin Hill.

20 7. Three days after Hill obtained a Temporary Restraining Order against Heslep, the
21 Daily Mail indeed published the threatened article with 26 pictures, including one nude one of Hill
22 that they acknowledged was taken by Heslep without Hill's consent and three with her recently
23 deceased beloved younger brother. It was the sixteenth article the Daily Mail had published about
24 Hill, taunting and tormenting her by publishing Heslep's lies and the private photos (including of
25 her recently deceased beloved younger brother), some nude and taken without consent, which
26 Heslep supplied.

27
28 ¹ <https://www.alex.com/siteinfo/dailymail.co.uk>, accessed December 18, 2020.

1 8. The First Amendment does not provide a carte blanche right to sexually degrade
2 and expose public officials, this right does not extend to the nonconsensual dissemination of nude
3 images where, as here, the depicted person had a reasonable expectation of privacy. Deciding
4 who is allowed to see our naked bodies is an essential right. In recognition of the fact that those
5 who disseminate intimate images without the consent of a depicted person are causing an injury to
6 the victim, forty-six states and the District of Columbia have criminalized the practice of
7 nonconsensual dissemination of nude or sexually graphic images and twelve states have made it
8 tortious.

9 9. This case draws a line between intentionally inflicted pain and politics-as-usual.
10 Defendants deserve no First Amendment protection for their role in Hill's public humiliation
11 because Defendants are knowing conspirators in Heslep's abuse of Hill. Simply because Hill was
12 in politics doesn't grant Defendants blanket immunity from liability for the harm they cause,
13 nor should their activity, just because it involves words and publication be broadly construed as
14 free speech and in the public interest. The publication is the very act, previously threatened, that
15 enabled Defendants to fulfill their mission to injure Hill. The publication is the completed act of
16 harm. Hill stands for the belief that there's a point, as here, where speech stops being speech and
17 transforms into tortious conduct; and likewise, where publication is tortious because of its role in
18 blackmail.

19 10. Bringing this lawsuit is a last resort for Hill. For years, Heslep threatened to ruin
20 Hill if she ever tried to leave the relationship. Now the world is watching an abusive man's revenge
21 vendetta happen in real time. Hill has already given up everything to escape Heslep. She moved
22 across the country from Heslep, ended the marriage, gave in to his financial demands in the
23 divorce, suffered through the humiliation of having her nude images shared on the internet
24 globally, gave up her job in the *United States Congress*, filed an Order of Protection, and on
25 December 8, 2020 was granted a Temporary Restraining Order. And yet, Heslep appears to still
26 be dissatisfied. Every move Hill makes to protect herself just fuels Heslep's need for more revenge.

27 11. Bringing this case is terrifying for Hill. There's never a way to litigate privacy in
28 our judicial system without amplifying the very invasions underlying the suit, an inevitable hell

1 that Hill has resigned herself to knowing this further public display may have been Defendants'
2 hope all along. Further, Hill risks being in discovery opposite people who've shown great glee in
3 peddling private details about her life and torturing her publicly with them. The case also forces
4 Hill to be linked to her abuser from whom she is so desperately trying to extricate herself.
5 Additionally, Hill is possibly entering a situation where her naked pictures will be exhibits shared
6 around lawyers' offices and court chambers and jury rooms; where she'll be confronted with
7 extremely painful topics like her murdered pets and ex-husband shopping around lies to the press.

8 12. The publicity, exposure, and emotional turmoil of the litigation are sacrifices Hill
9 has chosen to make because no other option remains to restore her privacy and dignity except to
10 seek help from our courts. Every new effort Hill takes to protect herself, including earlier this
11 month when a judge issued a Temporary Restraining Order requiring Heslep stay 100 yards away
12 from Hill and her relatives, has just triggered Heslep and Defendants to humiliate her further,
13 harder, louder, and more viciously; even publishing new naked images they know were taken and
14 disseminated without Hill's consent.

15 13. This lawsuit is Hill's public plea for the right to privacy and the right to be left
16 alone. She makes this plea for herself, for survivors of intimate partner violence and media
17 exploitation everywhere. Here we reset the ideas that abuse in a woman's past should quash their
18 political aspirations and that public sexual humiliation is an acceptable way to vanquish a political
19 opponent. This case pleads that everybody, even publicly elected officials and celebrities, is owed
20 the right to sexual privacy and redress from our courts when they experience intimate partner
21 violence.

22 JURISDICTION AND VENUE

23 14. This Court has jurisdiction over this matter pursuant to California Civil Procedure
24 § 410.10.

25 15. Venue is proper in Los Angeles County pursuant to California Civil Procedure §
26 395 because a substantial part of the events giving rise to the claim occurred in Los Angeles County
27 and at least one Defendant has their primary place of residence or business in Los Angeles County.

28 ///

1 **STATUTES OF LIMITATION**

2 16. Pursuant to Judicial Council of California’s Emergency Rule 9, adopted on April
3 6, 2020, all civil statutes of limitation were tolled until 90 days after Governor Newsom lifted the
4 California State of Emergency due to COVID-19.

5 17. On May 29, 2019 the Judicial Council approved a revision to the rule that tolled all
6 statutes of limitation over 180 days from April 6, 2020 to October 1, 2020².

7 **PARTIES**

8 18. Plaintiff Katie Hill is an individual residing in Santa Clarita, California, a city
9 located in Los Angeles County, California.

10 19. Defendant Kenneth “Kenny” Heslep is an individual residing in Tustin, located in
11 Orange County, California.

12 20. Defendant Jennifer Van Laar is an individual who, upon information and belief, has
13 resided in Simi Valley, California, a city in Ventura County at all relevant times. Defendant Van
14 Laar is Redstate.com’s Deputy Managing Editor and cohosts a radio show for Salem Radio
15 Network, titled “Sounds Right with Jen and Scott” and sometimes writes for the Daily Mail.

16 21. Redstate.com and Salem Radio Networks are owned by Defendant Salem Media
17 Group, Inc.

18 22. Defendant Joseph “Joe” Messina is an individual residing in Santa Clarita,
19 California, a city in Los Angeles County. Defendant Messina hosts “The Real Side” Radio Show
20 and, upon information and belief, runs TheRealSide.com. Messina was the chairman of the Santa
21 Clarita Valley GOP until the end of 2018.

22 23. Defendant Salem Media Group, Inc. (“Salem Media”) is a publicly traded Delaware
23 corporation with its principal place of business in Camarillo, California, a city located in Ventura
24 County. Upon information and belief, Salem media manages, operates and/or publishes
25 Redstate.com through its ownership of Townhall Media.

26 24. Upon information and belief, Defendant Mail Media, Inc. d/b/a/ Mail Online is a
27

28 ² <https://newsroom.courts.ca.gov/news/judicial-council-revises-emergency-rule-on-civil-filing-deadlines>

1 Delaware corporation, with its principal place of business in New York, New York, that manages,
2 operates and/or publishes the dailymail.co.uk website. Mail Media, Inc. has a registered agent for
3 service of process in California.

4 25. The Daily Mail does business in California, including but not limited to directing
5 reporters to investigate and gather facts in Los Angeles County, California and paying contractors
6 for work performed in California.

7 26. Plaintiff is unaware of the true names of the defendants sued herein as Does 1
8 through 50 and accordingly sues these defendants by fictitious names. Hill is informed and believes
9 that each of the defendants and Doe defendants and defendants' agents are agents of each other
10 and responsible in some manner for the occurrences and damages alleged in this complaint. Each
11 defendant is liable for his/her personal conduct, vicarious or imputed negligence, fault or breach
12 of duty where based upon agency, ostensible agency, independent contractor status, employment,
13 ownership, care or control or upon any other act or omission. Plaintiff will ask for leave to amend
14 this complaint subject to further discovery, when the defendants' true names and capacities are
15 ascertained.

