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**DISTRICT COURT
CLARK COUNTY, NEVADA**

SHANNON RUTH, an individual,

Plaintiff,

vs.

Case No.: A-22-862259-C
Dept. No.: 25

NICKOLAS CARTER, an individual; DOES
1 through 10, inclusive; and ROE
CORPORATIONS 11-20, inclusive,

Defendants.

**NICKOLAS CARTER'S
COUNTERCLAIM**

NICKOLAS CARTER, an individual,

Counterclaimant,

vs.

**REQUEST FOR TRANSFER TO
BUSINESS COURT – EDCR 1.61(a)(2)(ii)
(Matter Involving Business Torts)**

SHANNON RUTH, an individual; MELISSA
SCHUMAN HENSCHEL, an individual;
JEROME SCHUMAN, an individual; DOE
@ELAINEMOO TWITTER ACCOUNT
HOLDER, an unknown individual; DOES

**ARBITRATION EXEMPTION
CLAIMED
(Value in Excess of \$50,000 and Business
Court Matter)**

1 1 through 10, inclusive; and ROE
2 CORPORATIONS 11-20, inclusive,
3 Counter-Defendants.

4 **NICKOLAS CARTER’S COUNTERCLAIM**

5 Defendant/Counterclaimant Nickolas Carter, by and through the law firm of Hayes
6 Wakayama Juan, hereby asserts the following Counterclaim against Counter-Defendant Shannon
7 Ruth and, pursuant to Rules 13(h) and 20(a)(2), the following Counterclaim against Counter-
8 Defendants Melissa Schuman Henschel, Doe @ElaineMoo Twitter Account Holder, and Jerome
9 Schuman as follows.

10 **NATURE OF THE ACTION**

11 1. In an important development in recent American history, the #MeToo movement
12 was born and rightfully created a platform for victims of abuse. Unfortunately, some people chose
13 to take advantage of that platform. Those individuals felt that *any* voice and *any* accusation, right
14 or wrong, would carry the day because the world was finally listening to accusers. So, in
15 furtherance of their own agenda, these opportunists set out to thrust themselves into the spotlight
16 and destroy innocent lives. Counter-Defendants are such opportunists and Nickolas Carter
17 (“Carter”) is one of those innocent lives. But Carter will not allow himself to be smeared in this
18 way. **Protecting one’s reputation and name by calling a liar a liar is *not* victim blaming or**
19 **bullying. It is simply telling the truth.**

20 2. Counter-Defendant Shannon Ruth’s (“Ruth”) lawsuit is the culmination of an
21 approximate five-year conspiracy orchestrated by Counter-Defendants to harass, defame and
22 extort Carter. The campaign was launched and bolstered by the #MeToo movement, beginning at
23 its dawn, when Counter-Defendant Melissa Schuman Henschel (“Schuman”) posted a salacious
24 blog entry in November 2017, falsely asserting that she had been sexually assaulted by Carter in
25 2003. After attacking Carter, Schuman and her father, Counter-Defendant Jerome Schuman
26 (“Jerome”), were all too eager to welcome a groveling Ruth into their scheme. Ruth was a
27 vulnerable and highly impressionable individual, craving attention and desperate to fit in.
28 Schuman and Jerome groomed and coached Ruth, *coaxing her to inflate her initial claim of being*

1 *abused at the hands of a third-party, to being physically abused at the specific hands of Carter,*
2 *and, finally, to being sexually assaulted by Carter.*¹

3 3. Although both Schuman and Ruth waited years and years to report their claims of
4 assault, when they finally reported their claims, thorough and independent investigations were
5 conducted into both cases – and both resulted in no charges being filed against Carter.² Similarly,
6 both Schuman and Ruth previously attempted to extort money from Carter through civil attorneys,
7 who, upon being presented with the evidence, reexamined their clients’ allegations and promptly
8 abandoned their pursuit of a financial windfall. Carter made no offers to settle and refused to
9 negotiate anything with Schuman or Ruth, not even when they specifically solicited a “low-ball
10 offer.” Thereafter, Schuman, Ruth, and Jerome snowballed their defamatory campaign into
11 accusing Carter and others of participating in “*cover ups*” and “*victim bullying*.”

