ANDREW D. CHERKASKY (SBN 290501)
CATHERINE M. CHERKASKY (SBN 266492)
GOLDEN LAW, INC.
1330 Avenue of the Americas, 23rd Floor
New York, NY 10019
Telephone: (949) 491-1661
andy@goldenlawinc.com
katie@goldenlawinc.com

Attorneys for Defendants,
Ye
Yeezy,

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

JANE DOE, Plaintiff, vs. YEEZY, ; "YE," formerly known as KANYE WEST; and DOES 1 to 100, inclusive, Defendants.	**Case No.: 25STCV03802** **DEFENDANT YEEZY, LLC 'S AND YE'S SPECIAL MOTION TO STRIKE PURSUANT TO CCP § 425.16 (ANTI-SLAPP)** Assigned for All Purposes to: Judge Theresa Traber, Dept 47 Action Filed: 2/11/2025 Trial Date: Not Set **HEARING DATE: 6/27/25** **TIME: 9:00 AM** **DEPARTMENT: 47** **RESERVATION ID: 640108295152**

TO: THIS HONORABLE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on June 27, 2025 at 9:00 AM, or as soon thereafter as the matter may be heard, in Department 47 of the Stanley Mosk Courthouse, located at 111 N. Hill Street, Los Angeles, CA 90012, Defendants Yeezy, LLC and Ye will move this Court to strike Plaintiff's Complaint pursuant to CCP § 425.16 (ANTI-SLAPP).

1. In compliance with *Baral v. Schnitt* (2016) 1 Cal.5th 376, Defendants identify below the relationship between the six specific categories of conduction alleged by Plaintiff and each

categories' applicability to the specific causes of action asserted in the Complaint and First Amended Complaint, and which, in total, amounts to protected conduct addressed in this Motion:

Category of Alleged Conduct	Counts Affected
Category 1: Ye's "I Am A NAZI" text	Count 1 (Discrimination), Count 2 (Harassment), Count 10 (IIED), Count 11 (Ralph Act), Count 12 (Bane Act)
Category 2: Request to promote casting flyer featuring provocative imagery	Count 2 (Harassment), Count 10 (IIED)
Category 3: Termination following Plaintiff's interference with creative control	Count 3 (Retaliation), Count 4 (Failure to Prevent), Count 5 (Breach of Oral Contract), Count 7 (Wrongful Termination)
Category 4: Expectation that Plaintiff promote "Yeezy Porn" project	Count 2 (Harassment), Count 3 (Retaliation), Count 4 (Failure to Prevent), Count 8 (Whistleblower Retaliation)
Category 5: Ye's alleged abusive text messages ("Hail Hitler," "Ugly as Fuck," etc.)	Count 1 (Discrimination), Count 2 (Harassment), Count 10 (IIED), Count 11 (Ralph Act), Count 12 (Bane Act)
Category 6: Final termination following Plaintiff's complaints	Count 3 (Retaliation), Count 4 (Failure to Prevent), Count 7 (Wrongful Termination), Count 8 (Whistleblower Retaliation), Count 9 (Labor Code § 232.5 Violation)

This motion is based on this Notice, the attached Memorandum of Points and Authorities, the attached Declarations, all pleadings and papers on file in this action, and such further evidence or argument as may be presented at the hearing of this motion.

Dated: April 29, 2025

GOLDEN LAW, INC.

ANDREW D. CHERKASKY, Esq.
CATHERINE M. CHERKASKY, Esq.
Attorneys for Defendant
Yeezy, LLC

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

1. Defendants Ye and YEEZY, LLC ("Defendants") respectfully bring this special motion to strike Plaintiff Jane Doe's unverified twelve-count Complaint under California's anti-SLAPP statute (Code Civ. Proc., § 425.16). Each claim arises from expressive conduct protected by the United States and California Constitutions. This lawsuit is a textbook SLAPP—filed not to remedy actual harm, but to suppress constitutionally protected, provocative artistic expression.

2. Defendants expressly reserve all rights to challenge the existence or scope of any employment relationship. Nothing in this motion should be construed as an admission that Plaintiff was employed by Ye, Yeezy, or any affiliated entity in any capacity.

3. Ye is a cultural icon— a 24-time Grammy-winning artist, fashion pioneer, and polymath whose groundbreaking work spans music, design, film, theology, performance art, and civil rights advocacy. Ye is not merely a creator; he is art. Like Richard Wagner's concept of *Gesamtkunstwerk*—a "total work of art" integrating music, drama, and stagecraft—Ye's public and private personas form a continuous, provocative performance that challenges societal taboos surrounding race, religion, gender, power, politics, and censorship. Whether on stage, in the studio, online, or in private communications, Ye is constantly engaged in artistic expression protected by the First Amendment and California's free speech guarantees. Ye's controversial statements are Constitutionally protected artistic expression which provokes thought about matters of public interest and importance. Ye's performative invocation of Nazism and Jewish tropes is no different than the boundary-pushing humor of comedians like Mel Brooks, Charlie Chaplin, Larry David, Ricky Gervais, and more, who have employed provocative references to Hitler, Nazism, or Jewish stereotypes as a form of artistic expression to challenge norms and spark reflection. By invoking provocative imagery and critiquing societal norms, Ye highlights how certain slurs are commodified while others invite condemnation—exposing inconsistencies at the heart of free speech and civil rights debates. His struggle to defend unfettered expression

against cultural gatekeeping is a matter of profound public interest, and his message has resonated with billions worldwide.

4. Defendant Yeezy is the corporate extension of Ye's artistic expression, existing to amplify Ye's vision, fund his creative endeavors, and promote his works. Yeezy's mission is to prioritize Ye's creative control, rejecting the commodification of art by corporate gatekeepers such as record labels. Ye retains full authority over all artistic decisions and creative control, ensuring his work remains unfiltered, even when it ignites public debate. (Yiannopolous Decl. 3).