16 **FACTUAL BACKGROUND**

17 **DEFENDANT HESLEP'S ABUSIVE RELATIONSHIP WITH HILL AND VOW TO**
18 **RUIN HER.**

19 27. Hill met Defendant Kenneth "Kenny" Heslep in 2004, when she was sixteen years
20 old and he was twenty years old. The two worked at a Barnes and Noble in Valencia, California.

21 28. Despite the unlawful age difference, Hill and Heslep soon began sleeping together
22 and dating exclusively and Hill began staying with Kenny at his parents' home after just a few
23 months of dating.

24 29. Hill was at a defiant moment in her life and was recovering from a sexual assault
25 when she met Heslep. Heslep's possessiveness and older age made her feel safe, protected, and
26 loved.

27 30. One of three kids, Hill was a strong student with an even stronger work ethic she'd
28 learned from her mother and father, a registered nurse and police officer respectively.

1 31. Hill graduated high school a year early in 2004, the year she met Heslep and
2 immediately started college. While working two jobs at any given time, including jobs working in
3 an emergency room and with at-risk kids coming out of the criminal justice system, Hill graduated
4 from California State University Northridge (CSUN) with her Bachelor’s degree and later with her
5 Master’s in Public Administration. Heslep, meanwhile, showed very little interest in education or
6 working. He frequently blamed Hill for his inability to hold down a job or to pass (or even finish)
7 his classes. He would scream at Hill saying it was her fault he could not work or go to school
8 because, he said, he needed to be there to take care of Hill or “watch out” for her

9 32. As soon as they began dating, Heslep showed signs of being controlling and not
10 caring about Hill’s privacy or consent. Heslep rarely allowed her to be alone without him. He
11 refused to let her talk on the phone privately with friends or family, always hovering nearby and
12 monitoring, or insisting that she use speakerphone so he could listen in and force her to end the
13 call quickly. Eventually socializing – even by phone – became too much emotional trouble for Hill
14 because of Heslep’s policing.

15 33. Heslep restricted Hill’s physical mobility. He refused to let Hill go places -- other
16 than work – without him. If she dared go out with friends or family without him, he would punish
17 her for weeks afterwards – subjecting her to midnight rages and unpredictable outbursts. He
18 controlled the friends she could socialize with and isolated her from the people best positioned to
19 protect her and intervene in the relationship, only letting her attend the most basic family
20 engagements, and even then, only if Heslep was included, too. Yet, at events, Heslep would often
21 make them leave early and would be jealous and angry afterwards if he observed Hill enjoying
22 herself with others.

23 34. Heslep also controlled how she dressed (modest and informal), wore her hair
24 (short), and the make-up on her face (none). Heslep needed to know where Hill was at all times,
25 required access to her calendars and called her constantly if plans changed or she was a few
26 minutes late. Unscheduled stops to or from work were forbidden and even stopping at the grocery
27 store without permission would subject Hill to the punishment of Heslep’s rage and paranoia that
28 she was actually engaging in something devious and disloyal. He was so suspicious that if she did

1 run an errand, like to the grocery store alone, he'd make her call him on her cell and stay on the
2 phone for the duration so he could listen to background noises.

3 35. Heslep's control extended to all of Hill's electronics, requiring that he have
4 passwords to her email accounts, cell phone, computer, and social media accounts. When Hill
5 dared resist, Heslep would accuse Hill of having something to hide and Hill would eventually
6 submit.

7 36. When Hill was prescribed medication, he insisted on controlling and doling it out
8 to her.

9 37. Without her consent or knowledge, Heslep would secretly post nude and semi-nude
10 photographs of Hill on dating websites trying to solicit sexual partners.

11 38. After years of being told by Heslep that she couldn't do anything without him, that
12 she needed him, that he was the only person who cared about her, Heslep declared they should get
13 married because "we basically already are" and because Heslep had hit the age where he could no
14 longer be on his parents' health insurance and needed coverage through Hill because he didn't
15 have a job. So, in 2010, at age 22, Hill married Heslep. In the years since getting married, Hill's
16 career advanced, moving up the ranks at PATH, the homelessness nonprofit where she worked
17 and then getting elected to Congress. Meanwhile, Heslep worked only intermittently, blaming Hill
18 every time he left a job, and becoming more controlling and abusive.

19 39. Heslep saved his most vicious rages for late nights when Hill had important school
20 or work responsibilities the next day, screaming her awake and not letting her sleep. This
21 continued throughout their relationship. Many mornings after those rages, Hill would need to
22 carry on with school and/or work responsibilities with little to no sleep while Heslep sat at home
23 doing nothing. Often Hill had to call in sick or miss deadlines because she was so exhausted from
24 being kept awake and tormented by Heslep all night. As Hill became more successful, the rages
25 increased and it became clear that Heslep was actively trying to sabotage her career. He would
26 time his rages for when Hill was at her most exhausted and vulnerable and after her biggest
27 achievements. The only way Hill could settle Heslep down was to cry and apologize to him without
28 ever having any idea what she was sorry for. It was a life of constantly walking on eggshells.

1 40. When Hill would stand up for herself, Heslep would threaten to kill himself or
2 encourage her to -- telling her “why don’t you just kill yourself.” Sometimes Heslep would tell
3 Hill she should just kill herself if she was so unhappy in the relationship and one time, shoved a
4 gun at her while telling her to kill herself.

5 41. Heslep would frequently push Hill’s physical and sexual boundaries throughout the
6 relationship– painfully squeezing and pinching her buttocks, crotch, and breasts without
7 permission, often in front of others. When Hill objected, Heslep would scream at her, laugh at her
8 and say he was just playing or flirting and then he would act hurt that Hill didn’t like it. Again
9 and again, Heslep would turn any of Hill’s objections around, saying there was something wrong
10 with Hill for resisting the affection of her husband and declaring it proof she was having an affair
11 or that she was “prudish” or “frigid.”

12 42. On multiple occasions, Heslep backed Hill into walls when he was angry, pinning
13 her against them and shouting in her face. Heslep choked Hill during sex, ignoring her attempts to
14 stop him, and not letting go until after she passed out or he finished, whether she was conscious or
15 not. On more than one occasion, Heslep’s rages were so powerful when she resisted sex that she
16 was afraid he’d kill her. Even when Hill was in pain from endometriosis (for which she had two
17 surgeries during the marriage), Heslep coerced Hill into oral or manual sex, saying it was the least
18 she could do for him.

19 43. When Hill confided to Heslep about her bisexuality, Heslep became infatuated by
20 it and began pressuring Hill to open up their marriage so they could have a girlfriend. Heslep saw
21 Hill’s bisexuality not as belonging to her but as he describes in a Daily Mail article, a fringe benefit
22 to him, pressuring her to have threesomes and using Hill’s naked images – taken and published
23 without consent – to find women online to sleep with.

24 44. Individuals unfamiliar with intimate partner violence may ask why Hill stayed in
25 the relationship for so long. The short answer is that she was afraid. Heslep, who Hill thought she
26 loved, had convinced Hill he would kill himself if she ever left. She also was scared he would hurt
27 somebody else she loved, like her parents, siblings, or pets. Heslep was obsessed with guns with a
28 collection of at least a dozen. When Heslep wanted Hill to know he was “in charge” he would take

1 them all out and clean them far far more frequently than necessary. He would hide them around
2 the house in places he knew Hill would find them – such as in her clothing drawers, in the kitchen,
3 and her office – which was threatening and intimidating to Hill. Heslep said they were there so she
4 could use them for “protection” when he wasn’t around – but he was always around and never left
5 her at home alone.