12 4. While pursuing an ill-gotten windfall, Schuman and Jerome didn’t just prey on
13 Ruth. With Ruth under their fold, the Schumans turned their sights to another vulnerable
14 individual: Carter’s unstable and volatile younger brother, Aaron Carter (“Aaron”). The
15 Schumans’ timing couldn’t have been better since, at the time, Aaron was addicted to drugs,
16 battling serious mental health issues, and engaged in a misguided campaign of retaliation against
17 Carter and other members of his family who were worried about Aaron and pushing him to seek
18 professional help. Schuman, Jerome, and Ruth exploited Aaron’s fragile condition and family
19 stresses to cloak their defamatory campaign with credibility, relentlessly and repeatedly using
20 Aaron to try to legitimize their frivolous tales. Eventually Aaron realized he was being used and
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23 ¹ Prior to being coached and manipulated by the Schumans, Ruth had admitted in writing that Carter never
sexually assaulted her.

24 ² Schuman and her father disingenuously claimed to the public that Carter would have faced charges but
25 for the statute of limitations. Whether the applicable limitation period was ultimately considered or not,
26 Schuman and Jerome are acutely aware that a criminal investigation into the *merits* of Schuman’s claims
27 was performed by law enforcement and resulted in significant doubts about her credibility. Schuman and
28 Jerome conveniently leave this out of their narrative. Similarly, Ruth has omitted that an investigation was
performed in connection with her false claims, that law enforcement expressly advised her of the problems
her many inconsistencies created for her case, and that her claims were referred to the prosecutor’s office
who declined to file charges against Carter.

1 manipulated by Counter-Defendants, and, in the months leading up to his recent death, Aaron not
2 only apologized to Carter for his involvement in the Counter-Defendants’ smear campaign, but
3 publicly stated that Schuman and Ruth were liars. After reviewing the facts, Aaron was clear that
4 he believed that Schuman’s and Ruth’s claims of being sexually assaulted by Nick were false.³
5 Aaron also confirmed and exposed Counter-Defendants’ underlying conspiracy to defame and
6 extort Carter, stating “*Melissa Schuman . . . incited a plan with her father to use me and my*
7 *platform.*”

8 5. Notwithstanding Aaron’s unambiguous *mea culpa*, Counter-Defendants
9 disingenuously continue to feign “love” for Aaron and continue to use his *recanted* earlier
10 comments as a tool to garner attention and credibility for their ongoing farce. As long as it suited
11 their agenda, Counter-Defendants were content to prey on Aaron’s sickness without regard for the
12 consequences. Indeed, the same day Aaron passed away, rather than expressing sympathy,
13 remorse, or sadness for Aaron’s untimely death, Jerome callously – and tellingly – tweeted, “*I am*
14 *sad that the chess game we started together was never finished.*”

15 6. For years, Carter has been faced with the untenable options of either challenging
16 the false accusations against him in the public forum and being labeled a victim shamer, or ignoring
17 the false accusations and facing the stigmatizing backlash of remaining silent and allowing the
18 rumors to fester. Thus, although Ruth’s instant lawsuit is appallingly false and deeply damaging,
19 Carter is relieved to finally be able to defend himself and expose the truth behind Counter-
20 Defendants’ despicable lies. Through this action, Carter looks forward to vindicating himself and
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23 ³ In an October 26, 2022 Instagram Live video, Aaron stated, “I made a big apology to Nick by the way on
24 *No Jumper* for y’all to see. ***I do not believe at all any of these allegations about him being um, a rapist.***
25 I’ve done my research um, everybody involved, all the people I’m not even gonna say their names it not
26 even worth it but I’ve done my research.” Moreover, during a November 2, 2022 interview on the *No*
27 *Jumper* podcast, Aaron stated, “It’s all fake. But it’s all fake because unfortunately I tried to play God and
28 stand up for alleged rape victims of Nick. Okay? And to my brother, I would like to apologize and say, ‘I
love you and I’m sorry. Um, you know, I shouldn’t have done that . . .’” When the interviewer asked, “Do
you now think that those stories were not true by them?”, Aaron responded, “***I do not think they were true***
at all. I completely dismiss them completely.”

1 putting an end to Cross-Defendants’ malicious smear campaign and attempted shakedowns once
2 and for all.

3 **I. THE PARTIES**

4 7. Carter is and was at all times relevant herein, a resident of Clark County, Nevada.