5. Plaintiff Jane Doe, a self-proclaimed Hollywood publicist, aggressively sought to represent Ye, fully aware of his reputation as the world's most provocative artist. Retained in late 2023 to promote *Vultures Vol. 1*, she publicly positioned herself as Ye's media liaison. The irony is striking: the compensation she received—and now seeks to augment through this litigation—was generated exclusively by the controversial art she herself promoted. Having knowingly immersed herself in Ye's unapologetically boundary-defying artistic environment, she now claims retroactive offense at performative expressions such as "I Am A NAZI" and "You Ugly as Fuck"—works that plainly reflect Ye's artistic critique of censorship, identity, and beauty standards, and which were wholly consistent with his public artistry and presentation long before Plaintiff explicitly sought employment. Her claims of discrimination, harassment, and retaliation are not only meritless but are undermined by her own conduct. Plaintiff repeatedly sought re-employment after suffering alleged "abuse," demanded increased pay and responsibilities and never once disclosed her purported Jewish identity to Defendants. (Yiannopolous Decl. 15).

6. This lawsuit is a Strategic Lawsuit Against Public Participation (SLAPP), designed to chill Defendants' constitutionally protected speech on matters of public interest—race, religion, gender, power, and civil rights. Under Cal. Code Civ. Proc. § 425.16, this Court must strike the Complaint, as every claim targets Ye's protected artistic expression.

II. PROCEDURAL HISTORY

7. Plaintiff filed her original Complaint on February 11, 2025, asserting twelve causes of action against Defendants Yeezy and Ye. (Complaint) Yeezy was served through its registered agent on February 13, 2025. (Proof of Service, filed Feb. 14, 2025.)

8. Just hours before the filing deadline for this Motion—and after Defendants appeared *ex parte* to request a page extension—Plaintiff filed a First Amended Complaint ("FAC") without adding a single new cause of action. Instead, the FAC removes key allegations from the original Complaint, including Plaintiff's references to Ye's public persona and expressive identity. The timing and content of the amendment appear calculated to avoid Anti-SLAPP scrutiny, not to clarify claims. The Court should analyze both pleadings under the functional approach required by *Baral v. Schnitt* (2016) 1 Cal.5th 376 and *Hall v. Time Warner, Inc.* (2007) 153 Cal.App.4th 1337. While the filing of the FAC may arguably reset the Anti-SLAPP deadline as to both Defendants, Defendants proceed now out of an abundance of caution, in reliance on the prior operative complaint, and to avoid any suggestion of delay or gamesmanship

9. As to Ye, Plaintiff attempted substituted service at an address that is neither his residence nor usual place of business. (Proof of Service, filed Feb. 14, 2025.) The individual served was not an authorized agent. Ye therefore appears specially for the limited purpose of this Motion.

10. Defendants retained undersigned counsel in April 2025 who promptly informed Plaintiff's counsel that they were preparing a responsive pleading as to Yeezy. Plaintiff expressly agreed not to move for default for 15 days—through today. (Opposition to Ex Parte, Ex. 3.)

11. Under Code Civ. Proc. § 425.16(f), an Anti-SLAPP motion may be filed within 60 days of service or later at the Court's discretion. Ye, who was never properly served, files this Motion as of right. Yeezy respectfully requests that the Court exercise its discretion to permit filing beyond 60 days based on the minimal delay, the parties' agreement, and the deeply intertwined nature of Plaintiff's claims against both Defendants. The Complaint—and now the FAC—asserts sweeping alter ego allegations, expressly alleging that Ye and various Yeezy entities shared control, commingled funds, lacked corporate formalities, and operated as a single unified venture. (FAC ¶¶ 5–9.) Plaintiff's own theory of liability treats Ye and Yeezy as interchangeable.

Under such circumstances, allowing one Defendant (Yeezy) to file slightly outside the 60-day window while the other (Ye) proceeds as of right would serve no logical purpose and would only encourage gamesmanship in timing.

12. California courts routinely permit Anti-SLAPP motions beyond the statutory period when claims are intertwined, service is contested, and delay is minimal. (*Platypus Wear, Inc. v. Goldberg* (2008) 166 Cal.App.4th 772, 787–788.) That standard is easily met here. Defendants acted diligently upon retention of counsel, the case has been filed less than 3 months, Ye has not been served, no discovery has commenced, and Plaintiff expressly agreed to a filing extension.

13. Accordingly, this Motion is properly before the Court as to both Defendants, and should be adjudicated on the merits under the strong public policy favoring early dismissal of suits that target constitutionally protected speech.

III. STATEMENT OF FACTS

14. Ye is, by any measure, one of the most influential artistic figures of his generation. He is an internationally acclaimed artist whose life and work blur the lines between daily existence and artistic performance. His music, fashion, and public presence form a seamless tapestry of artistic provocation, challenging societal norms and confronting cultural taboos. When not actively performing, Ye is perpetually engaged in the development, creation, or rehearsal of his artistic expression. (Yiannopoulos Decl. ¶¶ 3–5; Cherkasky Decl. 13, Ex. 9.)

15. From his earliest albums, Ye has shown an extraordinary ability to capture public attention through provocative lyrics, stark visuals, and bold declarations—blending spiritual inquiry, social commentary, and creative genius. His work is deliberately boundary-pushing; Ye does not merely produce content, he embodies an evolving form of expression that insists on generating public discourse. (Yiannopoulos Decl. ¶¶ 2–4.)

16. Ye has amassed 24 Grammy Awards—making him one of the most decorated hip-hop artists of all time—and received dozens of nominations across categories such as Album of the Year, Song of the Year, and Producer of the Year. (Cherkasky Decl. 4, Ex. 2.) His albums have consistently debuted at No. 1 on the Billboard 200, and many of his individual tracks have

reached top positions on the Billboard Hot 100. His music has been listened to tens of billions of times, affirming his unique cultural resonance. (Cherkasky Decl. 4, Ex. 2.) These milestones collectively affirm Ye's position as a transformative figure in contemporary entertainment and discourse. (Cherkasky Decl. 4, Ex. 2.)