6 45. Hill was scared Heslep would hurt or kill their numerous pets if she ever left. Heslep
7 committed many acts of cruelty toward the pets that were specifically Hill’s – the ones she was
8 most bonded too – when he wanted to distress Hill the most. For instance, during arguments,
9 Heslep often lashed out at Hill’s, Labrador mix dog, Dude, hitting and kicking him when he was
10 angry or when he wanted to punish Hill, but said he was just discipling the dog. Whenever he took
11 out the guns, Heslep would point them at Dude, who would cower and then move in front of Hill
12 and growl to protect her. Heslep would keep pointing the gun at Dude no matter how much Hill
13 pleaded with Heslep to stop. On one occasion, Heslep kicked Dude so hard that Dude’s leg was
14 permanently injured. Heslep refused to let Hill get Dude treated by the veterinarian, saying Dude
15 was “just being a baby” or “wanted attention.” Eventually, Hill got Dude a new home and Dude
16 was finally able to get the surgery he needed.

17 46. Heslep’s abuse toward their animals – used as a way to control, manipulate,
18 dominate, and punish Hill – escalated once she ran for office. When Hill was away from the house
19 for campaign events or other work travel, Heslep would neglect their pets, not feed them, and not
20 take them outside to the bathroom. Heslep would “forget” to feed Hill’s horse, Marty or say he
21 “forgot” to order hay. The property fell into such disrepair under Heslep’s watch that Marty the
22 horse got nails in his feet and suffered other painful injuries attributed to Heslep’s neglect. It got
23 to the point that Hill didn’t want animals around because she didn’t feel she could protect them
24 from Heslep. However, in 2016, Heslep insisted on adding two new pets – husky dogs named
25 Girlie and Psycho. Both of these dogs were extremely aggressive, which Heslep seemed to enjoy
26 and encourage by refusing to train and control the dogs properly.

27 47. On separate occasions in 2016, when Hill was away for work, Heslep let Girlie and
28 Psycho attack and kill Hill’s cat, Bones. Hill sent her other cat, Binx, to go live with her sister

1 because she was afraid for its life. On another occasion, the dogs mauled a neighbor's alpaca,
2 which had to be put down.

3 48. The most traumatic experience was in approximately September of 2018 when Hill
4 came home to find the dogs had attacked her goat, Daisy. Heslep would not allow Hill to call a
5 vet, saying he could treat the injuries at home, yelling at Hill and snatching the phone out of her
6 hand. For days Heslep let Daisy suffer and wouldn't let Hill see or check on her, saying Daisy
7 was fine. When Hill finally snuck up to the barn, Hill saw that Daisy was dying. Hill called the
8 vet who was out of town and described Daisy's injuries and sent photos. The vet said Daisy needed
9 to be euthanized and recommended Hill have another vet come out to do it. However, when Heslep
10 found out she was trying to arrange for the vet to come, Heslep decided he would shoot Daisy
11 himself. Heslep made Hill get a tarp and watch him shoot Daisy. But Daisy didn't die immediately
12 and was twitching. Hill begged Heslep to put Daisy out of her misery. After she continued
13 begging, he shot Daisy again, but then got mad at Hill because Daisy's blood splattered on Heslep
14 and his gun. Heslep berated Hill for the mess and said "that wouldn't have happened if you just
15 trusted me." After Daisy's death, Hill pleaded with Heslep to train the dogs and not let them get
16 around the other animals again. However, once more, he let them out and they attacked Hill's other
17 goat, Greta. This second attack was one of the precipitating events leading to Hill moving to her
18 mom's in October 2018. Fortunately, Greta survived, thanks to the intervention of Hill's sister,
19 who keeps Greta to this day.

20 **HILL RUNS FOR CONGRESS.**

21 49. In February 2017, Hill decided to run for the United States House of
22 Representatives in California's 25th Congressional District. On March 8, 2017, Hill announced
23 her candidacy. Hill knew it was a longshot – she was a 29-year-old unknown without connections
24 or wealth, but she was driven to help change the face of politics, especially in light of the cruelty
25 and inequity, homophobia, xenophobia, racism, and sexism in the current administration.

26 50. Through a grassroots campaign Hill worked tirelessly toward the race. And for
27 once, she felt like she was undertaking something that Heslep couldn't stop – campaigning would
28 require that she travel, socialize, control her own clothes and appearance, and be free. Hill came

1 in second place in the primary election and advanced to the general midterm election.

2 51. Publicly, Heslep claimed to support Hill's decision, but at home it was a different
3 story. She was anything but free. Heslep would vacillate between nightly outbursts, giving her
4 ultimatums that she must choose him or the campaign, saying she'd never win or accomplish
5 anything of significance without him. Heslep consistently sought to limit the amount of time Hill
6 could spend away from home, on the campaign trail. If Hill "missed" his curfew, even by a few
7 minutes, Heslep would retaliate against her by yelling at her through the night, depriving her of
8 sleep, sometimes causing her to be late or cancel meetings or appearances the next morning.

9 52. As Hill's Congressional campaign gathered momentum, Heslep became
10 increasingly abusive towards Hill. He became uproariously jealous of some of her male campaign
11 staffers, who he constantly accused Hill of sleeping with, without any basis.

12 53. On or around August 2018, Hill told Heslep she was miserable and wanted to stay
13 with her mom for a while, but Heslep said he couldn't let that happen because she "wouldn't be
14 safe" if she wasn't with him. He said he would "go nuclear" and "blow up" Hill's campaign,
15 because he said Hill "couldn't handle" the election or serving in office without him.

16 54. In or around October 2018, less than one month before Election Day, Hill couldn't
17 take it anymore, and despite Heslep's previous threats, packed up some things while Heslep was
18 sleeping and quietly escaped early in the morning. Afraid he would show up at the campaign events
19 and make a scene, Hill waited until the evening to tell Heslep she wasn't coming home. When
20 Heslep learned Hill was leaving him, he lost control. In front of several witnesses, Heslep told Hill
21 he would "ruin" her if she didn't stay, and told a confidant he would "burn it down" if Hill left
22 their relationship for good. Heslep began to tell Hill's staff and family members that Hill was
23 suicidal and needed to be committed on a 72-hour psychiatric hold and end her campaign. Heslep
24 told Hill's mom, "you need to think of this as the last night you'll see her."

25 55. For two weeks Hill lived with her mom. Twice Heslep entered Hill's car without
26 her permission while it was parked at her mom's and left cards, notes and other tokens saying
27 things like "come home so I can take care of you" and "you know you need me right now, you
28 can't do this without me." Hill was scared that Heslep could enter her car and was sneaking around

1 her mom's house without her permission even after both she and her mom had asked him to stay
2 away. Hill was scared Heslep would ruin her politically or even kill her and make it look like a
3 suicide based on the propaganda he was spreading that she was suicidal.

4 56. With election day approaching and scared for her life and career, Hill returned to
5 Heslep two weeks after she'd left. It was during this two-week period of being away, that Heslep
6 had let his dogs maul a second goat, Greta, as described above. Since Heslep had made it clear that
7 he would sabotage her and had made threats about "blowing it up" and "ruining" her, Hill was
8 terrified for her life, pets, and career if she stayed away. It took all of Hill's resolve to keep herself
9 together when she returned home while living in fear and having to pretend to be fine in public.

10 57. On November 6, 2018, Hill was elected to the House of Representatives from
11 California's 25th Congressional District.

12 58. Upon her arrival in Congress, Hill immediately became a recognized leader. She
13 was chosen a representative of the Freshman Class of the 116th Congress. Hill was appointed to
14 the House Oversight Committee, the House Armed Services Committee, and the House Committee
15 on Science, Space and Technology. She was made Vice Chair of the Oversight Committee, a
16 prestigious assignment that reflected her bright future.

17 59. Heslep could not handle Hill's success nor the public attention Hill got. He was
18 angry that she had become a trailblazing politician and even angrier that her party and the national
19 media recognized her as that too.

20 60. In or around June 3, 2019, while in Washington, D.C., Hill told Heslep that she was
21 leaving him for good. Heslep begged Hill to talk in person when she returned to California.