5 8. Ruth is and was at all times relevant herein, a resident of Clark County, Nevada.

6 9. Schuman is and was at all times relevant herein, a resident of Clark County,
7 Nevada.

8 10. Upon information and belief, Jerome is and was at all times relevant herein, a
9 resident of Lee County, North Carolina. Jerome has been intricately involved in orchestrating,
10 executing, and perpetuating Schuman’s campaign to defame, disparage, and extort Carter.

11 11. Counter-Defendants’ various social media accounts, under the control of them and
12 a fringe group of duped followers, have ensured that Counter-Defendants’ fabricated and
13 defamatory accusations about Carter have remained a constant *and echoed* narrative in mainstream
14 social media. Counter-Defendants conspired to defame and harass Carter and to interfere with
15 Carter’s personal and professional relationships and career in an effort to secure fame and, above
16 all, extort money from Carter. After the campaign and conspiracy was initiated by Schuman and
17 Jerome, they groomed and coached Ruth to further their objectives and, ultimately, to fabricate the
18 tale outlined in Ruth’s Complaint in this matter.

19 12. Counter-Defendant DOE @ELAINEMOO ACCOUNT HOLDER (“Olay”) is an
20 unknown individual who owns and controls a Twitter account that is used by Schuman, Jerome,
21 *and thereafter Ruth* as a “media dump” to disseminate their false, fabricated, defamatory and
22 menacing statements about Carter. Upon information and belief, Schuman, Jerome and/or Ruth
23 own and control the account.

24 13. The true names and capacities, whether individual, corporate, associate or
25 otherwise of Counter-Defendants named herein as DOE @ELAINEMOO ACCOUNT HOLDER,
26 DOES 1 through 10 and ROE CORPORATIONS 1 through 10 are unknown or not yet confirmed.
27 Said DOE and ROE CORPORATION Counter-Defendants, including DOE @ELAINEMOO
28 ACCOUNT HOLDER, are responsible for damages suffered by Carter and, therefore, Carter sues

1 said Counter-Defendants by such fictitious names. Carter will ask leave to amend this
2 Counterclaim to show the true names and capacities of each DOE and ROE CORPORATION
3 Counter-Defendant, including DOE @ELAINEMOO ACCOUNT HOLDER, at such time as the
4 same has been ascertained.

5 **II. JURISDICTION AND VENUE**

6 14. The Eighth Judicial District Court, Clark County, Nevada, has original jurisdiction
7 over this matter pursuant to Nev. Const. art. VI, § 6(1) as “[t]he District Courts . . . of this State
8 have original jurisdiction in all cases excluded by law from the original jurisdiction of justices’
9 courts.” This case is excluded by law from the original jurisdiction of the justices’ courts pursuant
10 to NRS 4.370 as the action is for damages for injury to the person for an amount in excess of
11 \$15,000.00.

12 15. Venue is proper in the Eighth Judicial District Court, Clark County, Nevada,
13 pursuant to NRS 13.040 because Counter-Defendants Ruth and Schuman resided in Clark County
14 at the time of the commencement of the action, and Counter-Defendant Jerome directed his
15 conduct at Carter knowing that Carter is and at all relevant times has been a resident of Clark
16 County.

17 **III. GENERAL ALLEGATIONS**

18 16. Carter is a singer, musician and member of the world-renowned music group
19 Backstreet Boys. The Backstreet Boys have a star on the Hollywood Walk of Fame, have sold
20 more than 100 million albums, and are the most popular/successful “boy band” in history. Carter
21 was and is an integral part of the band – and has become an American icon.

22 17. In addition to his music career, since 1998, Carter has maintained an ongoing acting
23 career in both television and movies. Carter has also starred in his own reality television series, *I*
24 *Heart Nick Carter*, was a judge on *Boy Band*, and was a contestant on both *Dancing with the Stars*
25 (2015 & 2016) and *The Masked Singer* (2020).

26 18. Carter’s reputation and image are crucial to his ability to market himself, sustain
27 his career, and earn a living for his family.