17. Ye's use of provocative rhetoric, though controversial, is a hallmark of his artist style. His public use of similar language in 2022 famously led to the termination of a contract with Adidas valued at nearly $1,500,000,000—but which liberated his art from corporate constraint.[1] (Cherkasky Decl., Ex. 7.)

18. Yeezy was founded in 2016 to support and amplify Ye's creative mission. It exists solely to fund, promote, and protect Ye's provocative artistry, and rejects the commodification of art by executives, lawyers, and publicists who often usurp creative authority from artists. Its fluid corporate structure is intentionally designed to prioritize Ye's artistic control and Ye's civil rights struggle to reclaim artistic freedom. (Yiannopoulos Decl. ¶¶ 3–5.)

19. The person believed to be Plaintiff ("Plaintiff") is a well-known public figure who advertises herself as a public relations expert. In 2023, Plaintiff was retained by a Yeezy vendor to provide publicity services for *Vultures 1*. (Yiannopoulos Decl. 6.) Plaintiff's role with Yeezy was that of a marketing specialist, specifically tasked with promoting Ye's relentless artistic expression. (Yiannopoulos Decl. ¶¶ 7, 9.) At all times relevant, Plaintiff knew or reasonably should have known of Ye's widely reported and controversial statements, including his 2022 remarks concerning Jewish people and Nazi references.[2] Her job required promoting Ye's art with full awareness that it involved the constant rehearsal and execution of controversial themes. She was never invited, solicited, or expected to contribute creatively. (Yiannopoulos Decl. 6.)

20. Although Plaintiff now alleges Jewish identity, she never disclosed or communicated this to Defendants during her engagement. (Yiannopoulos Decl. 15.) She instead embraced an

[1] Ironically, Adidas has deep Nazi roots. (Cherkasky Decl., Ex 8).

[2] Plaintiff's original Complaint referenced Ye's prior public statements, including his controversial remarks made before Plaintiff's engagement. In the FAC, Plaintiff removed those references—omitting context that confirms she was aware of Ye's expressive identity at the time she chose to work with him. (Complaint, p. 1).

expressive persona of her own. Plaintiff frequently discussed her collection of wigs with Yeezy employees and routinely wore dramatically different wigs to portray various characters. (Yiannopoulos Decl. 14.) She also used linguistic affectations commonly associated with African American vernacular "ebonics". (Yiannopoulos Decl. 13.)

21. Ye's expressive style has long included hyperbolic comparisons to historical and religious figures, speaking of himself as being both Jesus and Hitler–invocations of charged language to dismantle perceived cultural double standards. (Cherkasky Decl. 5, Ex. 3, 4.) In his 2007 hit *Stronger*, for example, he declares, "I know I got to be right now / 'Cause I can't get much wronger"— illustrating his signature blend of irony and boldness. (Cherkasky Decl. 9, Ex. 5.)

22. Plaintiff claims Ye made disparaging comments about her appearance and body odor. Yet Ye never met Plaintiff in person and had no physical proximity to her. (Yiannopoulos Decl. 16.) Any such comments, if made, would reflect Ye's expressive persona—not objective observation.

23. Ye's public communications from early 2025, including text messages and online posts referenced in the Complaint and public media, are consistent with his longstanding expressive identity. These statements form part of an ongoing artistic narrative that interrogates power, censorship, and identity. (Cherkasky Decl. 3, Ex. 1.)

24. Notably, on June 4, 2024—the same day Plaintiff alleges she was harmed by receiving the "I am a Nazi" text—Plaintiff, in her capacity as Ye's publicist, issued a public statement to a nationally recognized media outlet defending Ye in connection with unrelated public allegations made against him. Though the specific contents of the statement and outlet are withheld here to protect Plaintiff's Doe identity, Plaintiff spoke on Ye's behalf in a manner that strongly repudiated the claims and cast blame on the accuser. (Cherkasky Decl. 14.) This contemporaneous act of public defense demonstrates that, far from being emotionally distressed by Ye's conduct, Plaintiff was actively aligned with and managing Ye's public narrative at the very time she now claims harm.

25. Plaintiff claims six discrete categories of alleged conduct: (1) Ye's "I Am A NAZI" text; (2) a casting flyer containing provocative imagery; (3) Plaintiff's termination following

disagreement over Ye's creative control; (4) the expectation that Plaintiff promote Ye's "Yeezy Porn" project; (5) a series of text messages Ye sent criticizing Plaintiff's interference with his artistic vision; and (6) her final termination. For purposes of this motion only, Defendants accept as true that the words referenced in the Complaint were communicated in some form and constitute the totality of the alleged conduct, but objects to Plaintiff's argument regarding those communications Each category is addressed in its artistic and constitutional context, below.

26. By August 2024—months before filing suit—Plaintiff began privately contacting Yeezy executive, Manoj Shah, with escalating demands for a multimillion-dollar payout. Her messages included threats to "expose Ye as a Nazi sympathizer," demands for "jury verdicts in 8–9 digit potential," and threats to "take the house" if her payout demands were not met. (Shah Decl., ¶¶ 3–5; Exs. A–C.) Far from seeking justice through legal channels, Plaintiff expressly stated she did not want her lawyers to know she was negotiating privately. She proposed a "large multi-million brand deal" that would let her "get paid quietly," framing her threats as a "leverage play" to exploit Ye's public image. She acknowledged having a "full complaint ready to file," branding her anticipated suit with inflammatory buzzwords—"hate crime," "sexual harassment," "religious discrimination," and "wrongful termination"—before any legal action commenced. These communications make clear this lawsuit is not about harm, dignity, or workplace safety. It is about money—and leveraging the notoriety of Ye's protected expression to extract it.