22 61. When Hill returned to California, she moved in with her mother. Hill's family,
23 friends, and therapist were scared of Hill returning to her former home alone. Heslep kept asking
24 when she was coming for her belongings and to "say goodbye" to her animals. He repeatedly asked
25 if she would be coming alone and when, which alarmed Hill. Scared for her safety, Hill brought
26 her father along to retrieve her belongs. After that, Heslep pressured again and again to see Hill
27 alone and he'd get increasingly angry and accusatory when she resisted.

28 62. On July 10, 2019, after Hill had made it clear she was never coming back to him,

1 Heslep filed for divorce from Hill, publishing many lies and false accusations in the public divorce
2 filings. Soon thereafter, Heslep began making incendiary and salacious posts about Hill on
3 Facebook. On July 14, 2019, mere days after filing for divorce, Heslep posted in response to a
4 story about Hill, “Fuck I miss you so much angel...”, alongside a “crying-face”

5 63. Hill did not engage with Heslep’s pleas for attention.

6 64. In or around August 2019, Heslep again began to threaten to disseminate private
7 nude photographs of Hill. He claimed that he needed to share the images with his divorce attorney,
8 but privately he told a friend he “needed to do something bigger,” to “get back” at Hill.

9 65. On or about September 27, 2019, Heslep began shopping around secrets about Hill.
10 He reportedly contacted Stephen Daniels, host of a politics podcast titled *The Talk of Santa Clarita*,
11 via Facebook to ask, “any interest in an interview, and the whole story yet?”³. Daniels reportedly
12 declined Heslep’s offer. Yet shortly after, local Republican operatives in the Santa Clarita Valley
13 came into possession of intimate images depicting Hill which only Heslep had possessed.

14 66. On or about September 30, 2019, Defendant Heslep sent Stephen Daniels a long
15 Facebook message, complaining that Hill was, “fighting even basic spousal support” which was a
16 lie.

17 **HESLEP DISTRIBUTES INTIMATE IMAGES OF HILL TO DESTROY HER**
18 **REPUTATION.**

19 67. On October 10, 2019, RedState.com ran a story under the byline of an individual
20 named “Melinda Morales”, claiming that Hill was engaged in an affair with a male staffer⁴. The
21 article appeared to be derived from social media posts Heslep had published. Upon information
22 and belief, Melina Morales was a pseudonym for Defendant Jennifer Van Laar.

24 ³ Jason McGahan, How Local Republican Operatives Brought Down Katie Hill, LAmag.com
25 (October 31, 2019),
26 <https://www.lamag.com/citythinkblog/katie-hill-jennifer-van-laar/>, last accessed December 18,
2020.

27 ⁴ Melina Morales, Bisexual Rep. Katie Hill Allegedly Left Her Husband for Her (Male)
28 Legislative Director, Redstate.com (October 10, 2019),
<https://redstate.com/mirandamorales/2019/10/10/bisexual-rep-katie-hill-allegedly-left-husband-male-finance-director-n117249>, last accessed December 18, 2020.

1 68. Upon information and belief, Heslep shut down his social media accounts within
2 three hours of the story’s publication. Upon information and belief, the last message Heslep posted
3 on Twitter, under the username @MrKatieHill1 read, “I’m sorry. But I can’t be bought. Fuck, you
4 haven’t even tried yet...” This threat was posted alongside an article referencing the divorce
5 proceedings.

6 69. Upon information and belief, over the coming days Heslep disseminated a
7 computer file containing more than seven hundred images. Among these materials were nude
8 photographs of Hill and screenshots of text message conversations between Hill and Heslep. To
9 date, Heslep has made half-hearted claims in the press that he was hacked, but never elaborates.

10 70. Upon information and belief, the materials were sent to Defendant Van Laar and
11 Defendant Messina, both of whom had been deeply critical on social media of Hill during her
12 campaign and after her win.

13 71. On October 17, 2019, Messina posted an article on his blog claiming he had,
14 “received over 700 images, pictures, texts, and notes on the escapades of one Katie Hill, both
15 before and after her election⁵.” Despite receiving the nonconsensually distributed nude
16 photographs of Hill, Messina did not report the illegal content to law enforcement. Instead he used
17 the existence of the photographs as ammunition to attack Hill on his radio show, “The Real Side.”

18 72. News of the cache of images and private information spread quickly among Hill’s
19 political opponents. On October 17, 2019, George Papadopoulos, notorious for his involvement in
20 Donald Trump’s “Russiagate” scandals (and who pleaded guilty to making false statements to the
21 FBI), tweeted, “[l]ooks like District 25 is up for the taking”. This was, upon information and belief,
22 a reference to the impending release of intimate images of Hill and that her political career was
23 over. Papadopoulos later ran (unsuccessfully) for Hill’s former seat.

24 73. On October 18, 2019, Redstate.com published an article written by Defendant Van
25 Laar titled, “CA Rep. Katie Hill Allegedly Involved Female Staffer in 2-Yr ‘Throuple’
26

27 ⁵ Joe Messina, Rep. Katie Hill’s new brand of sexism! Out with the old. In with the new!,
28 TheRealSide.Com (October 17, 2019), <https://therealside.com/2019/10/rep-katie-hills-new-brand-of-sexism-out-with-the-old-in-with-the-new/>, last accessed December 18, 2020.

1 Relationship”,⁶.

2 74. The Redstate.com article contained allegations about Hill’s relationship,
3 specifically a consensual relationship Hill and Heslep had together with a woman who did
4 fundraising for the campaign. The article also contained text messages between Hill and Heslep
5 where they discuss the break-up and Hill’s wish to be alone to focus on her work and also text
6 messages between Heslep and a third party wherein Heslep tries to get the person to confirm his
7 jealous belief that Hill was having a secret affair with a male campaign staffer.

8 75. The Redstate.com article contained a link labeled as an “explicit image” to a nude
9 photograph of Hill brushing a woman’s hair (the “Hair Brushing Picture”). Heslep had taken and
10 distributed the photograph without Hill’s knowledge or consent.

11 76. Lawfare.com reported that the nude photo of Hill on RedState appeared to be “the
12 first instance in which a politically aligned publication – or, indeed, any publication – has released
13 nonconsensual pornography depicting a politician of the opposing party affiliation,” and decried
14 it “an ugly line to have crossed.”⁷

15 77. On October 18, 2019, two family members of Mike Garcia (who was at the time
16 running for Congress against Hill, was elected in the special election to replace Hill in May 2020,
17 and elected to a full term in November 2020) posted on social media that they had seen additional
18 nude images of Hill. Wendy Garcia, Mike Garcia’s sister-in-law, wrote in reference to nude
19 photographs of Hill, “[u]mmmm [sic] I’ve seen more than one and it’s not any better! Lol.” Gus
20 Garcia, Mike Garcia’s brother, published tweets that suggested he too had seen additional nude
21 images of Hill.

22 78. On October 22, 2019, Van Laar published an article on RedState.com featuring text
23 messages that could only have been provided by Heslep.

24
25 ⁶ Jennifer Van Laar, *CA Rep. Katie Hill Allegedly Involved Female Staffer in 2-Yr ‘Throuple’*
26 *Relationship*, Redstate.com (October 18, 2019), <https://redstate.com/jenvanlaar/2019/10/18/ca-rep-katie-hill-allegedly-involved-female-staffer-2-yr-throuple-relationship-n117886>, last
accessed December 18, 2020.

27 ⁷ Quinta Jurecic *Nonconsensual pornography, political scandals and a warning for 2020*,
28 Lawfareblog.com (October 24, 2019), <https://www.lawfareblog.com/nonconsensual-pornography-political-scandals-and-warning-2020>, last accessed December 18, 2020

1 79. On October 24, 2019, the DailyMail.com published an article titled, “Shocking
2 photos of Congresswoman Katie Hill are revealed showing off Nazi-era tattoo while smoking a
3 bong, kissing her female staffer and posing nude on 'wife sharing' sites”⁸. Van Laar was one of the
4 three authors of the October 24, 2019 DailyMail.com article. The article contained an embedded
5 image of Hill fully nude, holding a water pipe (the “Water Pipe Picture”). Though her nipple and
6 genitalia were partly covered, portions of her breast were visible in the photograph. The tattoo on
7 Hill’s torso, which has long since been covered by a different tattoo, depicted the logo of a
8 skateboarding clothing company, an adolescent lapse in judgment of which many of us can relate,
9 and not a Nazi symbol.

