

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION—FIRST DEPARTMENT**

-----X

Roy Den Hollander,

Plaintiff-Appellant,

-against-

New York County
Ind. No. 152656/2014
Hon. Jennifer Schechter

Tory Shepherd, Advertiser Newspapers Pty Ltd.,
Amy McNeilage, Fairfax Media Publications Pty Ltd.,

Defendants-Appellees.

-----X

**Memorandum of Plaintiff-Appellant in Opposition to Defendants-Appellees' Latest Motion
to Dismiss the Appeal**

Roy Den Hollander, Esq.
Pro-se Plaintiff-Appellant
545 East 14 St., 10D
New York, NY 10009
(917) 687-0652
rdenhollander97@gsb.columbia.edu

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Rules

CPLR 2103(b).....2, 3, 4

CPLR 2214(b)..... 2, 3

Preliminary Statement

Defense Counsel Katherine M. Bolger (“Bolger”) continues to pad her billing to her multi-billion dollar clients and waste this Court’s precious time with another “Motion to Dismiss”—her words, and her third so far in this case. Her scheme this time, as perhaps intended all along, is to confuse her original motion to dismiss with her April 1, 2016, “Motion to Dismiss,”—words that are written on that motion’s cover sheet (Ex. A) that is attached to the 18 exhibits she wanted added to the filed Appendix and written on the caption page to her accompanying memorandum of law (Ex. B). Additionally, the April 1st Notice of Motion requested “dismissing the appeal in its entirety” (Ex. C)

Argument

Plaintiff-Appellant complied with this Court’s May 3, 2016, Order.

On April 1, 2016, Bolger submitted to this Court a “Motion to Dismiss” the appeal (Ex. A, B & C) arguing, among other points, that the Plaintiff-Appellant’s Original Appendix, filed March 15, 2016, did not contain all the documents that she intended to rely on for her opposition brief. As part of that “Motion to Dismiss,” she submitted an affirmation with 18 exhibits and a memorandum of law in support of her motion to dismiss.

On May 3, 2016, this Court denied Bolger’s request to dismiss the appeal and ordered Plaintiff-Appellant “to file a supplemental appendix, at his own expense, which shall include all exhibits attached to the Affirmation of Katherine M. Bolger submitted with defendants’ motion to dismiss.” (Ex. D, Appellate Division-First Dep’t Order). Plaintiff-Appellant complied with this Court’s Order by serving and filing a Supplemental Appendix on July 8, 2016. If the Supplemental Appendix and the Original Appendix are taken together, all of Bolger’s 18 exhibits attached to her affirmation in her April 1st motion to dismiss are now part of the full appendix.

When Bolger made her motion to dismiss in April, she was clearly hoping the 68 year-old Plaintiff-Appellant, who earned all of \$35,000 last year, would forego the additional \$1,600 expense for a supplemental appendix and she would win by default. That did not happen, so now she claims that the exhibits she really wanted added to the Appendix were not the 18 that accompanied her April 1st motion to dismiss and which this Court's Order refers to, but everything she filed in the lower court no matter how irrelevant to an appeal of the only issue before this Court—are the defendants within this State's personal jurisdiction?

A sampling of some of the documents that Bolger's change-of-mind believes this Court needs to decide the personal jurisdiction issue and she needs to reasonably rely on are at Exhibit E. The exhibits she now wants added to the full appendix even include documents that have duplicates and triplicates in the exhibits. It is simply all part of her scheme to increase the cost of the appendix beyond Plaintiff-Appellant's means and win by default.

Once again Bolger violates the CPLR.

Bolger's April 1, 2016, motion to dismiss submitted two false affidavits of service concerning her reply on that motion. The affidavits falsely asserted that service was made before Bolger's reply was filed—it was not. Federal Express tracking records showed that her reply was actually filed first and served later. (Plaintiff-Appellant's Reply to Defendants-Appellees' Opposition to Plaintiff-Appellant's Motion to Strike the Defendants-Appellees' Reply in their Motion to Dismiss the Appeal, dated May 1, 2016).

This time, Bolger violates CPLR 2214(b) and 2103(b) in serving her July 15, 2016, motion to dismiss via Federal Express.

When Bolger created the Fed Ex label on Friday, July 15, 2016, (Ex. F, Fed Ex tracking) to ship her third motion to dismiss, Fed Ex gave her an option to have it delivered Saturday, July

16th, or Monday July 18th. Even though the label states Priority Overnight (Ex. G), according to Fed Ex, when the shipment is made on a Friday, the sender has a choice to specify delivery on Saturday or it will be delivered Monday. Bolger chose Monday. Exhibit H is a test run by Plaintiff-Appellant on Fed Ex's procedure. Exhibit H's documents show a clear choice for Saturday delivery, and if Saturday is not chosen, then Monday delivery will result.

Bolger's current Notice of Motion at 2 states "that pursuant to CPLR 2214(b), answering affidavits, if any, are to be served . . . no later than seven days before the return date," here August 1, 2016.

CPLR 2214(b) requires that answering papers will be served at least seven days before the return date if a notice of motion was served at least sixteen days before and the movant will then be allowed to serve a reply at least one day before the return date. CPLR 2103(b)(2) requires adding five days for serving papers by mail, and CPLR 2103(b)(6) requires adding one day if service is overnight. Bolger tries to trick this Court into believing that she complied with CPLR 2103(b)(6) by serving her motion overnight, when she actually intentionally served it over three nights. Had she chosen the option to actually serve the motion overnight by having Fed Ex deliver the papers on Saturday, she would have complied with CPLR 2103(b)(6)—but she did not. She chose instead a mail-type of delivery with Fed Ex delivering the papers three days later on Monday—three days were previously the additional time required for mail service. Since she failed to comply with CPLR 2103(b)(6), she failed to comply with CPLR 2214(b), so she is prohibited from submitting a reply. She did, however, comply with serving her papers at least eight days before the return date, so Plaintiff-Appellant's answering papers need to be served two days before the return date of August 1, 2016, under CPLR 2214(b).

Conclusion

Once again Bolger has wasted this Court's time in an effort to make the cost of appealing prohibitively expensive. Appellant requests that her motion be denied.

Dated: July 28, 2016

/S/ Roy Den Hollander
Roy Den Hollander
Pro se Plaintiff-Appellant
545 East 14 St., 10D
New York, NY 10009
(917) 687-0652
rdenhollander97@gsb.columbia.edu

Exhibit A

Index No. 152656/2014

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

ROY DEN HOLLANDER,

Plaintiffs,

v.

TORY SHEPHERD, ADVERTISER NEWSPAPERS PTY LTD., AMY
MCNEILAGE, FAIRFAX MEDIA PUBLICATIONS PTY LIMITED,

Defendants.