IV. LEGAL STANDARD

27. California's Anti-SLAPP statute, Code Civ. Proc. § 425.16, provides a procedural mechanism to swiftly dismiss lawsuits targeting constitutionally protected speech or petitioning activity. (*Briggs v. Eden Council for Hope & Opportunity* (1999) 19 Cal.4th 1106, 1115.) The Legislature directed that the statute be "construed broadly" to ensure robust First Amendment protection. (Code Civ. Proc., § 425.16, subd. (a).)

28. Courts apply a two-step analysis: **Step One**: The defendant must show the claims arise from protected activity in furtherance of free speech or petitioning rights concerning a public issue. (Code Civ. Proc., § 425.16(b)(1); *Navellier v. Sletten* (2002) 29 Cal.4th 82, 88.) "Public

interest" is construed broadly; the speech need only "relate to" a topic of widespread concern. (*FilmOn.com Inc. v. DoubleVerify Inc*. (2019) 7 Cal.5th 133, 149; *Park v. Board of Trustees of CSU* (2017) 2 Cal.5th 1057, 1063.)

29. Artistic works, satire, and commentary on race, religion, gender, and censorship are matters of public interest. (*Snyder v. Phelps* (2011) 562 U.S. 443, 451–452.) Courts interpret the "arising from" requirement expansively: protected activity need only supply a basis for liability, and plaintiff's subjective intent is irrelevant. (*Baral, supra,* p. 394; *City of Cotati v. Cashman* (2002) 29 Cal.4th 69, 78.)

30. **Step Two**: If Step One is satisfied, the burden shifts to the plaintiff to establish a probability of prevailing, supported by admissible evidence—not mere allegations. (*Baral*, *supra*, 1 Cal.5th at 384; *Tuchscher Development Enterprises, Inc. v. San Diego Unified Port District* (2006) 135 Cal.App.4th 1210, 1217.) The Court must strike discrete allegations arising from protected activity. (*Baral*, supra, at 393.) Evidentiary doubts at Step One are resolved in favor of the defendant. (*Park*, supra, 2 Cal.5th at 1067.)

31. Artistic, satirical, and provocative works are "core" First Amendment speech. (*Joseph Burstyn, Inc. v. Wilson* (1952) 343 U.S. 495, 501–502.) Expressive workshopping and rehearsal are likewise protected. (*Southeastern Promotions, Ltd. v. Conrad* (1975) 420 U.S. 546, 558.) Speech remains protected even if offensive or disturbing, unless it constitutes obscenity, true threats, or incitement. (*Hustler Magazine, Inc. v. Falwell* (1988) 485 U.S. 46, 55–56; *Virginia v. Black* (2003) 538 U.S. 343, 359.) Artistic commentary on societal taboos, historical figures, race, or religion falls squarely within public concern protections. (*Snyder*, *supra*, 562 U.S. at 453.)

32. Speech integral to artistic development receives heightened protection. (*Lyle v. Warner Bros. Television Productions* (2006) 38 Cal.4th 264, 284.) Explicit or controversial discussions central to creative works are constitutionally protected unless proven to constitute "severe or pervasive" harassment. (*Ibid*.)

33. Employment terminations based on expressive conduct are also subject to Anti-SLAPP protection. (*Wilson v. Cable News Network, Inc*. (2019) 7 Cal.5th 871, 889.) Courts must avoid

chilling artistic freedom by imposing standard workplace rules onto inherently creative environments. (*Lyle*, *supra*, at 283.)

34. The Anti-SLAPP statute exists to prevent chilling effect lawsuits and to protect defendants from being punished merely for exercising constitutional rights. (*Simmons v. Allstate Ins. Co.* (2001) 92 Cal.App.4th 1068, 1073.)

VI. ARGUMENT

Summary of Argument

35. This lawsuit targets constitutionally protected expression. Each of Plaintiff's twelve causes of action arises from six categories of conduct that are inextricably linked to Ye's identity as an artist and public figure: provocative language, conceptual performance art, creative direction, promotional expectations, expressive disagreement, and termination grounded in the defense of artistic autonomy. These acts are not incidental—they are expressive by design and fall squarely within the protection of the anti-SLAPP statute. (Code Civ. Proc.*,* § 425.16*; Baral v. Schnitt* (2016) 1 Cal.5th 376, 384.)

36. As detailed in the attached declarations, Ye's messaging is intentionally controversial. Plaintiff was hired to promote that very expression. She knew of Ye's artistic persona, publicly defended him to national media on the very day she now claims emotional harm, and privately sought to monetize her association with Ye through secret multimillion-dollar settlement demands. (Yiannopoulos Decl. ¶¶ 3–15; Cherkasky Decl. ¶¶ 3–14; Shah Decl. ¶¶ 3–5; Ex. B.)

37. Under Step One of the anti-SLAPP analysis, all of Plaintiff's claims arise from protected conduct in furtherance of free speech on matters of public interest. Under Step Two, Plaintiff cannot establish a likelihood of prevailing because: (1) her claims lack factual and legal merit; (2) Defendants did not know or believe she was Jewish; (3) her own public and private actions contradict any claim of injury; and (4) the conduct she challenges is nonactionable speech.

A. STEP ONE: Plaintiff's Claims Arise from Ye's Protected Artistic Activity

38. To determine whether Plaintiff's claims "arise from" protected activity under the first step of the Anti-SLAPP analysis, courts look to the specific conduct underlying the causes of

action, not the labels attached to them. (*Baral*, supra, 1 Cal.5th at p. 395.) Here, Plaintiff's claims stem entirely from expressive conduct by Ye that is constitutionally protected—whether in the form of provocative language, artistic imagery, or creative control over his brand. Defendants identify six distinct categories of conduct alleged in the Complaint, each of which falls squarely within the scope of protected speech. Each category is addressed below.

39. Ye's statements and artistic choices do not constitute a "true threat" under *Watts v. United States* (1969) 394 U.S. 705, nor do they amount to incitement of imminent unlawful conduct under *Brandenburg v. Ohio* (1969) 395 U.S. 444. Nor does any of the challenged material meet the test for obscenity under *Miller v. California* (1973) 413 U.S. 15, which requires that the work, taken as a whole, lack serious literary, artistic, political, or scientific value.