10 80. The DailyMail.com article also contained an embedded copy of the Hair Brushing
11 Picture, that had previously been published by RedState.com, and a redacted photograph of Hill’s
12 buttocks that the article’s authors’ claimed to have discovered on the social media website Reddit.

13 81. The DailyMail.com article also contained text messages that, upon information and
14 belief, were derived from Heslep’s “blackmail” materials.

15 82. Hill was told that copies of Heslep’s electronic files were circulating among far-
16 right media and politicians and that there was a trove of 700 photos and text messages that would
17 be released bit by bit until she resigned or was forced out.

18 83. The story and images spread like wildfire across hyper-partisan publications.
19 Breitbart and the Daily Wire reported on it and provided links to the photos readers. The
20 Washington Examiner embedded one of the photos.

21 **HILL IS FORCED TO RESIGN FROM CONGRESS AS A RESULT OF CONSPIRACY**
22 **TO DISSEMINATE THE INTIMATE IMAGES.**

23 84. On October 23, 2020 the House Committee on Ethics publicly announced an
24 investigation into Hill based upon the material defendants released and/or published.

25
26 _____
27 ⁸ Josh Boswell, Martin Gould, Jennifer Van Laar, *Shocking photos of Congresswoman Katie*
28 *Hill are revealed showing off Nazi-era tattoo while smoking a bong, kissing her female staffer*
and posing nude on 'wife sharing' sites, DailyMail.com (October 24, 2019),
<https://www.dailymail.co.uk/news/article-7609835/Katie-Hill-seen-showing-Nazi-era-tattoo-smoking-BONG-NAKED.html>, last accessed December 18, 2020.

1 85. Suddenly, the rumors propagated by Hill’s vengeful ex and the far-right were
2 pushed forward in the mainstream media. The announcement made headlines everywhere – The
3 Washington Post, CNN, Politico, NPR. The New York Post’s headline announced, “‘Throuple’
4 Lawmaker Katie Hill faces Ethics Committee Probe.”

5 86. Hill was horrified by the attention, humiliated that the painful truth of her abusive
6 marriage was opening up for the world to see. The shame was devastating.

7 87. The online harassment was vicious and nonstop. Hill and her staff received death
8 threats and calls and mail calling for her resignation. Her naked pictures had migrated all over the
9 internet and social media, and search engine results made them unavoidable when her name was
10 Googled.

11 88. Hill’s life was completely overtaken by the certain fear that more personal pictures
12 and texts would be released so long as she stayed in office. Even though she had nothing left to
13 hide, the shame and humiliation was devastating. So long as she was in public office, she was on
14 a platter for Heslep and the other defendants to pick at like vultures.

15 89. To Hill, it felt like the only way to escape Heslep once and for all, to remove his
16 power over her, was to leave office. It had already become painfully obvious that there was an
17 army of people and publications at the ready to publish whatever Heslep wanted to blackmail her
18 with.

19 90. On October 27, 2019, Defendants’ conspiracy to shame Hill achieved its goal. Katie
20 Hill resigned from her seat representing the 25th Congressional District of California.

21 91. On the same day, Van Laar sent out a tweet that read, “‘If you want to help us flip
22 Katie’s former CA25 seat BACK to RED, please learn more about @MikeGarcia2020 and
23 contribute to his campaign at ElectMikeGarcia.com.”

24 92. On October 29, 2019, Hill was in the darkest moment of her life. It felt
25 incomprehensible that she’d fought so hard to leave Heslep and to become the woman she was
26 always meant to be. She’d fought so hard and won! Now it was gone. Hundreds of articles talked
27 about how she was wrong for the images existing, for being in Congress, for resigning from
28 Congress.

1 93. It became too much that night. Hill drank a bottle of wine in the bathtub and
2 attempted to slit her wrists.

3 94. The suicide attempt was thankfully not fatal, but the torment continued.

4 95. In an October 31, 2019 Los Angeles Times story, Messina claimed that while he
5 had access to the blackmail materials, he did not need to distribute the intimate images because
6 “they were all over the place⁹.” If the images were in fact, “all over the place,” upon information
7 and belief, the images had been widely, as previous statements implied, disseminated prior to
8 publication. While the images published cover up some parts of Hill’s nipples and genitals with
9 small rectangle boxes or little blurs, upon information and belief, the images received, possessed
10 and then published did at earlier points reveal Hill’s full nudity and that such images with full
11 nudity exposed were received and sent by Defendants prior to their involvement in publication.

12 96. On October 31, 2019, Katie Hill gave her resignation speech in the House of
13 Representatives.

14 97. To date, Hill continues to experience an unimaginable amount of online
15 harassment, as a direct result of the nonconsensual distribution of her intimate images.

16 98. On May 12, 2020, Mike Garcia won the special election to fill the remainder of
17 Hill’s term, returning the seat to Republican control.

18 99. Hill’s pain mounted in 2020. Within a week in January, her mother underwent brain
19 surgery for a condition doctors believe was exacerbated by the national attention aimed at her
20 daughter. And, Hill’s beloved 20-year-old brother, Danny Bennett a veteran, relapsed from the
21 cumulative stress and trauma, and died.

22 **DEFENDANT HESLEP AND DEFENDANT THE DAILY MAIL CONTINUE TO**
23 **ATTACK HILL THROUGH THE PRESENT DAY.**

24 100. On October 13, 2020, the day Hill’s and Heslep’s divorce was finalized,
25
26

27 ⁹ Michael Finnegan and Matt Pearce, *GOP enemies wanted to beat Katie Hill*. Then they got her
28 nude photos, The Los Angeles Times (October 31, 2019),
<https://www.latimes.com/politics/story/2019-10-31/katie-hill-husband-revenge-porn-republicans>,
last accessed December 18, 2020.

1 DailyMail.com ran another story re-examining the “scandal”¹⁰.

2 101. Running Hill out of Congress was not enough for Heslep or the right-wing media
3 doing his bidding. They continue to try to ruin her, creating bizarre conspiracy theories.

4 102. Despite Hill’s efforts to live as a private citizen, the Daily Mail has continued to
5 seek damaging information about her personal life, likely motivated by her renouncement of its
6 decision to post naked images and her statements that she could hold them legally liable.

7 103. On or about November 13, 2020 a reporter for the Daily Mail, and co-author of the
8 October 13, 2020 article, Josh Boswell, sent an email to Hill’s press contact asking for verification
9 for a batch of new lies put forth by Heslep.

10 104. Counsel for Hill responded to these allegations in a letter explaining that the Daily
11 Mail was providing a platform for an abusive former spouse to continue his retaliatory vendetta
12 against Hill. The Daily Mail ignored Hill’s request for privacy, instead appearing to harvest more
13 content to humiliate Hill. On November 19, 2020, a representative for Hill received a second
14 harassing list of allegations from Boswell.

15 105. The second list contained baseless allegations derived from an interview with
16 Heslep that included unfounded false and defamatory assertions

17 106. Heslep and the Daily Mail also threatened to publish allegations from an unnamed
18 source pertaining to Hill’s intimate relationships.

19 107. Van Laar also had her lawyer send Hill’s counsel a cease and desist letter,
20 threatening to sue Hill for discussing in an interview the role of far-right Republican operatives in
21 the publication of her intimate images. Van Laar’s cease and desist was frivolous given she was
22 unmentioned and Hill’s statements were factual and truthful.