MOTION TO DISMISS THE APPEAL AND FOR A STAY

LEVINE SULLIVAN KOCH & SCHULZ, LLP

Attorneys for Defendants

321 West 44th Street, Suite 1000
New York, New York 10036

Telephone: (212) 850-6100

Exhibit B

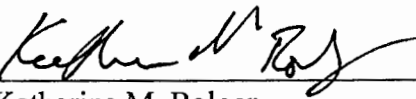
Exhibit C

PLEASE TAKE FURTHER NOTICE that pursuant to CPLR 2214(b), answering affidavits, if any, are to be served on the undersigned so that they are received no later than seven days before the return date of this motion.

Dated: New York, New York
April 1, 2016

Respectfully submitted,

LEVINE SULLIVAN KOCH & SCHULZ, LLP

By: 
Katherine M. Bolger

321 West 44th Street, Suite 1000
New York, NY 10036
(T): 212-850-6129
(F): (212) 850-6299
Email: kbolger@lskslaw.com

Counsel for Defendants

TO:

Roy Den Hollander, Esq.
545 14th Street, 10 D
New York, NY 10009

Plaintiff *pro se*

Exhibit D

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 3, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X
Roy Den Hollander,
Plaintiff-Appellant,

-against-

M-1708
Index No. 152656/14

Tory Shepherd, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 12, 2016, and said appeal having been perfected,

And defendants-respondents having moved to dismiss the appeal, or in the alternative, for an order striking plaintiff-appellant's brief and appendix, for certain costs and to adjourn the appeal to the September 2016 Term,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing plaintiff-appellant to file a supplemental appendix, at his own expense, which shall include all exhibits attached to the Affirmation of Katherine M. Bolger submitted with defendants' motion to dismiss. Plaintiff-appellant is directed to serve and file said supplemental appendix on or before July 11, 2016. Page 163 of plaintiff-appellant's appendix is deemed stricken and judicial notice is taken of the documents reproduced on pages A.159-162 of said appendix. The motion is otherwise denied. The appeal will be maintained on this Court's calendar for the September 2016 Term.

ENTER:


CLERK

Exhibit E

[HOME](#)

[ACTIVISM](#)

[FORUM](#)

[WOMEN](#)

[STORE](#)

[REFERENCES](#)

[ABOUT](#)

[CHAT](#)

[THE MAP](#)



You are here: [Home](#) / [Feminism](#) / [Feminist Governance](#) / [Update on the Church of Feminism](#)



Update on the Church of Feminism

August 31, 2012 By Roy Den Hollander — 34 Comments

the very least be false advertising? Or fraud? Or something?

Like I said, not a lawyer, so I have absolutely no idea what I am talking about. Just curious.

CONTRIBUTE TODAY!

One-Time PayPal Donation

MONTHLY PAYPAL SUBSCRIPTION

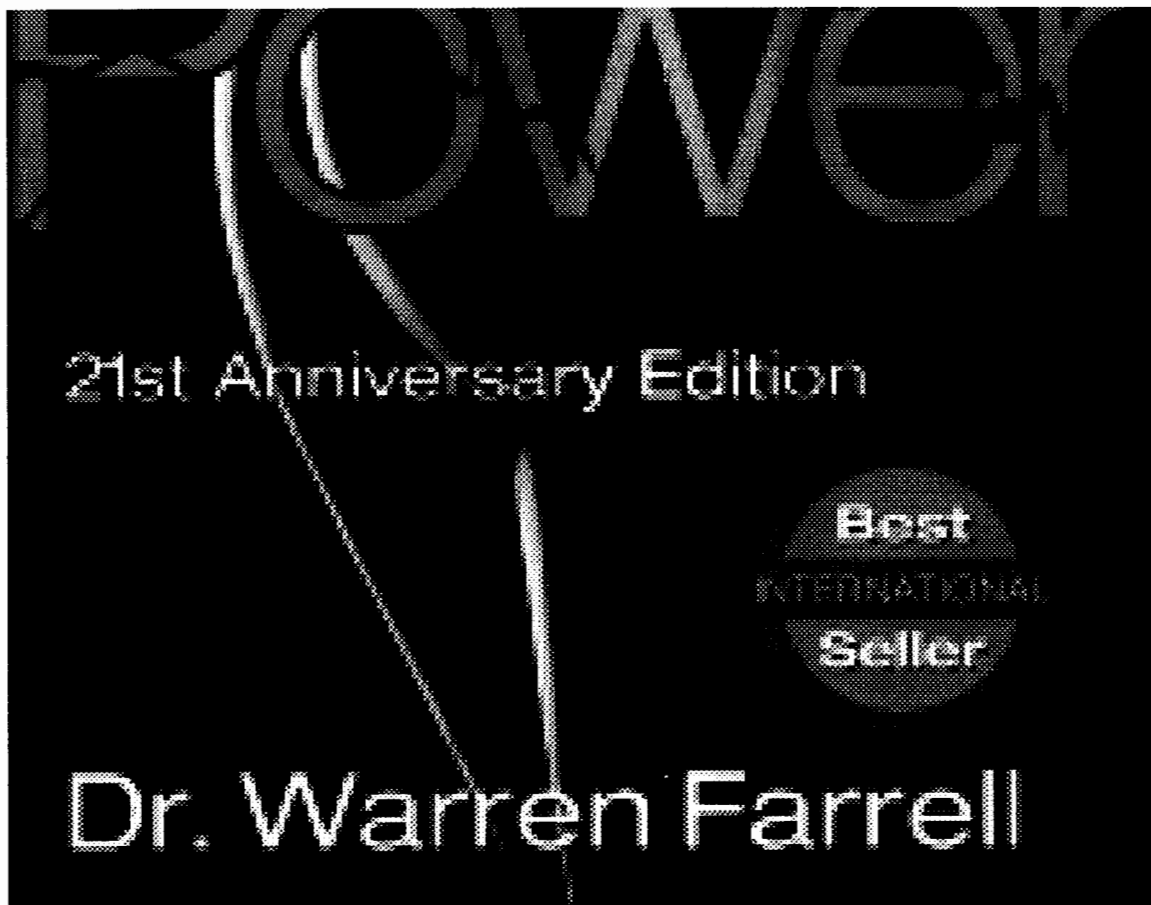
OTHER DONATION OPTIONS

SHOP AT AVFM STORE

HOT ON THE WEB

EDUCATE YOURSELF





(Get Yours Now)

MENTAL HEALTH CORNER



In His Own Words: Living a Nightmare

A Voice for Men, Shrink4men and the Domestic Abuse Helpline for Men and Women (DAHMMW) bring you the first in thirty consecutive stories on the hidden victims of domestic abuse; the men who find themselves with abusive female partners and a system that abusively rejects their needs.

More Articles from: Dr. Tara | Tom Golden

Get Help: Shrink4Men | Men Are Good

ACTIVISM

Letter to GoFundMe.com: Stop little Kenai's mutilation!



Dear GoFundMe.com, A campaign hosted on your website, initiated by a woman named Sierra Westika, ... [Keep Reading...]

MISANDRY

On Journalism and Bucky Turco



I would like to invite all men's activists, no matter how experienced you are with unfair and biased ... [Keep Reading...]