First Category: Ye's "I Am A NAZI" Text

40. In January 2024, Ye texted Plaintiff, "I Am A NAZI," in response to her unsolicited suggestion that he publicly condemn Nazism amid controversy over the Nazi-inspired cover art for *Vultures Vol. 1*. (Complaint ¶ 12(a).) Plaintiff alleges this message constitutes antisemitic harassment and discrimination.

41. *Vultures Vol. 1*, which Plaintiff was hired to promote, featured aesthetic choices reminiscent of imagery related to Nazism, invoking debates about artistic expression, antisemitism, and censorship.

42. Ye's oeuvre has long engaged with shocking imagery and taboo subjects to provoke dialogue, from religious iconography in *Yeezus* to racial discourse critiques throughout his musical collection. (*Hustler Magazine, Inc., supra,* at p. 55–56.) Courts consistently protect such expression, recognizing the societal value in challenging speech. (*Snyder, supra. at p.* 453.)

43. Moreover, Ye's lyricism on *Vultures 1* directly addresses accusations of antisemitism with biting irony, *e.g.*, "How I'm antisemitic? I just fucked a Jewish bitch" in the song "Vultures," illustrating Ye's confrontation with cultural hypocrisy. The album's rollout, including the cover art, cited lyrics, and Ye's provocative public performances, formed an artistic-whole aimed at

confronting selective censorship and public outrage. Plaintiff's intervention by suggesting Ye disavow Nazism threatened to undermine this carefully curated performance art.

44. Ye's brief, emphatic response—"I Am A NAZI"—acted as an artistic statement central to his project's themes: forcing audiences to confront their assumptions, outrage, and complicity. Much like method actors fully inhabiting their characters in the movies or on stage, Ye's persona for *Vultures 1* was an immersive, controversial performance.[34] This text must be recognized as protected artistic expression and Plaintiff's claims based on it must be stricken.

<u>Second Category</u>: Ye requested Plaintiff promote a casting call by using an artistically designed marketing flyer

45. Plaintiff next complains about a flyer Ye circulated for a music video casting call, which she characterizes as "pornographic" and "harassing." (Complaint 13(a).) The text message referenced was sent to a group chat titled "YE MUSIC MARKETING" and concerned publicizing an upcoming casting call.

46. The flyer (Complaint, p.. 7) is a work of art. The document background is a lightly toned canvas ideal for additional artwork and copy. An image is displayed on the upper half of the flyer. The image is neatly centered with complementary and consistent large margins. The image is a two-toned photograph of a person or mannequin in a squatted position, cropped such that mainly the subject's torso is visible. The bright skin-colored tone of the subject is similar to the background tone of the flyer, while the dark-opposing-background-tone in the image complements the color of the copy on the bottom half of the flyer. Notable (depending on one's temperament), is the fact that the subject is mostly nude and has uncommonly large and bulbous breasts. The subject's belly is toned yet softly rounded, with a natural fullness that juxtaposes the ultra-lean silhouette of a typical high-fashion model. The race, ethnic background, and sex of the subject appear ambiguous.

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[3] *e.g*,.: Actor Christoph Waltz's received widespread recognition for his portrayal of the cunning SS Nazi Colonel Hans Landa in *Inglourious Basterds*, a fictional Nazi-era film.

[4] Also, *e.g*.: In his Netflix special *The Dreamer* (2023), Dave Chappelle shares a story about his excitement to meet Jim Carey, only to be disappointed by the encounter because Carey was deeply immersed in method acting while on set of *Man on the Moon* (1999), Throughout their interaction, Carey remained fully committed to being Andy Kaufman, forcing Chappelle to pretend he was meeting Andy instead of the Jim Carey he admired.

47. The copy on the lower half of the flyer is neatly organized in three sections, centered and spaced consistently. The first line is an attention-grabbing headline relevant to the purpose of the flyer, stating: "GOT BIG TITTIES?" This copy directly relates to the image on the top half of the flyer, demonstrating a cohesive artistic theme. Two additional lines of copy are found in the middle section. This portion has a "call to action" in which the creator communicates a message. The bottom portion of text consists of "SUBMIT" such that a user could physically interact with the artwork on a digital device in order to execute the call to action. The copy is in all-caps and is in a non-standard sans-serif font, both of which are common themes in Ye's written works.

48. The flyer specifically references a "NEW ¥$ MUSIC VIDEO." ¥$ are symbols used to represent a music group led by Ye, who were included on the *Vultures 1* album. Within the album, a track credited to ¥$, *Back to Me*, February 10, 2024, includes Ye's performance of the second verse, which draws a remarkable similarity to the artistic expression in the flyer:

> Beautiful, naked, big-titty women just don′t fall out the sky, you know?
> Sky, you know? Sky, you know?
> And beautiful, big-titty, butt-naked women just don′t fall out the sky, you know?
> Tell me how you know, I been searchin' high and low

49. The flyer was directly tied to the thematic content of *Vultures 1*, and was not gratuitous but an integral part of Ye's broader expressive campaign.

50. Artistic nudity, provocative marketing, and aesthetic critiques are fully protected forms of expression under the First Amendment. (*Ward v. Rock Against Racism* (1989) 491 U.S. 781, 790; *ETW Corp. v. Jireh Publishing, Inc.* (6th Cir. 2003) 332 F.3d 915, 925.)

51. Plaintiff's role was to promote Ye's artistic vision—not censor it. Her discomfort with the flyer's provocative imagery does not transform protected artistic speech into actionable harassment. (*Lyle*, *supra*, at p. 283.) Ye's creation and dissemination of the flyer, and his instruction that Plaintiff promote it, constitute protected artistic expression regarding matters of public interest and Plaintiff's claims based on this conduct must be stricken.