23 108. Despite the fact that Hill has not been in Congress for over a year, Defendants
24 Heslep and the Daily Mail continue to work to damage her reputation and to cause her emotional

25
26 ¹⁰ Ryan Parry, et. al., EXCLUSIVE: Disgraced ex-congresswoman *Katie Hill quietly settles*
27 *divorce from 'abusive' husband after blaming him for exposing their 'throuple' sexual*
28 *relationship with a young female campaign staffer*, DailyMail.com (October 13, 2020),
<https://www.dailymail.co.uk/news/article-8834997/Ex-congresswoman-Katie-Hill-settles-divorce-husband-throuple-scandal.html>, last accessed December 18, 2020.

1 distress through threats of knowingly disseminating false information.

2 109. Hill had mistakenly believed that the finality of their divorce would free her from
3 Heslep forever (with the exception of alimony payments she agreed to make to him to get the
4 matter settled). However, the escalation of his obsession and dedication to her destruction was
5 evident when Hill continued to be hounded by the Daily Mail to confirm shocking lies that Heslep
6 was evidently releasing to them.

7 110. On December 8, 2020, Hill was granted a Temporary Restraining Order from
8 Superior Court of California, County of Los Angeles (“TRO”). The judge ordered Heslep to stay
9 away from Hill, Hill’s mother, and Hill’s sister.

10 111. Heslep was ordered not to “harass, attack, strike, threaten assault (sexually or
11 otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under
12 surveillance, impersonate (on the Internet, electronically or otherwise), or block movements.”
13 Heslep was further ordered not to “[c]ontact, either directly or indirectly, in any way, including
14 but not limited to, by telephone, mail, e-mail or other electronic means.” Heslep was ordered to
15 stay at least 100 yards from Hill, her mom and sister, and Hill’s homes, job, pets, and vehicle.
16 Heslep was ordered to turn in or sell all guns, firearms or ammunition within 48 hours.

17 112. Although Hill had asked the court to restrain Heslep from continuing to disseminate
18 intimate information about Hill, including photographs and videos and information about her
19 medical, psychological and sexual history, the judge reserved that issue for the hearing date on
20 December 30, 2020, to “avoid any potential First Amendment violations.”

21 113. Even the TRO was weaponized by Heslep.

22 114. Three days after it was issued, the Daily Mail made good on its threats to publish
23 an article about her.

24 115. On December 11, 2020 the Daily Mail published an article by Josh Boswell
25 (“Exclusive: ‘She hoped her misconduct would not see the light of day.’ Katie Hill’s ex-husband
26 accuses her of trying to gag him as he alleges she misused campaign funds and reveals how she let
27 her insatiable sexual appetite and drinking lead to her downfall.”)

28 116. Rather than seeing Hill as a woman in such extreme pain and fear that she needed

1 a TRO, the Daily Mail ridiculed Hill, calling her a “[d]isgraced congresswoman” and printed
2 sexual and medical information they said they knew they knew they didn’t have Hill’s consent to
3 publish.

4 117. Heslep and the Daily Mail saw Hill’s request to the court for protection of her
5 privacy as an invitation to instead further violate Hill while they still had the chance.

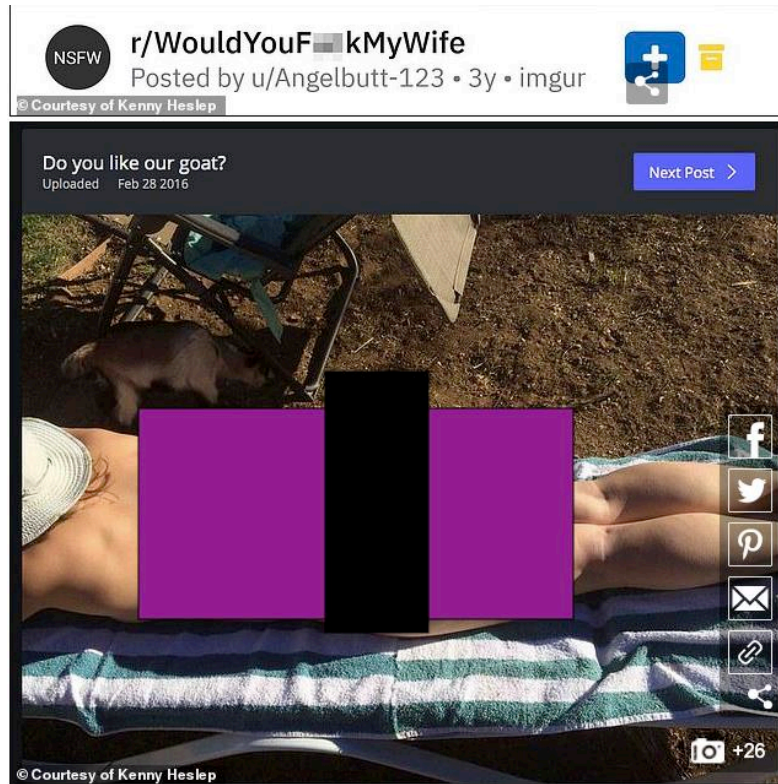
6 118. The December 11 article, complete with the 26 pictures submitted “courtesy of
7 Kenny Heslep” happily admits to violating Hill’s privacy: “[i]n an exclusive interview with the
8 DailyMail.com, Heslep previously detailed the allegations that Hill wanted kept secret from the
9 public. . .” [emphasis added] The article fully discloses the malicious intent to destroy Hill’s life,
10 describing itself as an “explosive account of [Hill’s] behavior that threatens to blow apart [Hill’s]
11 carefully created image.”

12 119. While in previous articles, Heslep (unconvincingly) has said he was hacked, both
13 the Daily Mail and Heslep openly admit he knowingly shared this new set of images, images that
14 in addition to the nude image, include an email from Hill to a staffer that didn’t show Heslep as a
15 recipient (proving he was accessing Hill’s email without authorization), and most painfully to Hill,
16 three childhood images of her recently deceased brother, Danny.

17 120. Despite recognizing that Hill, via the recent TRO, was trying to protect herself from
18 what Boswell described as a “dark and broken home life,” it cruelly perpetuated that abuse for the
19 world to see.

20 121. Rather than admonishing Heslep for his admission that he took naked pictures of
21 Hill without her knowledge and posted them, on the Reddit thread “r/WouldYouFuckMyWife,”
22 in its December 11 article, the Daily Mail published the image, acknowledging it was taken without
23 Hill’s consent, and encouraged readers to share it on Twitter, Pinterest, Facebook, and email. In
24 this particular image, which the Daily Mail states was provided “Courtesy of Kenny Heslep,” it
25 says “Angelbutt-123,” aka Heslep uploaded it to Reddit on February 28, 2016 captioned “Do you
26 like our goat.” Although a black rectangle (notably, placed differently than when this same image
27 has been published previously by the Daily Mail covers some of Hills buttocks in the Daily Mail,
28 part of Hill’s buttocks are still visible. [In the screenshot below, the black rectangle is the actual

1 size of the Daily Mail's. The purple rectangle was added for this complaint for modesty purposes.].



15 The couple have always been curious about unorthodox relationships – and got their kicks by
16 posting naked pictures of Hill online. In 2016, Heslep shared a photo of his wife sunbathing
17 naked in their backyard on the Reddit thread 'r/WouldYouF***MyWife' (pictured). Hill claims
18 she was unaware that the photos were being taken

17 122. It's mindnumbingly cruel that after reading Hill's emotional plea for a TRO Heslep
18 and the Daily Mail and decide the best course of action is to repost naked and intimate pictures of
19 Hill. Yet that's exactly what happened.

20 123. Heslep attempts to degrade Hill in sensational terms, slutshaming her and
21 broadcasting his jealous conspiracies, claiming Hill had "an insatiable sexual appetite which led
22 her to cheat on him multiple times" and that she was involved in "a tangled web of trysts."