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1 19. Since November 2017, Carter has become the target of a small opportunistic group
2 of conspirators engaged in a harassing, defamatory and otherwise tortious campaign to ruin his
3 reputation for the purpose of advancing their own agendas. The effect of this group’s unlawful
4 conduct and continued harassment has taken an immense toll on Carter, his family, and his band,
5 both emotionally and financially. Carter and his family have received death threats, physical
6 threats, and have had to hire private security. From an economic standpoint, in the weeks
7 following the defamatory news conference held by Ruth and her attorneys on December 8, 2022,
8 Carter and the Backstreet Boys lost at least \$2,350,000 due to the cancellation of five promotional
9 events, contracts and/or endorsement deals with entities including ABC, “Good Morning
10 America,” MeUndies, VRBO and Roblox. Carter has sustained similar damages over the past
11 several years due to Counter-Defendants’ ongoing harassment.

12 20. Counter-Defendants and their cohorts have disgracefully attempted to exploit the
13 #MeToo movement in hopes of garnering credibility and momentum to advance their respective
14 agendas.

15 21. Although the “Me Too” phrase and movement were coined and founded in 2006,
16 the movement did not gain widespread attention until the #MeToo hashtag went viral in 2017.⁴

17 In early October 2017 #MeToo became an internet phenomenon, a ‘viral awareness
18 campaign that inspired millions of posts on Facebook and Twitter’ after dozens of
19 women spoke out against the sexual misconduct of Harvey Weinstein. *Hardwick
v. Indiana Bell Tel. Co., Inc.*, 2018 WL 4620252, at *15 (S.D. Ind. Sept. 26, 2018).

20 22. “[T]he #MeToo movement became a chorus bolstering the credibility of victims of
21 sexual assault and harassment.” *Elliott v. Donegan*, 469 F. Supp. 3d 40, 52 (E.D.N.Y. 2020).

22 23. Just as true victims of sexual assault have the right to seek justice and be heard, so
23 too do persons falsely accused of sexual assault have the right to due process of law and to defend
24 themselves by speaking the truth.

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27 ⁴ Anna Brown, *More Than Twice as Many Americans Support Than Oppose the #MeToo Movement*, Pew
28 Research Center (September 29, 2022), <https://www.pewresearch.org/social-trends/2022/09/29/more-than-twice-as-many-americans-support-than-oppose-the-metoo-movement/>.

1 **IV. COUNTER-DEFENDANTS' UNDERLYING CONSPIRACY**

2 **A. NATURE OF THE CONSPIRACY⁵**

3 24. The exploitive group referenced above is comprised of Ruth, Schuman, and Jerome.
4 While it is believed that Schuman and Jerome created a phony Twitter account under the name of
5 “Olay Elaine Mcintosh”⁶ for the purpose of laundering their defamatory narratives from an
6 anonymous and purportedly independent source, Carter will be amending his Counterclaim to add
7 the owner of this account, should the owner prove not to be Schuman, Jerome and/or Ruth.⁷

8 25. As outlined in greater detail below, Ruth, Schuman and Jerome engaged and
9 continue to engage in a conspiracy to defame and vilify Carter and otherwise ruin Carter’s
10 reputation for the purposes of garnering attention and fame and/or extorting money from Carter.
11 This conspiracy even led to Schuman and Ruth relocating cities to Las Vegas, Nevada for the
12 purpose of forum-shopping for this lawsuit.⁸ Public records reveal that Ruth moved to Las Vegas
13 on May 30, 2020 – the exact same day Schuman made a Facebook post that her family had also
14 relocated to Las Vegas.

15 26. To achieve their respective goals, Schuman and Jerome recruited Ruth, and the
16 three Counter-Defendants, in turn, used and exploited Aaron, a celebrity and sibling of Carter, to
17 attract attention and to attach unwarranted credibility to their claims.

18 27. The conspiracy was simple. Counter-Defendants agreed, both implicitly and
19 explicitly, to join efforts in harassing, publicly defaming and otherwise interfering with Carter’s

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21 ⁵ Whenever it is alleged throughout this Counterclaim that a particular Counter-Defendant published a
22 defamatory statement, picture or video, or published any combination of the same in conveying a
23 defamatory message, or did any act or thing intended to interfere with Carter’s economic opportunities,
24 advantages and/or contracts, it is meant that such Counter-Defendant made such statement or performed
such act with full authorization and ratification of all Counter-Defendants and that such statement was made
or such act performed on behalf of and/or in concert with the other Counter-Defendants and in furtherance
of their conspiracy.

25 ⁶ The Twitter handle for this account is “@ElaineMOO.”

