

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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RODNEY’S COMEDY CLUB,

Index No.:151893/2026

Plaintiff,

AFFIRMATION

-against-

CHANEL OMARI,

Defendant.

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RODNEY’S COMEDY CLUB represented by Owner and attorney Mark Yosef as

Petitioner, hereby affirms the following under the penalties of perjury:

1. Plaintiff has been harassed and stalked Respondent for months beginning in 2025.
2. Sometime over a year ago, Defendant auditioned at Rodney’s Comedy Club and was not passed based on her extremely poor performance.
3. Following several months, beginning in 2025, Defendant began posting defamatory content against Plaintiff.
4. This continued for several months until the latest posts in February 2026.
5. Most recently this past Saturday, February 7, 2026, Defendant Chanel Omari wrote “Rodney’s Comedy Club, run by Mark Lawrence, is a place where female comedians have been bullied, harassed and mistreated by him and his staff (Reggie, Crystal, Andrew, Allen and Mark). Please be cautious about performing there. They are currently. Facing legal action for defamation and abuse – sexual, physical, emotional and mental. No one should be subjected to this kind of behavior. Every comedian deserves a safe space to perform without fear, and its time these abusers are held accountable.” See Exhibit “A”.

6. She further stated “your staff has been fired from New York comedy clubs and other clubs for the same reason. Mark you’re an unwell 50 plus owner just as creepy as Eddy and all these other owners along with your staff Reggie and Andrew who have a predator and groomer on female comedians and customers before as well as myself.” See Exhibit “B”.

7. Additionally Defendant stated “you take peoples money and you’re nasty to them and you abuse them.” See Exhibit “C”.

8. She further stated that “you held everything against me which is a form of abuse and Reggie sleeps with other women there to tell them he will get them stage time and then doesn’t give it to them and then you’re nasty towards them.” See Exhibit “D”.

9. Moreover she wrote “They hold their power against you and don’t book you whether they try to have sex with you kiss you or whatnot and nothing helps you’re right they don’t care” See Exhibit “E”.

10. Later that same day Chanel Omari posted on her stories “To all my coconaitors and fellow comedians avoid Rodney’s Comedy Club with a ten foot poll. I will be be discussing my experience with them. They have all been abusive – from staff to owner. They are unprofessional and discriminate against Jews and women in general. Very misogynistic” See Exhibit “F”.

11. She further stated “...their audition process is rigged because they only pass girls they want to sleep with and the ones they take advantage of they hold their power against them. I will not be performing at that club and I advise others not to” Exhibit “G”.

12. February 11, 2026, Defendant Chanel Omari posted on Instagram “Mark Lawrence the owner of Rodney’s Comedy Club and his staff and management are all abusers and have abused me in many ways than one in every category you can imagine, he tries to attack me.” Exhibit “H”.

13. She also stated “Rodney’s Comedy Club Owner Mark Lawrence is abusive in every type of way. Doesn’t know how to run a comedy club professionally women and their manager sexually abused me...they are antisemitic and racist” See Exhibit “I”.

14. She later stated “I stayed quiet for a long time because I was scared. The owner Mark Lawrence, of Rodney’s and his staff – including Andrew (preys on younger women), Reggie (the booker-sexually and emotionally abused women) Crystal (bar tender-biggest bully and abuser) after people like me have been kind to me...I experienced sexual misconduct, emotional and mental abuse, and retaliation for setting boundaries and telling the truth...I was told I wasn’t good enough despite working as a comedian for over a decade, while others were favored through manipulation and power dynamics. When I spoke out , I lost spots and opportunities and was labeled “the problem”. See Exhibit “J”.

15. February 13, 2026 Defendant stated “”Andrew from Rodney’s has raped and sexually assaulted multiple women and so has Reggie from Rodney’s” See Exhibit K.