23 124. As if using a checklist, Heslep discussed the most traumatic things in Katie's life,
24 many of which demonstrate his control and domination, including that he never let her sleep away
25 from him for the first 6 years they knew each other; that Heslep had Hill move into his home after
26 only two months of dating when she was only 16 and he was 20; that Heslep felt he needed to be
27 in charge of Katie "explor[ing] her sexuality" and that he did so for "the perks" of Hill's
28 bisexuality.

1 an act of intercourse, oral copulation, sodomy, or other act of sexual penetration, and (3) the other
2 person suffers general or special damages as described in Section 48a.

3 131. Plaintiff had a reasonable expectation that the intimate images captured by
4 Defendant Heslep during their marriage would remain private. The images distributed by Salem
5 Media Group and the Daily Mail were never intended for a public audience.

6 132. Plaintiff never consented to the distribution of the intimate images.

7 133. All Defendants knew or should have known that Hill had a reasonable expectation
8 that the material would remain private.

9 134. “Intimate body parts” are defined by § 1708.85(b) as “any portion of the genitals,
10 and, in the case of a female, also includes any portion of the breast below the top of the areola, that
11 is uncovered or visible through less than fully opaque clothing

12 135. In the Hair Brushing Picture, a portion of Plaintiff’s breast “below the top of the
13 areola” is visible.

14 136. In the Water Pipe Picture, a portion of Plaintiff’s breast “below the top of the
15 areola” is visible.

16 137. None of the statutory exceptions listed in California Civil Code § 1708.85(c) are
17 applicable to this claim.

18 138. The intimate images of Plaintiff were not created for public use or distribution, and
19 were captured by Defendant Heslep without Plaintiff’s consent.

20 139. Plaintiff was not aware that the Hair Brushing Picture had been captured by
21 Defendant Heslep, and thus could not have consented to its release.

22 140. Plaintiff never provided permission for the intimate images to be distributed by any
23 means.

24 141. Plaintiff, as the person depicted nude in the images, never waived her expectation
25 of privacy because she did not make the images accessible to the general public.

26 142. The intimate images are not a matter of public concern. The images themselves
27 serve no purpose other than to cause Plaintiff humiliation and emotional distress. A written
28 description of the images or the published text messages would have achieved the same goals of

1 disclosing information regarding Plaintiff's personal life. The intimate images merely exposed
2 Hill's nude body to the public for prurient interests and for no other justifiable purpose.

3 143. The intimate images were not taken in a public place; rather they were taken inside
4 of a private residence where Plaintiff's reasonable expectation of privacy was at its zenith.

5 144. Defendant Heslep was necessarily the first person to distribute the entire set of
6 intimate images, as he had exclusive possession and control of said images.

7 145. Upon information and belief, the images were disseminated in their unredacted
8 form prior to publication, meaning that images of Hill's exposed nipples and genitals were shared
9 with numerous individuals.

10 146. Defendants Van Laar and Salem Media were the first parties to make the Hair
11 Brushing Picture accessible to the general public.

12 147. Defendants Van Laar and the Daily Mail were the first parties to disseminate the
13 nude image of Hill known as the Water Pipe Picture to the general public.

14 148. As a result of the nonconsensual distribution of the intimate images, Plaintiff
15 suffered general and special damages within the meaning of Section 48A of the California Civil
16 Code.

17 149. Plaintiff suffered general damages in that the publication of said images caused her
18 shame, mortification, severe emotional distress and a loss of reputation.

19 150. Plaintiff suffered special damages as a result of Defendants' tortious acts in that she
20 was forced to resign from her seat in the House of Representatives. This professional loss was
21 directly attributable to Defendants' actions, and constitute an injury to Hill's "trade, profession or
22 occupation," within the meaning of § 48A(d)(2).

23 151. Plaintiff suffered extreme emotional distress that included a suicide attempt,
24 suicidal ideation, depression, anxiety because of Defendants' tortious conduct.

25 152. Instead of being able to advocate for her Congressional District, as she was elected
26 to do, Plaintiff has had to spend over a year addressing Defendants' tortious distribution of her
27 nude images, constantly causing her emotional distress.

28 153. As a direct result of the actions taken by the Defendants Heslep, Van Laar, the Daily

1 Mail and Salem Media Plaintiff is entitled to compensatory and punitive damages in an amount to
2 be proven at trial.

3 **AS A SECOND CLAIM FOR RELIEF (AGAINST ALL DEFENDANTS)**

4 **(Civil Conspiracy to Commit the Nonconsensual Distribution of Intimate Image pursuant**
5 **to CA Civil Code § 1708.85)**

6 154. Plaintiff repeats and re-alleges and herein incorporates by reference the allegations
7 set forth in paragraphs 1-153 above.

8 155. Upon information and belief, on or about October 1, 2019, Defendants knowingly
9 and willfully conspired and agreed among themselves to disseminate intimate images of Plaintiff
10 in violation of Ca. Civ. Code Section §1708.85.

11 156. The conspiracy was formed when Defendant Heslep distributed an electronic file
12 containing blackmail material regarding Plaintiff. The file contained an unknown number of
13 intimate images of Plaintiff. It was distributed to various individuals, including Defendant
14 Messina, as well as to Defendants Does, with the knowledge and intent that the intimate images
15 would be weaponized against Plaintiff to cause her injury.

16 157. Plaintiff was harmed by the conspiracy amongst all named defendants to distribute
17 intimate images of her without her consent.

18 158. This conspiracy was part of an agreement between the defendants to harm
19 Plaintiff's political career through tortious means.

20 159. Upon information and belief, Defendant Heslep distributed unredacted nude images
21 of Plaintiff to numerous parties, including but not limited to Defendant Messina and Defendant
22 Van Laar.

23 160. Defendant Messina received the blackmail material and publicized its existence in
24 order to build anticipation for its release.

25 161. Defendant Van Laar was the sole author of the Redstate.com article that contained
26 a nonconsensually distributed nude image of Hill, and was one of three authors of the
27 DailyMail.com article that contained two nude images of Hill.

28 162. Defendant Salem Media employed or contracted with Defendant Van Laar.

1 163. Defendant the Daily Mail contracted with Defendant Van Laar to help write the
2 October 24, 2019 article. Upon information and belief, Van Laar provided the Water Pipe Photo
3 to the Daily Mail from the “blackmail” materials disseminated by Defendant Heslep.

4 164. Defendant Salem Media made the Hair Brushing Photograph of Hill accessible
5 through RedState.com, utilizing its electronic infrastructure to further the plot to tortiously
6 disseminate the materials. Upon information and belief, additional employees, contractors or
7 agents of Salem Media were responsible for maintaining RedState.com, editing the articles that
8 appeared on the website, and ensuring that the website remained functional.

9 165. Defendant the Daily Mail posted the Hair Brushing Photo and the Water Pipe Photo
10 onto their website, utilizing its electronic infrastructure to further the plot to tortiously disseminate
11 the materials. Upon information and belief, additional employees, contractors or agents of the
12 Daily Mail were responsible for maintaining RedState.com, editing the articles that appeared on
13 the website, and ensuring that the website remained functional.

14 166. Defendants the Daily Mail and Salem Media profited from the traffic driven to their
15 websites as a result of hosting the nonconsensually distributed intimate images of Plaintiff.

16 167. Various Doe Defendants received and disseminated the unredacted images in the
17 course of publishing the articles containing the intimate images on RedState.com and on
18 TheDailyMail.com.

19 168. As a proximate result of the conspiracy to nonconsensually disseminated the
20 intimate images, Plaintiff has suffered economic, emotional, psychological, and reputational
21 damages.

22 169. Plaintiff is entitled to compensatory and punitive damages in an amount to be
23 determined at trial.

24 **AS A THIRD CLAIM FOR RELIEF (AGAINST DEFENDANT HESLEP)**

25 **(Intentional Infliction of Emotional Distress)**

26 170. Plaintiff repeats and re-alleges and herein incorporates by reference the allegations
27 set forth in paragraphs 1-169 as though fully set forth herein.