MEN'S RIGHTS

The KSUM Conference on Educational Equity Needs Your Help

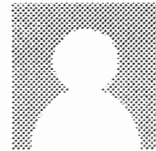


<https://www.youtube.com/watch?v=C2t0qSOoyCA> Kennesaw State University
Men (KSUM) is the first men's ... [Keep Reading...]

FEMINISM

Sara Shoener's Totalitarian Ideology

I just read Sara Shoener's recent opinion piece in The New York Times in
which she indicts the ... [Keep Reading...]



SEXUAL POLITICS

I Need MGTOW Because...

MGTOW offers a path encouraging men to focus on their own needs,
sometimes for the first time in ... [Keep Reading...]



MEN

Why do some women "get it" quicker than men?

I had an interesting conversation recently with John Narayan of Melbourne, Australia, and he had a ... [Keep Reading. .]



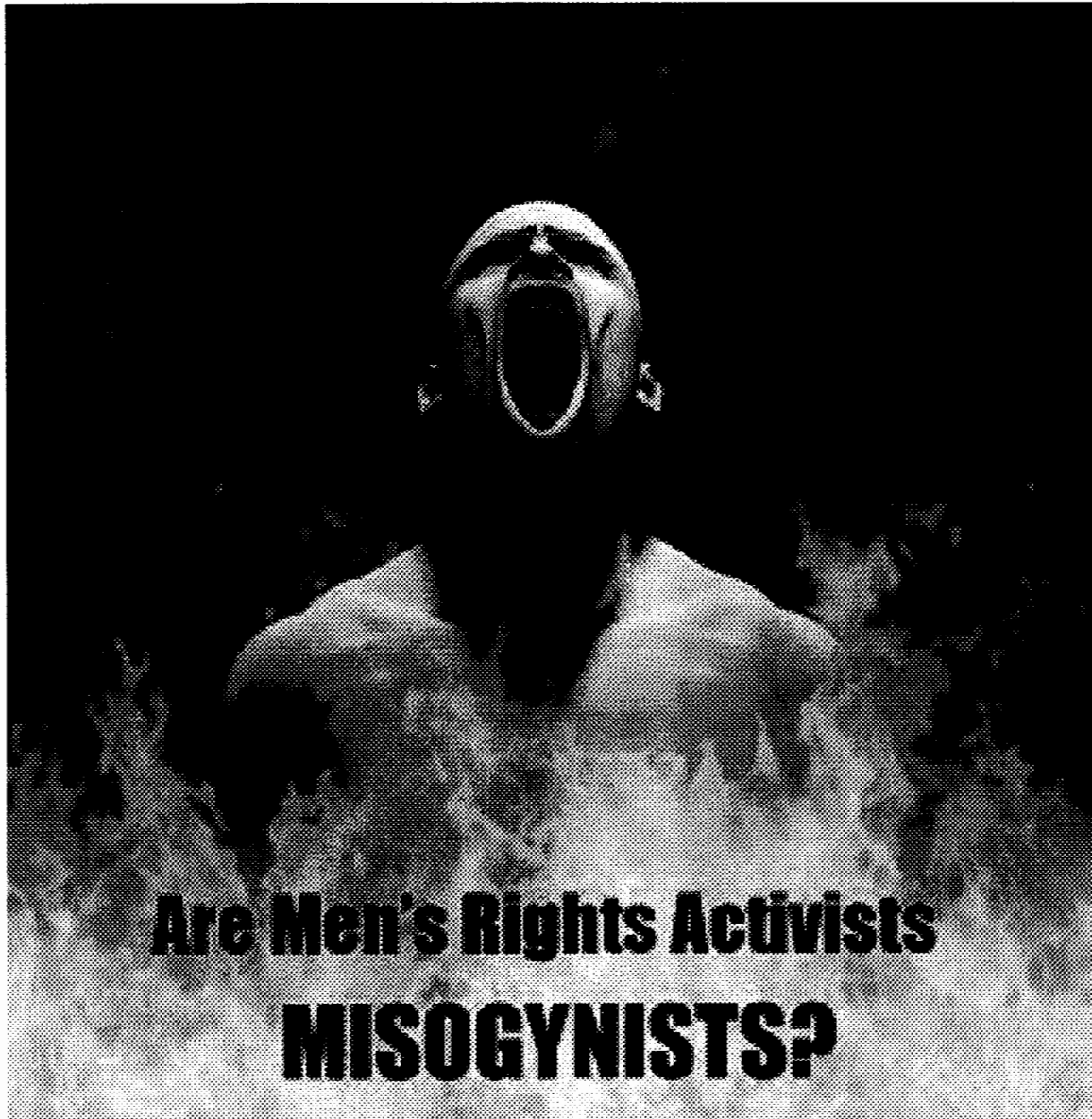
WOMEN

Self Defense Is Rape Culture!

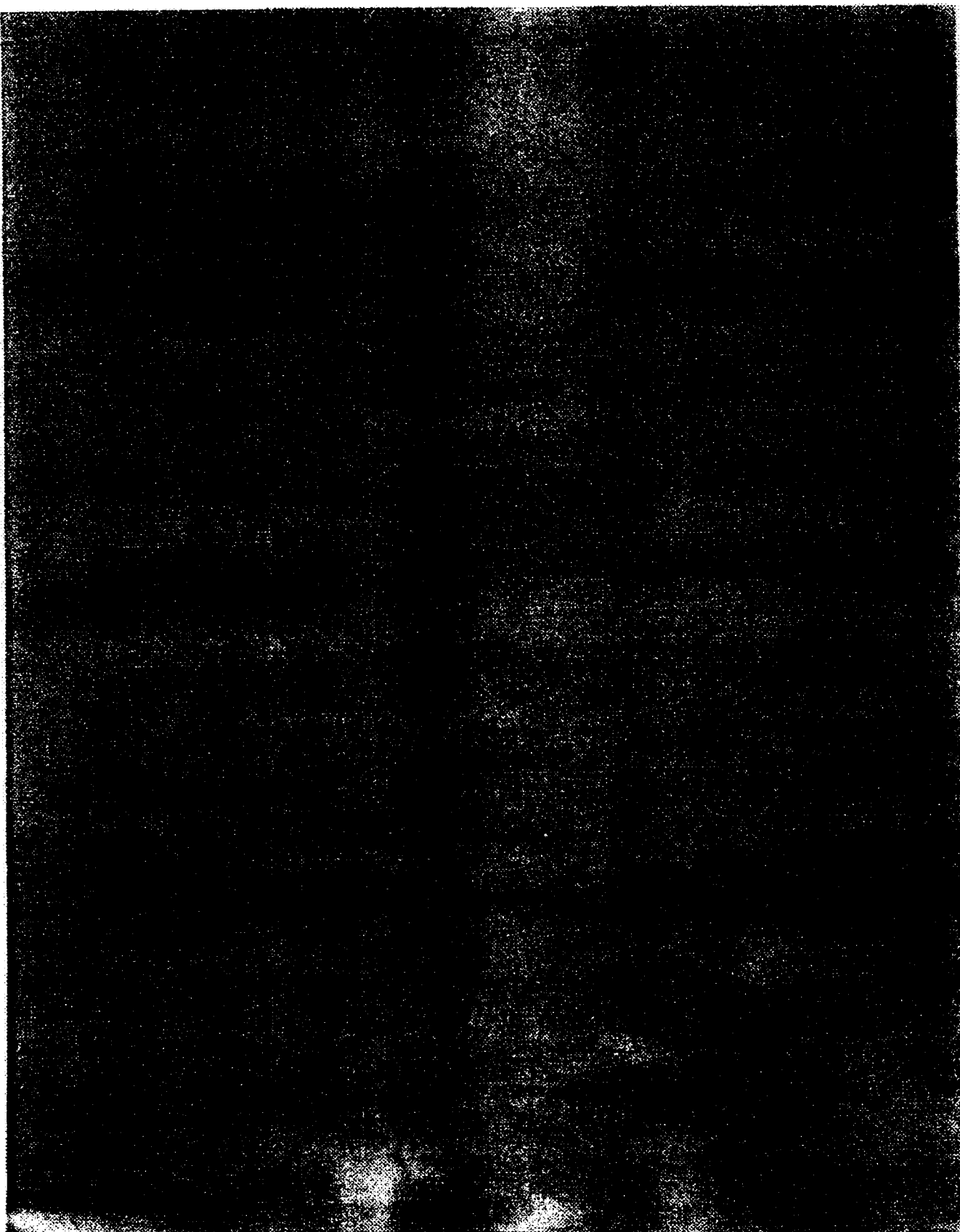
<https://www.youtube.com/watch?v=BC-cTBmrdeo> ... [Keep Reading...]