I. DEFENDANT POSTS ARE DEFAMATION PER SE

16. The elements of a cause of action to recover damages for defamation are (1) a false statement that tends to expose a person to public contempt, hatred, ridicule, aversion, or disgrace, (2) published without privilege or authorization to a third party, (3) amounting to fault as judged by, at a minimum, a negligence standard, and (4) either causing special harm or constituting defamation per se (*see Levy v. Nissani*, 179 A.D.3d 656, 657–658, 115 N.Y.S.3d 418; *Gugliotta v. Wilson*, 168 A.D.3d 817, 818, 92 N.Y.S.3d 309). “Special damages contemplate the loss of something having economic or pecuniary value” (*Liberian v. Gelstein*, 80 N.Y.2d at 434–435, 590 N.Y.S.2d 857, 605 N.E.2d 344 [internal quotation marks omitted]). A statement is defamatory per se if it (1) charges the plaintiff with a serious crime; (2) tends to injure the plaintiff in her or

his trade, business, or profession; (3) imputes that the plaintiff has a loathsome disease; or (4) imputes unchastity to a woman (*see id.* at 435, 590 N.Y.S.2d 857, 605 N.E.2d 344; *Levy v. Nissani*, 179 A.D.3d at 658, 115 N.Y.S.3d 418; “When statements fall within one of these categories, the law presumes that damages will result, and they need not be alleged or proven” (*Lieberman v. Gelstein*, 80 N.Y.2d at 435, 590 N.Y.S.2d 857, 605 N.E.2d 344).

17. “Whether particular words are defamatory presents a legal question to be resolved by the court in the first instance” (*Aronson v. Wiersma*, 65 N.Y.2d 592, 593, 493 N.Y.S.2d 1006, 483 N.E.2d 1138; *see Tracy v. Newsday, Inc.*, 5 N.Y.2d 134, 136, 182 N.Y.S.2d 1, 155 N.E.2d 853). “The words must be construed in the context of the entire statement or publication as a whole, tested against the understanding of the average reader [or listener], and if not reasonably susceptible of a defamatory meaning, they are not actionable and cannot be made so by a strained or artificial construction” (*Aronson v. Wiersma*, 65 N.Y.2d at 594, 493 N.Y.S.2d 1006, 483 N.E.2d 1138). *Laguerre v. Maurice*, 192 A.D.3d 44, 50–51, 138 N.Y.S.3d 123, 129 (2020)

18. Defendant stated that Plaintiff lies and “cheats” as a business that is defamation per se the defendant's alleged statement that the plaintiff “is engaged in money laundering” did not constitute pure nonactionable opinion (see *Gross v. New York Times Co.*, 82 N.Y.2d at 155–156, 603 N.Y.S.2d 813, 623 N.E.2d 1163; *Guerrero v. Carva*, 10 A.D.3d 105, 114, 779 N.Y.S.2d 12). Further, although the defendant's alleged description of the plaintiff as a “shady company” amounted to no more than “nonactionable opinion or rhetorical hyperbole” (*Stolatis v. Hernandez*, 161 A.D.3d 1207, 1209, 77 N.Y.S.3d 473), the remaining portions of that statement, in which the defendant allegedly stated that the plaintiff was “incorporated in Nevada with businesses elsewhere,” signaled that facts, unknown to the listener, were being conveyed about the plaintiff (see *VIP Pet Grooming Studio, Inc. v. Sproule*, 224 A.D.3d 78, 91, 203