26 ⁷ Carter has pled DOE and ROE additional potential co-conspirators and will seek leave from the Court to
27 amend this pleading to add such co-conspirators as the same are revealed in discovery.

28 ⁸ Carter moved to Las Vegas in 2017 in connection with the Backstreet Boys residency at Caesars Palace.

1 business opportunities and dealings for the purpose of extorting money from Carter, garnering
2 attention and fame, and/or keeping their names in the limelight. Even the most cursory review of
3 the group’s social media posts reveals their constant and concerted facilitation of a defamatory
4 campaign against Carter. Indeed, Counter-Defendants strategically used the @ElaineMOO
5 Twitter account to further disseminate their false narratives *from a source designed to appear*
6 *independent*. Through their posts, re-posts, tweets, retweets, likes, shares, phony social media
7 accounts, duped followers and other concerted acts, they have internationally spread and
8 perpetuated a series of lies designed to harm Carter’s reputation and ability to earn a living.

9 28. It was well known that in 2019 Carter was estranged from his troubled younger
10 brother Aaron. The conflict in Carter’s and Aaron’s relationship provided Counter-Defendants
11 with an angle to prey on Aaron. The group exploited Aaron as Aaron sought vengeance and
12 deflection; vengeance against Carter for what he perceived to be public slights while
13 simultaneously deflecting attention from his spiraling erratic behavior, drug addiction, and mental
14 health issues. Ruth sought attention, a sense of belonging, and anything else Schuman or her father
15 Jerome could groom her to seek. On the heels of a dormant music and acting career, Schuman
16 sought recognition, renewed attention/fame and, in her own words, to be “trending . . . and
17 influential . . . in order to get [her] career . . . back on track.” Finally, Jerome sought to support
18 his daughter’s campaign for recognition, fame for himself and, as a recidivist deadbeat, Carter’s
19 money.⁹

20 29. Upon information and belief, Schuman, Jerome and Ruth agreed to assist and
21 contribute to the campaign to defame and harass Carter in an effort to achieve those aims while
22 extorting whatever funds they could from Carter. Upon information and belief, the group agreed
23 and continues to agree to share in any settlement funds realized from their extortionate campaign.

24 30. At the heart and foundation of the conspiracy is the entirely false story that
25 Schuman was sexually assaulted by Carter. After Ruth reached out to “join” Schuman and
26 Jerome’s campaign, Ruth was welcomed into the Schumans’ nefarious fold and quickly persuaded

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28 ⁹ Jerome has had numerous State and Federal tax liens recorded against his name.

1 and coached into fabricating similar claims of sexual assault against Carter. These false
2 allegations, *blindly adopted by a group of followers, shielded from scrutiny by false protestations*
3 *of “victim bullying” and cloaked with the credibility of the #MeToo movement*, have been and
4 continue to be echoed and spread as the conspirators’ pursue their unlawful goals.

5 **B. RUTH, SCHUMAN AND JEROME**

6 **1. Shannon Ruth**

7 31. As Ruth’s many social media posts make clear, she was and is an impressionable
8 person in desperate need of attention and acceptance. Ruth’s habit of injecting herself into third-
9 party conversations, totally unsolicited, seeking permission to join in the discourse and connection,
10 highlights the ease with which Schuman and Jerome were able to groom her.

11 32. Indeed, Ruth’s own social media posts and numerous factual changes and
12 amendments to her police report demonstrate that her position has evolved from not being abused
13 by Carter at all, to being verbally bullied by him, to being verbally bullied and physically harmed
14 by him (bruise on arm), to being bullied (for being mentally challenged) and physically harmed by
15 him (bruise on wrist), to being *vaginally* sexually assaulted by him, to being *vaginally* and *orally*
16 sexually assaulted by him, and back to only being bullied by him.

17 33. Ruth’s ever-changing story is the product of her being groomed and coached by
18 Schuman and Jerome.

19 **2. Melissa Schuman**

20 34. Schuman was a member of the pop girl group, Dream. Dream was active from
21 approximately 1998 to 2003 and briefly reunited again in 2015.

22 35. In April 2002, Schuman announced she was leaving Dream to focus on her acting
23 career and a solo album. Schuman’s solo musical career lasted from approximately 2002 to
24 approximately 2010.