MISOGYNY?



AVfM is drawing attention from men and women
across the globe. Click on planet earth to see what
AVfM followers are reading right now.



Who We Are

What We Do

Children at Risk
Hate and Extremism
Immigrant Justice
LGBT Rights
Teaching Tolerance

Get Informed

News
Case Docket
Teaching Tolerance Blog
Hatewatch Blog
Hate Map
Intelligence Files
Intelligence Report
Hate Incidents
Publications

Get Involved

Donate Now
Friends of the Center
Stand Strong Map
Donor Resources
Other Ways to Give
Store
Your Community
Subscribe to E-news

Find Us On Facebook

Follow Us on Twitter

Intelligence Report, Spring 2012, Issue Number: 145

Misogyny: The Sites

Share Like Print Email

The so-called "manosphere" is peopled with hundreds of websites, blogs and forums dedicated to savaging feminists in particular and women, very typically American women, in general. Although some of the sites make an attempt at civility and try to back their arguments with facts, they are almost all thick with misogynistic attacks that can be astounding for the guttural hatred they express. What follows are brief descriptions of a dozen of these sites. Another resource is the Man Booz website (manbooz.com), a humorous anti-feminist blog (its tagline is "Misogyny: I Mock It") that keeps a close eye on these and many other woman-hating sites.

Alcun

Alcun is a blog that promotes the "Intellectual Renaissance of the Western Tradition." "Just as the Nazis had to create a Jewish conspiracy as a way to justify mass slaughter," one post declares, "so feminists have to create patriarchy as a way to justify mass slaughter of innocent unborn, and the destruction of men and masculinity. Rape is now a political crime, not a crime of sex or violence. A man doesn't have to rape in order to be a rapist. A man is a rapist until he somehow proves himself innocent." Another post, titled "Having their cake," asserts that "Western women ... act, dress, and look like hairy fat pigs, but get angry when they can't find a man ... act like bitches, but expect men to respect them ... don't know what the hell they want, but seek power over men and over everything."

Boycott American Women

This site's mission statement describes American women as "generally immature, selfish, extremely arrogant and self-centered, mentally unstable, irresponsible and highly unchaste. The behavior of most American women is utterly disgusting." Plus, they supposedly pose a higher risk of divorce than women from such countries as Russia, Thailand and the Philippines, where the blog suggests men find their mates. The site is rife with posts from outsiders, like the recent one that said, "I think we should export all American (sic) bitches to other countries and take in women from other places ... Have you noticed how fat these sluts get AT AN EARLY AGE ... [if] you were allowed to beat your wife we wouldn't be dealing with this crap."

The Counter Feminist

Its tagline probably won't be set to music any time soon, but it does capture the flavor of the site: "The female-supremacist hate movement called feminism must be opened to the disorienting sunlight of the world's gaze and held to a stern accounting for its grievous transgressions." Recent headlines, like December's "More Proof That Feminism is a Social Cancer," reflect the same sensibility. "Fidelbogen," the otherwise unidentified Washington state man who operates the blog, also runs the False Rape Task Force and Women Doing Lousy Things blogs and is heavily involved in the Counter-Feminist YouTube Channel.

The False Rape Society

The False Rape Society is an Internet news aggregator, subtitled "Community of the Falsely Accused," that features stories about allegedly false rape accusations and "feminist"-crafted "anti-male" legislation. While the site focuses heavily on news stories about false rape allegations, it frequently veers into such posts as the New Year's Day item attacking a female supporter of then-presidential aspirant Michelle Bachmann for telling a reporter, "It takes a woman to get things done."

In Main Fide

This blog, whose name translates from the Latin as "In Bad Faith," describes itself in its mission statement as "[a]n online magazine dedicated to publishing heretical and unpopular ideas. Ideas that polite society considers 'racist,' 'misogynistic,' 'homophobic,' 'bigoted' or other slurs used to shut down critical thinking and maintain the web of delusions that keep our world broken and dying." The unifying idea is this: "Feminism is a hate movement designed to disenfranchise and dehumanize men." The site carries ads for such offerings as the HardKnight "male enhancement system," PolishLasses ("Over 5,000 ... candid photos"), and the racist 1922 classic *The Revolt Against Civilization* by Lothrop Stoddard.

MarkyMark's Thoughts

Run by a New Jersey Tea Partier with a financially underwater house and a chronic medical condition, MarkyMark's blog is filled with edifying thoughts like "Even Nice Girls are Sluts." His blog is not without pathos, however; to say the least, his is not a happy existence. "Go I go through life

- Browse all issues
- Subscribe to the Intelligence Report
- Law Enforcement Resources
- Donate

and all its trials and tribulations alone? Do I go through them with a nagging, selfish bitch who won't help me anyway? ... Or, do I go through them alone, divorced, and poor?" But mostly, this blog is just plain nasty. "Boys," a January posting urges Marky Mark's readers, "don't get involved in American women; they're sluts, skanks, and disease ridden whores."

MensActivism

This website tracks news and information about men's issues from around the world, with a focus on activism — and outrage. Par for the course are lurid headlines like this one: "Pakistani wife kills, cooks husband for lusting over daughter." The site also runs stories like the one it headlines "Australia: Girl, 13, charged after taxi knife attack" that invoke no abuse accusations, but are merely meant to undermine what the site claims is "the myth that women are less violent than men."