<u>Third Category</u>: Yeezy fired Plaintiff after Plaintiff attempted to diminish Ye's creative control over his artistic enterprise

52. In March 2024, Plaintiff alleges she secured a high-profile business opportunity for Ye that did not provide Ye with final creative authority. (Complaint 15(a).) She presented this to Ye's manager, who relayed Ye's response: "Don't present me nothing ever in life that I don't have creative control over." The next day, Plaintiff received a text: "Ye has instructed me to let you go. Thank you for your service." Plaintiff characterizes this termination as retaliatory.

53. At the heart of this dispute lies Ye's longstanding and publicly known insistence on complete creative control over his projects. Plaintiff was hired with knowledge of this guiding principle. (Yiannopoulos Decl. ¶¶ 9-100.) She was not retained to negotiate Ye's surrender of artistic autonomy to external corporate interests. Her proposal did exactly that—and Yeezy's rejection of it was not retaliatory, but an essential reaffirmation of the brand's artistic mission.

54. The First Amendment protects the right of speakers to control the content and message of their expression. (*Hurley, supra,* at p. 573.) California courts have extended that protection to employment decisions made in defense of editorial or expressive judgment. (*Wilson, supra,* at p. 887.) Ye's decision to end Plaintiff's employment following her effort to reshape his artistic authority falls squarely within that principle.

55. Further, Plaintiff's retaliation theory fails on legal grounds. To prevail on a retaliation claim under FEHA or similar provisions, Plaintiff must demonstrate that she engaged in protected activity opposing discrimination or harassment. (*Yanowitz v. L'Oreal USA, Inc.* (2005) 36 Cal.4th 1028,1042.) Proposing a corporate deal that would have stripped Ye of creative control is not protected activity—it was incompatible with the terms and expectations of her role. Indeed, offering such constituted a fundamental breach of her duty to support Ye's art.

56. Ye's prior disputes with corporations over issues of creative control have been the subject of national and international discourse. His refusal to compromise artistic integrity is not only core to his identity but a public stance with far-reaching implications on the role of commerce in creative work. (*FilmOn.com Inc., supra,* at p. 149.) Plaintiff was not just terminated for her failure to adhere to expectations, but for her interference with Ye's artistic expression.

57. Permitting a claim to proceed under these circumstances would chill the expressive rights of artists and companies whose very purpose is to champion artistic independence. Accordingly, Plaintiff's claims based on this termination must be stricken.

Fourth Category: Ye expected Plaintiff, a publicist hired to promote the art of Ye, to promote the pornographic artistic projects of Ye (but Plaintiff refused)

58. In April 2024, Ye expected Plaintiff, as part of her role promoting his creative endeavors, to assist in promoting the Yeezy Porn project—an extension of Ye's longstanding artistic exploration of sexuality, censorship, and societal taboos. (Complaint, 16(a).) Plaintiff alleges that this expectation constituted harassment. Defendants assert that Ye's directive and the broader project are protected under Code Civ. Proc., § 425.16 425.16(e)(4) as acts in furtherance of constitutionally protected artistic expression.

59. The Yeezy Porn project is not a deviation from Ye's career but a continuation of his boundary-pushing engagement with controversial subjects. Ye's artistic catalog—from the 2010 album *My Beautiful Dark Twisted Fantasy*, to the 2013 *Yeezus* tour, to the 2016 *Famous* music video (featuring nude wax figures of public figures), and various Yeezy fashion campaigns—has consistently probed the limits of social acceptance regarding eroticism, gender, and power.

60. In spring 2024, Ye publicly announced plans to launch a Yeezy Porn studio in collaboration with an adult film creator. This artistic venture was part of Ye's continuing effort to provoke cultural commentary and redefine the boundaries of art.

61. Under established constitutional doctrine, erotic and sexually explicit art is protected by the First Amendment where it carries serious artistic, literary, political, or scientific value. (*Miller, supra,* at p. 24.) The Yeezy Porn project—created by a globally recognized artist with a clear history of incorporating such themes—is well within that protected zone.

62. Ye's instruction that Plaintiff assist in publicizing the project was part of a larger expressive process akin to a director instructing a publicist to promote a controversial but meaningful film. As the Supreme Court held in *Southeastern, supra, p.* 558, preparatory acts integral to artistic dissemination are constitutionally protected.

63. Moreover, the themes explored by Yeezy Porn—eroticism, identity, artistic freedom—are issues of undeniable public concern. (*Snyder, supra,* at p. 453.) Ye's art is intentionally designed to spark conversation and discomfort. Offense taken does not diminish its protection.

64. Plaintiff's discomfort is not legally relevant under these circumstances. She was hired to promote Ye's artistic works knowing his track record of controversial expression. Her refusal to promote the project was a rejection of a core function of her role. (*Lyle*, *supra*, at p. 283.)

65. Accordingly, Plaintiff's claims stemming from her refusal to promote the Yeezy Porn project arise from constitutionally protected conduct and must be stricken.

Fifth Category: Ye texted words denouncing Plaintiff's persistent and unwelcome opinions regarding Ye's creative expressions

66. On June 4–5, 2024, Ye sent a series of text messages to Plaintiff that Plaintiff characterizes as belligerent, abusive, harassing, antisemitic, and otherwise offensive. The messages included statements such as "Shut the fuck up bitch," "Hail Hitler," and "You ugly as fuck," among others. (Complaint, ¶¶ 17, 19, 21–22.) Plaintiff alleges that these messages constituted harassment. Defendants assert that the messages are protected artistic expression under Code Civ. Proc., § 425.16 425.16(e)(4), and were sent in furtherance of Ye's constitutionally protected right to resist unwanted interference with his creative work and his rehearsal of his iconic artistic style of advancing grievances in dramatic vernacular.