28 171. Defendant Heslep engaged in extreme and outrageous conduct throughout their

1 relationship by among other things, threatening, coercing and harassing Hill, injuring and killing
2 her pets, scaring her with weapons, coercing her to stay in the relationship with ultimatums and
3 threats to kill himself if she left, threatening to have her institutionalized, and threatening Hill with
4 the dissemination of intimate images without her consent in both August 2018 and August 2019,

5 172. Defendant Heslep engaged in outrageous conduct by disseminating Hill's intimate
6 images without her consent. This dissemination led to millions of people viewing intimate images
7 depicting Hill, some of which had been captured without her consent.

8 173. Defendant Heslep intended to cause Hill to suffer emotional distress by making her
9 the subject of public scandal which resulted in her severe emotional distress, mortification, and
10 loss of reputation and career as an elected member of Congress.

11 174. Heslep was motivated first by the desire to control Hill in the relationship and then
12 to punish her after she left, a course of conduct that continues.

13 175. Defendant Heslep further caused Hill to suffer emotional distress by engaging in
14 outrageous conduct including a coordinated effort to distribute "blackmail" materials that included
15 Hill's intimate images to persons he knew would weaponize the images against her. The
16 "blackmail" material also included out of context text messages designed to create a false
17 perception of Hill.

18 176. Defendant Heslep continues to cause Hill emotional distress by making false
19 allegations about her conduct and character to the press, specifically the Daily Mail. Heslep
20 continues to lie about Hill even after the finalization of their divorce in November, 2020. His
21 statements are not plausibly related to any legal dispute but rather are intentionally designed to
22 harm Hill by preventing her from living life as a private citizen, and by causing a surge in interest
23 in the nonconsensually distributed intimate images.

24 177. Defendant Heslep knew and/or should have known that distributing Hill's intimate
25 images would cause her to suffer severe emotional distress.

26 178. Heslep's extreme and outrageous behavior must be seen as a continuous course of
27 conduct dating back to when the continuously abusive relationship began when Katie was age 16
28 and Heslep engaged in unlawful sex with a minor. As a direct and proximate result of the

1 Defendant Heslep’s actions, Hill suffered severe emotional distress, including anxiety,
2 humiliation, depression, and attempted suicide.

3 179. Hill emotional distress resulted in special damage including, but not limited to, her
4 loss of reputation and career as an elected member of Congress.

5 180. As a result of Defendant Heslep’s conduct, Hill is entitled to an award of
6 compensatory and punitive damages in an amount to be proven at trial.

7 **AS A FOURTH CLAIM FOR RELIEF (AGAINST DEFENDANTS MAIL MEDIA, INC.,**

8 **SALEM MEDIA GROUP, INC., AND DOES 1-50)**

9 **(Violation of California’s Unfair Competition Law (“UCL”)**

10 **California Business and Professions Code §17200)**

11 181. Plaintiff repeats and re-alleges and herein incorporates by reference the allegations
12 set forth in paragraphs 1-180 as though fully set forth herein.

13 182. The Unfair Competition Law, (“UCL”) defines “unfair business competition” to
14 include any “unlawful, unfair or fraudulent” act or practice, as well as any “unfair, deceptive,
15 untrue or misleading” advertising. Cal. Bus. Prof. Code §17200.

16 183. The UCL imposes strict liability. Plaintiff need not prove Defendants intentionally
17 or negligently engaged in unlawful, unfair, or fraudulent business practices – but only that such
18 practices occurred.

19 184. A business act or practice is “unfair” under the UCL if it offends any established
20 public policy, breaks state or federal law, or is immoral, unethical, oppressive or unscrupulous.

21 185. Defendants’ actions, as detailed above, constitute an “unfair” business practice
22 because they violate California privacy laws designed to protect human beings from the immoral
23 and unethical practice of disseminating private, sexual images without consent and for profit.

24 186. Furthermore, the practice of posting these images without the consent of the
25 persons(s) depicted and to make money off of such an action is morally reprehensible and
26 unscrupulous.

27 187. As detailed herein, Defendants’ actions were intended to or did violate California
28 Civil Code §1708.85.

1 188. Plaintiff was substantially harmed by Defendants' unlawful actions.

2 189. Pursuant to the UCL, Plaintiff is entitled to preliminary and permanent injunctive
3 relief and an order to Defendants Mail Media, Inc., Salem Media Group Inc., and Does 1-50 to
4 cease violations of California Civil Code §1708.85, as well as disgorgement and restitution to
5 Plaintiff any revenues associated with their unfair competition or such portion of those revenues
6 as the Court may find equitable.

7 **ADDITIONAL CAUSES OF ACTION (AGAINST JOHN DOE DEFENDANTS)**

8 190. Plaintiff repeats and re-alleges and herein incorporates by reference the allegations
9 set forth in paragraphs 1-189 as though fully set forth herein. Plaintiff is informed and believed
10 there are other persons responsible for sharing, uploading, and distributing the photographs
11 described in this Complaint.

12 191. Plaintiff is informed and believed that other persons took active roles in the
13 conspiracy to share, upload and distribute the intimate photographs described in this Complaint.

14 192. Plaintiff does not know the identity of any other unnamed defendants.

15 193. To the extent any other John Doe defendant committed any of these violations, they
16 are liable to Plaintiff for the causes of action stated in this Complaint.

17 **WHEREFORE**, Plaintiff demands the following relief:

18 A. As against Defendants Heslep, the Daily Mail, Salem Media, and Van Laar: for a
19 money judgment representing compensatory damages including consequential damages, lost
20 wages, earning, and all other sums of money, together with interest on these amounts for violation
21 of CA Civil Code § 1708.85;

22 B. As against Defendants Heslep, the Daily Mail, Salem Media, and Van Laar: for
23 punitive damages for violation of CA Civil Code § 1708.85;

24 C. As against all named Defendants: for a money judgment representing compensatory
25 damages including consequential damages, lost wages, earning, and all other sums of money,
26 together with interest on these amounts for conspiracy to violate CA Civil Code § 1708.85;

27 D. As against Defendant Heslep: for an award of money judgment for mental pain and
28 anguish and severe emotional distress for Intentional Infliction of Emotional Distress on Plaintiff;

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E. As against Defendants the Daily Mail, Salem Media and Does 1-50: disgorgement of any revenues associated with their unfair acts under Cal. Bus. Prof. Code §17200;

F. As against Defendants the Daily Mail, Salem Media and Does 1-50: restitution for their unfair acts under Cal. Bus. Prof. Code §17200;

G. Awarding Plaintiff the recovery of her costs associated with this action, including but not limited to her reasonable attorneys’ fees and expenses, as provided by statute;

H. As against Defendants the Daily Mail and Salem Media: for a preliminary injunction demanding removal of nonconsensually disseminated sexual images of Katie Hill from all platforms maintained or controlled by Defendants, and ordering the destruction and deletion of all electronic and physical copies of said images in their possession;

I. As against Defendants Heslep, Van Laar and Messina: for a preliminary injunction restraining Defendants from disseminating sexual images of Katie Hill without her consent, and ordering the destruction and deletion of all electronic and physical copies of said images in their possession.

J. For prejudgment and post-judgment interest; and

K. For such other and further relief as the Court may deem just and proper.


DATED: December 21, 2020

MCELROY PARRIS TRIAL LAWYERS

By: 
ASHLEY PARRIS, ESQ.
Attorneys for Plaintiff

DATED: December 21, 2020

C.A. GOLDBERG, PLLC

By: 
CARRIE GOLDBERG, ESQ.
Attorneys for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial on all causes of action.

DATED: December 21, 2020

MCELROY PARRIS TRIAL LAWYERS

By: 

ASHLEY N. PARRIS, ESQ.
Attorneys for Plaintiff

DATED: December 21, 2020

C.A. GOLDBERG, PLLC

By: 

CARRIE GOLDBERG, ESQ.
Attorneys for Plaintiff

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