Reddit: Mens Rights

A "subreddit" of the user-generated news site Reddit, this forum describes itself as a "place for people who feel that men are currently being disadvantaged by society." While it presents itself as a home for men seeking equality, it is notable for the anger it shows toward any program designed to help women. It also trafficks in various conspiracy theories. "Klous2you," identified as a site moderator, writes that there is "undeniable proof" of an international feminist conspiracy involving the United Nations, the Obama Administration and others, aimed at demonizing men.

RooshV

Roosh Vorek is a Maryland-raised PUA ("pick up artist") whose specialty is sex with foreign women; his blog is a sales vehicle for his books like *Bang: The Pick Up Bible* and *Bang Iceland: How to Sleep With Icelandic Women in Iceland*, which one Icelandic feminist group described as a "rape guide." Vorek likes to talk about his many "notches" (seductions) and such things as "American curts who I want to hate fuck." He adds, "I'll be the first to admit that many of my bangs in the United States were hate fucks. The masculine attitude and lack of care these women put into their style or hair irritated me, so I made it a point to fuck them and never call again."

SAVE Services

The acronym in SAVE Services stands for Stop Abusive and Violent Environments; "Protecting Victims, Stopping False Allegations, Ending Abuse" is its tagline. In practice, that means lobbying to roll back services for victims of domestic abuse and penalties for their tormentors, while working to return the focus to the "true victims of abuse" — the falsely accused. The site trumpets as a "key fact" that "[f]emale initiation of partner violence is the leading reason for the woman becoming a victim of subsequent violence," even though a study shows that approximately twice as many women as men are injured during incidents of domestic violence.

The Spearhead

The Spearhead is an online magazine that features a range of "voices in defense of ourselves, our families and our fellow men." One post calls the recently released American version of the movie thriller *The Girl With the Dragon Tattoo* "hate porn for feminists" and describes its strong female lead as "like a kind of dyke junkie." Another post includes this fairly typical summation: "I have said it before, and I will say it again: I don't hate women. I just hate what they do to men."

A Voice for Men

A Voice for Men is essentially a mouthpiece for its editor, Paul Elam, who proposes to "expose misandry [hatred of men] on all levels in our culture." Elam tosses down the gauntlet in his mission statement: "AVM regards feminists, manginas [a derisive term for weak men], white knights [a similar derisive term, for males who identify as feminists] and other agents of misandry as a social malignancy. We do not consider them well intentioned or honest agents for their purported goals and extend to them no more courtesy or consideration than we would clansmen [sic], skinheads, neo Nazis or other purveyors of hate." Register-Her.com, an affiliated website that vilifies women by name who have made supposedly false rape allegations (among other crimes against masculinity), is one of Elam's signature "anti-hate" efforts. "Why are these women not in prison?" the site asks.

Who We Are

Our History
Board of Directors
Source Program Staff
Financial Information

What We Do

Children at Risk
Hate and Extremism
Immigrant Justice
LGBT Rights
Teaching Tolerance

Get Informed

News
Case Studies
Teaching Tolerance Blog
Hate Watch Blog
Hate Map
Webinars & Files
Webinar Report
Hate Incidents
Publications

Get Involved

Donate Now
Friends of the Center
Share Strong Blog
Donate Resources
Other Ways to Give
Shop
Your Community
Subscribe to E-news

Contact

Contact Us
Privacy Policy
Careers



New York State Division of Human Rights Complaint Form

CONTACT INFORMATION

My contact information:

Name: Roy Den Hollander
 Address: 545 East 14th Apt or Floor #: 10D
 City: NY State: NY Zip: 10009

REGULATED AREAS

I believe I was discriminated against in the area of:

- | | | |
|--|--|--|
| <input type="checkbox"/> Employment | <input type="checkbox"/> Education | <input type="checkbox"/> Volunteer firefighting |
| <input type="checkbox"/> Apprentice Training | <input type="checkbox"/> Boycotting/Blacklisting | <input type="checkbox"/> Credit |
| <input checked="" type="checkbox"/> Public Accommodations
(Restaurants, stores, hotels, movie
theaters, amusement parks, etc.) | <input type="checkbox"/> Housing | <input type="checkbox"/> Labor Union, Employment
Agencies |
| | <input type="checkbox"/> Commercial Space | |

I am filing a complaint against:

Company or Other Name: Amnesia TV LLC
 Address: 609 W 29th
 City: NY State: NY Zip: 10001
 Telephone Number: 212 725 1025
(area code)

Individual people who discriminated against me:

Name: David Name: _____
 Title: Door monitor Title: _____

DATE OF DISCRIMINATION

The most recent act of discrimination happened on: 1 9 10
month day year

BASIS OF DISCRIMINATION

Please tell us why you were discriminated against by checking one or more of the boxes below.



You do not need to provide information for every type of discrimination on this list. Before you check a box, make sure you are checking it only if you believe it was a reason for the discrimination. Please look at the list on Page 1 for an explanation of each type of discrimination.

Please note: Some types of discrimination on this list do not apply to all of the regulated areas listed on Page 3. (For example, Conviction Record applies only to Employment and Credit complaints, and Familial Status is a basis only in Housing and Credit complaints). These exceptions are listed next to the types of discrimination below.

I believe I was discriminated against because of my:

<input type="checkbox"/> Age (Does not apply to Public Accommodations) Date of Birth:	<input type="checkbox"/> Genetic Predisposition (Employment only) Please specify:
<input type="checkbox"/> Arrest Record (Only for Employment, Licensing, and Credit) Please specify:	<input type="checkbox"/> Marital Status Please specify:
<input type="checkbox"/> Conviction Record (Employment and Credit only) Please specify:	<input type="checkbox"/> Military Status: Please specify:
<input type="checkbox"/> Creed / Religion Please specify:	<input type="checkbox"/> National Origin Please specify:
<input type="checkbox"/> Disability Please specify:	<input type="checkbox"/> Race/Color or Ethnicity Please specify:
<input type="checkbox"/> Domestic Violence Victim Status: (Employment only) Please specify:	<input checked="" type="checkbox"/> Sex Please specify: <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Familial Status (Housing and Credit only) Please specify:	<input type="checkbox"/> Sexual Orientation Please specify:
<input type="checkbox"/> Retaliation Please specify:	



Before you turn to the next page, please check this list to make sure that you provided information only for the type of discrimination that relates to your complaint.

DESCRIPTION OF DISCRIMINATION - for all complaints (Public Accommodation, Employment, Education, Housing, and all other regulated areas listed on Page 3)

Please tell us more about each act of discrimination that you provided information about on Pages 3 and 4. Please include dates, names of people involved, and explain why you think it was discriminatory. PLEASE TYPE OR PRINT CLEARLY.

On Saturday, January 9, 2010, at approximately 11:05 PM, a friend and I, both males, tried to enter the nightclub called Amnesia but were refused admittance unless we bought a bottle for \$350.