N.Y.S.3d 681; *Levy v. Nissani*, 179 A.D.3d 656, 659, 115 N.Y.S.3d 418). Moreover, the complaint alleged that the defendant acted with “actual malice” or reckless disregard as to whether the statements were true or false (see *Mable Assets, LLC v. Rachmanov*, 192 A.D.3d at 1001, 146 N.Y.S.3d 147). In addition, the complaint was not required to allege special damages, since it asserted a cause of action alleging defamation per se based upon allegations that the defendant made statements charging the plaintiff with a serious crime or tending to injure it in its trade, business, or profession (see *VIP Pet Grooming Studio, Inc. v. Sproule*, 224 A.D.3d at 90–91, 203 N.Y.S.3d 681; *Kasavana v. Vela*, 172 A.D.3d 1042, 1047–1048, 100 N.Y.S.3d 82). *968 Thus, the plaintiff established that the cause of action alleging defamation per se had a substantial basis in N.E.2d 1282law (see *Mable Assets, LLC v. Rachmanov*, 192 A.D.3d at 1001, 146 N.Y.S.3d 147). Further, under the circumstances of this case, the plaintiff established that the other causes of action predicated upon the allegedly defamatory statements Support at 21–22.)

19. The standards for determining whether the imputation of a crime is defamatory per se have largely been developed in slander cases. (see, e.g., *liberman V. gelstein*, 80 N.Y.2d 429, 590 N.Y.S.2d 857, 605 N.E.2d 344 [1992].) These cases, which may provide guidance to the court in a libel action(see *Golub v. Enquirer/Star Group, Inc.*, 89 N.Y.2d 1074, 659 N.Y.S.2d 836, 681, supra [libel action citing Liberman]), hold that only statements regarding serious, as opposed to minor, offenses are actionable as defamation per se. (*Liberman*, 80 N.Y.2d at 435, 590 N.Y.S.2d 857, 605 N.E.2d 344.) Such serious crimes as murder, burglary, larceny, arson, rape, and kidnapping fall squarely within the list of crimes that are actionable as slander per se. (*Id.*) However, the courts have held that a serious misdemeanor may form the basis for a claim of defamation per se particularly where, as here, it involves a crime that puts another in fear of physical harm. (See *DeFilippo v. Xerox Corp.*, 223

A.D.2d 846, 636 N.Y.S.2d 463 [3d Dept. 1996] [stalking/1st degree harassment, a Class B misdemeanor], lv. dismissed 87 N.Y.2d 1056, 644 N.Y.S.2d 147, 666 N.E.2d 1061. See also Sweeney v. Prisoners' Legal Servs. of New York, Inc., 146 A.D.2d 1, 538 N.Y.S.2d 370 [3d Dept. 1989], lv. dismissed 74 N.Y.2d 842, 546 N.Y.S.2d 558, 545 N.E.2d 872 [accusation that prison guard participated in incident in which inmate **194 was assaulted without justification held susceptible to defamatory connotation].³ Compare Liberman, 80 N.Y.2d at 436, 590 N.Y.S.2d 857, 605 N.E.2d 344 [holding harassment insufficient to support claim of slander per se under prior law which made harassment a violation, not a misdemeanor.] had a substantial basis in law (see id.).

20. Imputing that two employees of Rodney's engaged in multiple rapes and sexual assaults are clearly defamation per se as these are serious crimes.

21. There is a high likelihood of success since these statements are defamation per se and Defendant has no evidence that would relate to such outrageous complaints.

I, Mark Yosef, affirm this day of February 13, 2026, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment and pursuant R.P.A.P.L. Sec. 741, that I have read the foregoing Motion and Affirmation in Support of Motion and the contents thereof are true based on my personal knowledge as attorney and owner on behalf of Plaintiff, and I understand that this document maybe filed in an action or proceeding in a court of law.

WHEREFORE, the Plaintiff respectfully requests that this Court issue an order

- 1) Enjoining Defendant from any further social media posts naming, inferring or addressing Plaintiff or Plaintiff's employees in any way or posts related to Plaintiff
- 2) Ordering Defendant to delete any and all posts on social media naming, inferring or addressing Plaintiff or Plaintiff's employees in any way.
- 3) Plaintiff is entitled to such other, further, and/or different relief as the Court deems just and proper

Dated: New York, New York

February 18, 2026

/s/ Mark Yosef

By: Mark Yosef
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New York NY 10013