67. At the time these messages were sent, Ye was actively engaged in the rehearsal of artistic expression related to the confrontation of those who have aggrieved him. Unlike "Festivus," the fictional holiday created by Jewish artists, wherein "worshippers" are permitted to air their personal grievances but once per year; Ye adheres to an artistic vision in which he is unencumbered to share his grievances at any time of the year–and so he does. Ye's stylistic use of hyperbolic and abrasive language—whether in his lyrics, public statements, or social media activity—serves to critique cultural expectations, power dynamics, censorship, and societal hypocrisy. His text messages to Plaintiff mirrored this performative style, particularly in responding to Plaintiff's persistent attempts to influence, criticize, or reshape his artistic vision.

68. Courts have long recognized that offensive, hyperbolic, and even outrageous expression remains protected under the First Amendment, particularly where it is connected to matters of public concern. (*Hustler Magazine, Inc. supra p.* 55–56.) Speech that exaggerates, satirizes, or dramatizes—even when deeply unsettling to its target—is not stripped of constitutional protection simply because it causes emotional distress. Ye's text messages, however jarring, fall squarely within the tradition of provocative artistic expression safeguarded against censorship.

69. Plaintiff's complaints regarding Ye's text messages must be viewed against the backdrop of the workplace she chose to enter: one defined by boundary-pushing artistic exploration, not conventional corporate norms. (Yiannopolous Decl. ¶¶ 7, 9).

70. Plaintiff's attempt to frame the messages as discriminatory or antisemitic is similarly unavailing. Plaintiff does not allege that she even disclosed her Jewish identity to Ye or Yeezy prior to receiving the texts. Without evidence of knowledge or discriminatory intent, Plaintiff cannot sustain a claim for harassment or discrimination based on protected status. (*Harris v. Forklift Systems, Inc*. (1993) 510 U.S. 17, 21.) The messages were not directed at Plaintiff's race, religion, or gender identity, but it was, rather, an artifice to communicate a conceptual grievance.

71. Additionally, creative workplaces receive broader constitutional latitude in how speech and criticism are expressed, particularly when the very nature of the enterprise is to push artistic boundaries. (*Lyle*, *supra*, at p. 283.) To impose traditional workplace harassment standards on Ye's interactions with his creative team would dangerously chill artistic experimentation and undermine the protected zone of expressive freedom that the law is designed to safeguard.

Sixth Category: Ye terminates Plaintiff

72. Plaintiff alleges she was terminated for objecting to Ye's artistic expression. (Complaint 20; FAC 24.) In reality, she was terminated on June 5, 2024, because she persistently and disruptively challenged the very messaging she was hired to promote. Her conduct undermined Ye's expressive vision and conflicted with Yeezy's mission to support unfiltered, provocative art.

73. As Ye's publicist, Plaintiff knew his identity was intentionally public, controversial, and performative. Her internal efforts to restrain that identity rendered her continued employment

untenable. Courts have long recognized that employment decisions made to preserve expressive autonomy fall within the anti-SLAPP statute's protection. (*Wilson v. CNN* (2019) 7 Cal.5th 871, 887–889.) This termination, rooted in the defense of artistic freedom, qualifies as protected conduct under Code Civ. Proc. § 425.16(e).

74. California courts recognize that employment decisions arising from expressive conduct fall within the protection of the Anti-SLAPP statute. (*Wilson v. CNN* (2019) 7 Cal.5th 871, 887–889.) Ye's decision to terminate Plaintiff aligned squarely with this principle: it was made to preserve the integrity of his expressive identity. Unlike *Wilson*, which involved a private HR dispute concerning a nonpublic figure and speech never intended for public engagement, the conduct here—text messages, casting directives, and provocative project materials—was all part of Ye's curated public persona. Plaintiff not only understood that persona, she promoted it. Her later attempts to restrain or reshape Ye's messaging triggered her termination—an expressive act in furtherance of Ye's right to control the content, tone, and collaborators in his art.

75. The broader context reinforces this. Ye's struggles to maintain artistic control—whether in disputes with Adidas, Gap, or cultural critics—have sparked national conversations about censorship, corporate interference, and creative freedom. (*See FilmOn.com, supra,* at p. 149.) Protecting his right to assemble a loyal creative team without internal disruption is a matter of legitimate public concern.

76. Plaintiff's retaliation claim also fails on the merits. California law requires that retaliation be based on opposition to unlawful conduct—not disagreement with protected speech. (*Yanowitz, supra,* at p. 1047.) Ye's expression, however controversial, is constitutionally protected. And creative environments built around expressive figures like Ye necessarily demand greater leeway to accommodate speech that would be out of place elsewhere. (*Lyle*, supra, at p. 283.) Plaintiff knowingly accepted employment with a controversial public figure. Her objections to the very expression she was hired to promote cannot give rise to liability.

77. Allowing these claims to proceed would chill the rehearsal, defense, and performance of controversial work—undermining not only Ye's artistic freedom, but that of all who challenge cultural norms. The First Amendment requires more protection for controversial art, not less.nav

78. Ye's decision, through Yeezy, to terminate Plaintiff's employment was a constitutionally protected act in furtherance of free expression on matters of public concern. Accordingly, the claims arising from that termination must be stricken under Code Civ. Proc. § 425.16(e)(4).

B. STEP TWO: Plaintiff Cannot Establish a Probability of Prevailing on Any Claim

79. Because Defendants have shown that each of Plaintiff's causes of action arises from protected speech or conduct, the burden shifts to Plaintiff to establish a probability of prevailing on her claims. (*Baral, supra, at p.* 384.) Plaintiff cannot meet this burden.

80. To satisfy Step Two under the Anti-SLAPP statute, a plaintiff must demonstrate through admissible, competent evidence a legally sufficient claim and a prima facie case capable of prevailing at trial. (*Taus v. Loftus* (2007) 40 Cal.4th 683, 714.) Mere allegations in the pleadings, speculative assertions, conclusions of law, or conjecture are insufficient. (*Navellier, supra*, at p. 89.) The plaintiff's showing must be akin to that required on a motion for summary judgment. (*Tuchscher, supra,* at p. 1235.) Plaintiff cannot meet her burden for several independent reasons:

A. Plaintiff's Claims Are Entirely Predicated on Protected Artistic Expression

81. Each factual basis underlying Plaintiff's claims — including Ye's text messages, artistic choices, and employment-related decisions — arises from expressive conduct protected by the United States and California Constitutions. (*Lyle*, *supra*, at p. 284 [holding that speech and conduct integral to creative processes are protected].)