We had been standing in a line with two ladies in front of us. The ladies were allowed to enter without agreeing to purchase a bottle inside for \$350. We, however, were told by an individual named David that to enter the club, we would have to buy a bottle inside for \$350. We declined, and he told us to step out of the line, which we did. We stood on the side of the line as a couple of groups of ladies entered without having to agree to buy a bottle for \$350.

NOTARIZATION OF THE COMPLAINT

Based on the information contained in this form, I charge the above-named Respondent with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

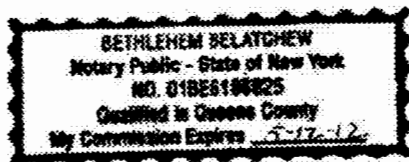
By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment), or filing my housing/credit complaint with HUD under Title VIII of the Federal Fair Housing Act, as amended (covers acts of discrimination in housing), as applicable. This complaint will protect your rights under Federal Law.

I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law and/or to accept this complaint on behalf of the U.S. Department of Housing and Urban Development for review and additional filing by them, subject to the statutory limitations contained in the aforementioned law.


I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice.

I swear under penalty of perjury that I am the complainant herein; that I have read (or have had read to me) the foregoing complaint and know the contents of this complaint; and that the foregoing is true and correct, based on my current knowledge, information, and belief.


Sign your full legal name



Subscribed and sworn before me
This 10 day of January, 2010


Signature of Notary Public

County: Queens Commission expires: 5-12-12

Please note: Once this form is notarized and returned to the Division, it becomes a legal document and an official complaint with the Division of Human rights. After the Division accepts your complaint, this form will be sent to the company or person(s) whom you are accusing of discrimination.



NEW YORK STATE
DIVISION OF HUMAN RIGHTS
20 EXCHANGE PLACE, 2ND FLOOR
NEW YORK, NEW YORK 10005

(212) 480-2522
Fax: (212) 480-0143
www.dhr.state.ny.us

DAVID A. PATERSON
GOVERNOR

GALEN D. KIRKLAND
COMMISSIONER

INFORMATION FOR COMPLAINANTS
CONCERNING COMPLAINT PROCEDURES OF
NEW YORK STATE DIVISION OF HUMAN RIGHTS

The New York State Division of Human Rights is a State agency mandated to receive, investigate and resolve complaints of discrimination under N.Y. Executive Law, Article 15 ("Human Rights Law"). The Division's role is to fairly and thoroughly investigate the allegations in light of all evidence gathered.

YOUR RIGHTS AND RESPONSIBILITIES AS A COMPLAINANT

You have a right to obtain a private attorney at any time, but you are not required to do so.

- If you experience any further conduct by the Respondent that you believe is discriminatory, or is in retaliation for filing your complaint, you should immediately report it to the Division of Human Rights.
- You must notify the Division of any change in your address or telephone number. If the Division cannot contact you, we may not be able to proceed with your case. Inability to locate you will result in the eventual administrative dismissal of your case.

Your complaint may voluntarily be withdrawn in writing by you at any time. The withdrawal form must be signed by you or your attorney (original or fax will be accepted). A withdrawal form may be obtained from the Division.

- Conciliation or settlement is possible at all points in the proceeding, and the Division may provide assistance with conciliation or settlement at the request of any party.
- You, or your attorney, may review the Division's file in this matter, and may copy by hand any material in the file, or obtain photocopies at a nominal charge. The Respondent in this matter has the same right to review the file.

WHAT IS THE INVESTIGATIVE PROCEDURE?

The Division represents neither the Complainant nor the Respondent. The Division pursues the State's interest in the proper resolution of the matter in accordance with the Human Rights Law.

Upon receipt of a complaint, the regional office will:

- Notify the Respondent(s). (A Respondent is a person or entity about whose action the Complainant complains.)
- Resolve issues of questionable jurisdiction.

INFORMATION FOR COMPLAINANTS
CONCERNING COMPLAINT PROCEDURES OF THE NYS DIVISION OF HUMAN RIGHTS
Page 2

- Forward a copy of the complaint to the U.S. Equal Employment Opportunity Commission (EEOC) or the U.S. Department of Housing and Urban Development (HUD), where applicable. Such federal filing creates a complaint separate and apart from the complaint filed with the Division, and protects your rights under federal law, although in most cases only one investigation is conducted pursuant to work-sharing agreements with these federal agencies.
- Investigate the complaint through appropriate methods (written inquiry, field investigation, witness interviews, requests for documents, investigatory conference, etc.), in the discretion of the Regional Director. The investigation of the complaint is to be objective.
- Allow the parties to settle the matter by reaching agreement on terms acceptable to the Complainant, Respondent and the Division. The Division will allow settlement from the time of filing until the matter reaches a final resolution.
- Determine whether or not there is probable cause to believe that an act of discrimination has occurred, if the matter cannot be settled prior to that Determination. The Division will notify the Complainant and Respondent in writing of the Determination.

WHAT IS THE DIVISION'S POLICY ON ADJOURNMENTS AND EXTENSIONS?

It is the Division's policy to investigate all cases promptly and expeditiously. Therefore, you are expected to cooperate with the investigation fully and promptly. No deadlines will be extended at any time during the investigation, unless good cause is shown in a written application submitted at least five (5) calendar days prior to the original deadline.

WHAT IS THE PROCEDURE FOLLOWING THE INVESTIGATION?

If there is a Determination of no probable cause, lack of jurisdiction, or any other type of dismissal of the case, the Complainant may appeal to the State Supreme Court within 60 days.

If the Determination is one of probable cause, there is no appeal to court. The case then proceeds to public hearing before an Administrative Law Judge. Under Rule 465.20 (9 N.Y.C.R.R. § 465.20), the Respondent may ask the Commissioner of Human Rights within 60 days of the finding of probable cause to review the finding of probable cause.

WHAT IS A PUBLIC HEARING?

A public hearing, pursuant to the Human Rights Law, is a trial-like proceeding at which relevant evidence is placed in the hearing record. It is a hearing de novo, which means that the Commissioner's final decision on the case is based solely on the content of the hearing record. The public hearing is presided over by an Administrative Law Judge, and a verbatim transcript is made of the proceedings.

The hearing may last one or more days, not always consecutive. Parties are notified of all hearing sessions in advance, and the case may be adjourned to a later date only for good cause.

The Complainant can retain private counsel for the hearing, but is not required to do so. If Complainant is not represented by private counsel, the Division's counsel prosecutes the case in support of the complaint. Respondent can retain private counsel for the hearing, and, if Respondent is a corporation, is required to be represented by legal counsel. Attorneys for the parties or for the Division may issue subpoenas for documents and to compel the presence of witnesses.

INFORMATION FOR COMPLAINANTS
CONCERNING COMPLAINT PROCEDURES OF THE NYS DIVISION OF HUMAN RIGHTS

Page 3

At the conclusion of the hearing sessions, a proposed Order is prepared by the Administrative Law Judge and is sent to the parties for comment.

A final Order is issued by the Commissioner. The Commissioner either dismisses the complaint or finds discrimination. If discrimination is found, Respondent will be ordered to cease and desist and take appropriate action, such as reinstatement, training of staff, or provision of reasonable accommodation of disability. The Division may award money damages to Complainant, including back pay and compensatory damages for mental pain and suffering, and in the case of housing discrimination, punitive damages, attorney's fees and civil fines and penalties. A Commissioner's Order may be appealed by either party to the State Supreme Court within 60 days. Orders after hearing are transferred by the lower court to the Appellate Division for review.

WHAT IS A COMPLIANCE INVESTIGATION?

The compliance investigation unit verifies whether the Respondent has complied with the provisions of the Commissioner's Order. If the Respondent has not complied, enforcement proceedings in court may be brought by the Division.

NOTICE PURSUANT TO PERSONAL PRIVACY PROTECTION LAW

Pursuant to the Human Rights Law, the Division collects certain personal information from individuals filing complaints and from those against whom a complaint has been filed. The information is necessary to conduct a proper investigation; failure to provide such information could impair the Division's ability to properly investigate the matter. This information is maintained in a computerized Case Management System maintained by the Division's Director of Information Technology, who is located at One Fordham Plaza, Bronx, New York, (718) 741-8365.

GENERAL INFORMATION

For a more detailed explanation of the process, see the Division's Rules of Practice (9 N.Y.C.R.R. § 465) available on our website www.dhr.state.ny.us. If you have any additional questions about the process, the investigator assigned to the case will be available to answer most questions.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

-----X
MARK GRIMALDI,

Plaintiff,

DECISION & ORDER

Index No. 6909/2012

- against -

TRANG HO, INVESTOR'S BUSINESS DAILY, INC., JASON
ZWEIG, and DOW JONES & COMPANY, INC. d/b/a THE WALL
STREET JOURNAL,

Defendants.
-----X

Defendants Trang Ho and Investor's Business Daily, Inc. move for an order dismissing the action, pursuant to CPLR 3211, on the ground that the amended complaint fails to state a cause of action under New York State Law. Defendants Jason Zweig and Dow Jones & Company, Inc. d/b/a *The Wall Street Journal* likewise move for an order dismissing the action, pursuant to CPLR 3211, on the ground that the amended complaint fails to state a cause of action under New York State Law.

The following papers were read:

Notice of Motion to Dismiss by Defendants Ho and Investor's Business Daily, Inc. -- Affirmation of David M. Marcus, Esq. -- Annexed Exhibits and Memorandum of Law

Affidavit in Opposition of Mark Grimaldi, Esq. to Defendants Ho and Investor's Business Daily, Inc.'s Motion -- Annexed Exhibits and Memorandum of Law

Notice of Motion to Dismiss by Defendants Jason Zweig and Dow Jones & Co. d/b/a *The Wall Street Journal* -- Affidavit of Katherine M. Bolger, Esq. -- Annexed Exhibits and Memorandum of Law

Affidavit of Jason Zweig -- Annexed Exhibits

Defendants Trang Ho and Investor's Business Daily, Inc.'s Reply Memorandum

received
9-6-13

Exhibit F



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FedEx® Tracking

776762385259

Ship date:

Fri 7/15/2016

NEW YORK, NY US

**Delivered***Signature not required*

Actual delivery:

Mon 7/18/2016 8:58 am

NEW YORK, NY US

Travel History

Date/Time	Activity	Location
7/18/2016 - Monday		
8:58 am	Delivered	NEW YORK, NY
	Left at front door. Package delivered to recipient address - delivery authorized.	
7:16 am	On FedEx vehicle for delivery	NEW YORK, NY
6:28 am	At local FedEx facility	NEW YORK, NY
7/16/2016 - Saturday		
7:30 am	Departed FedEx location	NEWARK, NJ
12:42 am	Arrived at FedEx location	NEWARK, NJ
7/15/2016 - Friday		
11:35 am	Left FedEx origin facility	NEW YORK, NY
8:14 pm	Picked up	NEW YORK, NY
2:40 pm	Picked up	NEW YORK, NY
	Tendered to FedEx Office	
1:15 pm	Shipment information sent to FedEx	

Shipment Facts

Tracking number	776762385259	Service	FedEx Priority Overnight
Weight	2 lbs / 0.91 kgs	Delivered To	Residence
Total pieces	1	Total shipment weight	2 lbs / 0.91 kgs
Terms	Shipper	Department number	KB (JC)
Packaging	FedEx Pak	Special handling	Delivery Weekday Residential Delivery
Standard transit	7/18/2016 by 10:30 am		



Search or tracking number

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Small Business Center
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Developer Resources Center
FedEx Ship Manager Software
FedEx Mobile

Companies

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FedEx Ground
FedEx Office
FedEx Freight
FedEx Custom Critical
FedEx Trade Network
FedEx CrossBorder
FedEx SupplyChain

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support
assistant

Exhibit G

ORIGIN ID: NYCA (212) 850-6119
KATHERINE BOLGER, ESQ.
LEVINE SULLIVAN KOCH & SCHULZ
321 WEST 44TH STREET
SUITE 1000
NEW YORK, NY 10036
UNITED STATES US

SHIP DATE: 15 JUL 16
ACTWGT: 1.00 LB
CAD: 3518882/NET3730

BILL SENDER

TO ROY DEN HOLLANDER

545 EAST 14TH STREET, 10D

NEW YORK NY 10009

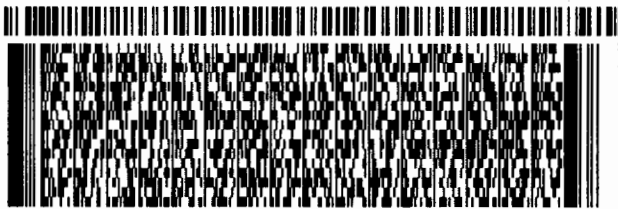
(917) 687-0652

REF:

INV:

PO:

DEPT: KB (JC)



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Express



J1616162661ur

540J115C8D1727F

MON - 18, JUL 10:30A
PRIORITY OVERNIGHT

TRK# 7767 6238 5259
0201

E3 WTCA

10009
NY-US EWR

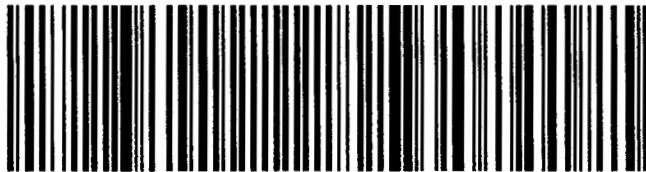


Exhibit H



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Create a Shipment

1. Enter shipping information 2. Print label(s)

Contact your administrator

* Denotes required field.