82. Speech that merely provokes offense, discomfort, or disagreement — even speech on sensitive topics such as race, religion, or sexuality — does not lose its constitutional protection. (*See Snyder supra p.* 458–460.) Plaintiff cannot recharacterize artistic, expressive conduct as unlawful harassment or discrimination simply because she found it subjectively upsetting.

B. Plaintiff Cannot Establish Actionable Harassment or Discrimination

83. Even accepting her allegations as true, Plaintiff fails to establish the essential elements of her FEHA discrimination and harassment claims. Under California law, discrimination requires adverse action taken *because of* a protected characteristic. (*Guz v. Bechtel National, Inc.* (2000) 24 Cal.4th 317, 354.). Harassment must be "severe or pervasive" conduct directed *because of* a protected characteristic, and must amount to a "hostile or abusive" working environment judged objectively. (*Gov. Code, § 12923, subd. (b); *Lyle*, *supra*, at p. 283–284.) Moreover, isolated expressive conduct — such as provocative artistic statements made in the context of creative production — does not meet the "severe or pervasive" threshold necessary to establish harassment under California law. *Ibid*.

84. Plaintiff alleges no facts supporting the claim that Defendants knew she was Jewish at the time of the alleged communications. A claim of discrimination or harassment based on protected status requires evidence that the defendant was aware of the plaintiff's membership in that protected class. (*Guz, supra*, at p. 353–354.) Without knowledge, there can be no discriminatory intent. (*Harris, supra,* at p. 21.) The FAC's failure to allege such knowledge is fatal to her claims under FEHA, the Ralph Act, and Bane Act.

C. Plaintiff's Retaliation and Contract-Based Claims Fail as a Matter of Law

85. Plaintiff's retaliation and wrongful termination claims (Counts 3, 4, 7, 8) are entirely derivative of her meritless harassment and discrimination claims. If the underlying conduct is not actionable, these derivative claims necessarily fail. (*Wilson, supra,* at p. 887–889.)

86. Similarly, Plaintiff's breach of oral contract claim (Count 5) rests on the premise that she was improperly terminated. Yet Plaintiff offers no admissible evidence of a specific, enforceable oral agreement that guaranteed her continued employment notwithstanding Defendants' constitutional right to curate their artistic team. (*See Guz*, *supra*, p. at 336).

D. Plaintiff's Emotional Distress and Civil Rights Claims Lack Legal and Evidentiary Support

87. Plaintiff's claims for intentional infliction of emotional distress (Count 10) and violation of the Ralph and Bane Acts (Counts 11 and 12) also fail.

88. *Intentional Infliction of Emotional Distress:* Offensive speech, even about sensitive matters, does not constitute "outrageous conduct" as a matter of law unless it falls outside the protections of the First Amendment. (*Hughes v. Pair* (2009) 46 Cal.4th 1035, 1049–1051.) None of Ye's alleged statements cross that line. (*See Snyder, supra.*)

89. *Ralph and Bane Acts:* Both statutes require evidence of threats, intimidation, coercion, or violence. (*Civ. Code §§ 51.7, 52.1.*) Plaintiff's allegations involve provocative speech and artistic expression, not violence or credible threats. Mere offensive speech cannot establish a Ralph or Bane Act violation. (*Austin B. v. Escondido Union School District* (2007) 149 Cal.App.4th 860.)

E. Plaintiff's Voluntary Exposure to Ye's Art Bars Causation and Damages

90. Plaintiff knowingly and voluntarily chose to work in an environment defined by provocative, controversial, and unapologetically expressive content. As Ye's publicist, she actively promoted the very messaging and artistic identity she now claims caused her harm. Courts have repeatedly held that where a plaintiff voluntarily subjects themselves to known expressive risks—particularly in creative or entertainment industries—claims for emotional distress fail for lack of causation. (*Snyder, supra,* at p. 451–452; *Lyle, supra*, at p. 284). Plaintiff cannot now disavow the expressive environment she embraced and helped amplify.

VII. CONCLUSION

91. For the foregoing reasons, Defendants Yeezy, and Ye respectfully request that the Court GRANT this Special Motion to Strike (Anti-SLAPP), DISMISS Plaintiff's Complaint, the entirety of which arises from Defendants' constitutionally protected conduct, and Award Defendant its attorneys' fees and costs pursuant to Cal. Code Civ. Proc. § 425.16(c).

Dated: April 29, 2025

GOLDEN LAW, INC.

ANDREW D. CHERKASKY, Esq.
CATHERINE M. CHERKASKY, Esq.
Attorneys for Defendants, Ye, Yeezy, LLC

Make a Reservation

JANE DOE vs YEEZY, LLC, et al.

Case Number: 25STCV03802 Case Type: Civil Unlimited Category: Wrongful Termination
Date Filed: 2025-02-11 Location: Stanley Mosk Courthouse - Department 47

Reservation

Case Name: JANE DOE vs YEEZY, LLC, et al.	Case Number: 25STCV03802
Type: Special Motion to Strike under CCP Section 425.16 (Anti-SLAPP motion)	Status: RESERVED
Filing Party: Yeezy, LLC (Defendant)	Location: Stanley Mosk Courthouse - Department 47
Date/Time: 06/27/2025 9:00 AM	Number of Motions: 1
Reservation ID: 640108295152	Confirmation Code: CR-F6ZNYWA8CDPR6LIJJ

Fees

Description	Fee	Qty	Amount
Special Motion to Strike under CCP Section 425.16 (Anti-SLAPP motion)	0.00	1	0.00
TOTAL			$0.00

Payment

Amount: $0.00	Type: NOFEE
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