Preferences: [Clear all fields](#)

1. From

Help

Edit

Roy Hollander, 545 East 14 St, 167, New York, New York, 10009, United States

2. To

Help

Hide

Country/Location: **United States**
 Company: **Select or enter**
 Contact name: **Roy Hollander**
 Address 1: **545 East 14 St**
 Address 2:
 ZIP: **10009**
 City: **NEW YORK CITY**
 State: **New York**
 Phone no.: **9176870652** ext.

[Perform detailed address check](#)

- ☐ This is a residential address
- ☐ Save new recipient in address book

4. Billing Details

Help

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Bill transportation to: **My Account - 030-030**

[Update the credit card tied to my account](#)

Your reference:

[More reference fields](#)

[Add an account](#)

Special Services (optional)

Help

Edit

Select additional services for your shipment.

Pickup/Drop-off (optional)

Help

Edit

You are dropping off your package at a FedEx location.

Shipment Notifications (optional)

Help

Edit

Send an email to yourself, the recipient or others indicating the status of your shipment.

Rates & Transit Times (optional)

Help

Edit

View your rates and transit times based on your selections.

3. Package & Shipment Details

Help

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Ship date: **07/22/2016**
 No. of packages: **1**
 Pricing option: ☒ FedEx Standard Rate ☐ FedEx One Rate
 Weight: **2** lbs
 Declared Value: **0** U.S. Dollars
 Service type: **Priority Overnight**
 Package type: **FedEx Pak**
☒ Saturday delivery
☐ Include a return label

5. Complete your Shipment

Help

☒ Create a Shipment Profile to store recipient, package and all other details of this shipment for future use.

[Send a Mobile Shipping Label](#)

Save for later [Cancel](#)

Please note:

- Click the Ship button only once. Repeat action delay due to transmission time. Do not click Ship or Release to ship more than one shipment transaction to occur.
 - By clicking the Ship/Confirm button, you agree to the [FedEx Ship Manager at fedex.com Terms of Use](#) and the FedEx terms of shipping in the applicable [FedEx Service Guide](#) and the [Shipper's Terms and Conditions for FedEx Express International Shipments](#).
 - By clicking the Ship/Confirm button, you agree that this shipment does not contain undeclared dangerous goods. If you are uncertain of whether your shipment contains Dangerous Goods, see the [Help](#) for more information.
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- While weighing your package is not required for FedEx One Rate pricing, to qualify, FedEx Envelopes must weigh 1/4 lb or less and FedEx Paks and Boxes must weigh 50 lbs or less. If your package exceeds these weight limits, it will be calculated on FedEx Standard Rate Pricing. FedEx Retail Rates as applicable. Please refer to the specific packaging for recommended weight limits.



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 ROY HOLLANDER
 545 EAST 14 ST, 10D
 NEW YORK, NY 10009
 UNITED STATES US

SHIP DATE: 22JUL16
 ACTWGT: 2.00 LB
 CAD: 104601469/NET3790

BILL SENDER

TO ROY HOLLANDER

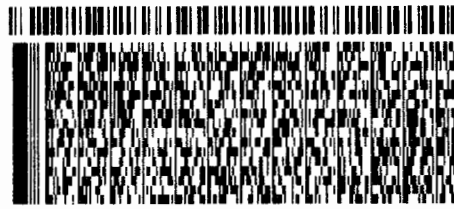
545 EAST 14 TH ST

NEW YORK CITY NY 10009

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 PO

REF

DEPT:



JED2016071609100

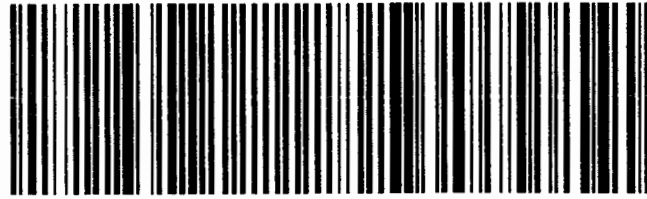
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3. Place the label in shipping pouch and affix it to your shipment so that the barcode portion of the label is on the front and bottomed.

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1. Enter shipping information 2. Print label(s)

Contact your administrator

* Denotes required field.

[Preferences](#) | [Clear all fields](#)

1. From

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Roy Hollander, 545 East 14 St, 100, New York, New York, 10009, United States

2. To

[Help](#)[Hide](#)

Country/location: **United States**

Company: **Select or enter**

Contact name: **Roy Hollander**

Address 1: **545 East 14 St, 100**

Address 2:

ZIP: **10009**

City: **NEW YORK CITY**

State: **New York**

Phone no: **9176870652** ext.

[Perform detailed address check](#)☒ This is a residential address☐ Save new recipient in address book

4. Billing Details

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Select additional services for your shipment.

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You are dropping off your package at a FedEx location.

Shipment Notifications (optional)

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Send an email to yourself, the recipient or others indicating the status of your shipment.

Rates & Transit Times (optional)

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View your rates and transit times based on your selections.

3. Package & Shipment Details

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Ship date: **07/22/2016**

No. of packages: **1**

Pricing option: ☒ FedEx Standard Rate
☐ FedEx One Rate

Weight: **2** lbs

Declared Value: **0** U.S. Dollars

Service type: **Priority Overnight**

Package type: **FedEx Envelope**

☐ Saturday delivery

☐ Include a return label

5. Complete your Shipment

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- By clicking the Ship/Cancel button, you agree that this shipment does not contain undeclared Dangerous Goods. If you are uncertain of whether your shipment contains Dangerous Goods, see the [Help](#) for more information.
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- If the delivery address is later identified as residential, you could receive a residential surcharge.
- While weighing your package is not required for FedEx One Rate pricing, to qualify, FedEx Envelopes must weigh 10 lbs. or less and FedEx Paks and Boxes must weigh 50 lbs. or less. If your package exceeds these weight limits, it will be rated based on FedEx Standard Rate. Prices for FedEx Standard Rate are applicable. Please refer to the specific packaging for recommended weight limits.

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 UNITED STATES US

SHIP DATE: 22JUL16
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 CAD: 104601469/INET3790
 BILL SENDER

TO ROY HOLLANDER

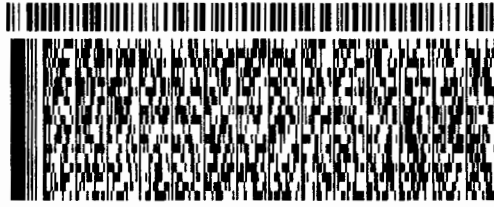
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NEW YORK CITY NY 10009

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 PO:

REF

DEPT:

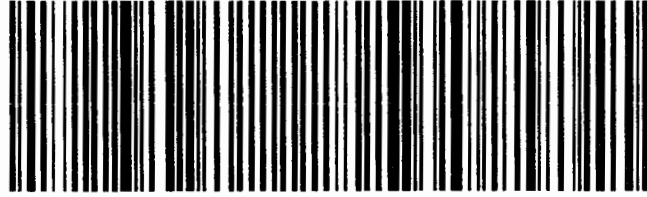


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