25 36. On January 28, 2008, Schuman revealed that she would be forming a new music
26 group and starring in a reality show to detail the new group's formation. In 2012, Schuman
27 confirmed that the new music group had disbanded and that the reality show had not been picked
28 up by any networks.

1 37. In May of 2015, the original members of Dream announced they were making a
2 comeback on social media. After briefly reuniting, on October 5, 2016, the group again split up
3 and announced that a new album would not be released.

4 38. With her career declining, in 2014, Schuman posted a video on YouTube entitled
5 **“I need to Become Important On the Internet.”** In the video, Schuman described her objective
6 as follows:

7 *I’m Melissa . . . I used to be in a girl group called Dream . . .*

8 *I need to become more socially like present . . . like you know . . . trending . . .*
9 *and influential . . . like on social media . . . Instagram . . . like I really need to get*
10 *. . . that’s one of the things I need to do in order to get my career like back on*
11 *track . . . is I need to like become . . . important on the internet . . . one of the*
12 *things that I have not been doing that I need to do . . . is I need to start taking more*
13 *selfies . . . I’m going to be like a trend setter like Justin Bieber . . . like Kim*
14 *Kardashian right now right? . . . Miley Cyrus . . . huh . . . yes . . . is it relevant . . .*
15 *I’m socially relevant . . .*

16 39. Schuman’s dwindling acting career came to an end in 2015 after her performance
17 in a movie entitled *Actress(es): A Web Series*. Prior to the foregoing film, she had not appeared in
18 any movie or television show since 2005; nor has she appeared in any since.

19 **3. Jerome Schuman**

20 40. Jerome has vigorously supported his daughter’s false accusations about Carter in
21 an effort to bolster Counter-Defendants’ campaign and achieve their malicious goals.

22 41. In addition to spreading Schuman’s and Ruth’s false stories, Jerome has also taken
23 on somewhat of a bodyguard and enforcer role for the conspiracy. Jerome’s messages, both
24 through his own accounts and phony social media aggregation accounts (such as @ElaineMOO),
25 have been aggressive, nasty, and, often, threatening.

26 42. Jerome has attacked Carter supporters and even individuals who have reserved
27 opinion in the absence of actual evidence as “sacks of shit,” “imbeciles” and “pitiful.” In a 2019
28 response to a tweet posted by a Carter supporter that called Jerome “old,” Jerome resorted to
threats, stating:

1 The fact NONE of you know who or what I am is a joke. Tragedy of Twitter, you
2 all think you're safe behind the monitor and keyboard. NEWS ALERT: You're
3 NOT.

4 43. Jerome's willingness to take on this role has enabled Schuman and Ruth to spread
5 their false narratives while simultaneously portraying themselves as bullied victims, a portrayal
6 Counter-Defendants have also used to attract support for their campaign.

7 **C. AARON CARTER**

8 44. Aaron was Nick Carter's younger brother. Like many brothers, Aaron and Nick
9 had a complicated relationship that unfolded in the public forum as covered by the media.

10 45. Aaron admired his older brother and followed in his footsteps by embarking on a
11 musical career at a young age, and although at times Aaron was competitive with or resentful of
12 Nick, their relationship was grounded in love and their bond as brothers unbreakable.

13 46. Aaron tragically died on November 5, 2022, at the age of 34. Prior to his untimely
14 death, Aaron had been diagnosed with multiple personality disorder, schizophrenia, acute anxiety
15 disorder and manic depression. To treat his conditions, Aaron had been prescribed and used
16 Xanax, Seroquel, Gapapentin, Hydroxyzine, Trazodone and Omazeprazole.

17 47. In the years leading up to his tragic death, Aaron was at times manic, at times
18 depressed, and at times suicidal.

19 48. His erratic behavior resulted in the authorities being summoned to his residences
20 on multiple occasions to perform "wellness checks."

21 49. To compound the problems caused by his mental health struggles, Aaron was an
22 admitted drug addict and was often under the influence of multiple drugs at the same time, both
23 prescription and recreational. Aaron's mental health issues and drug abuse often created conflict
24 and caused him to lash out against those closest to him, particularly Nick and his twin sister Angel
25 Carter ("Angel"). Cross-Defendants manipulatively exploited this conflict to pit Aaron against
26 Nick in an attempt to further their agenda.

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1. **The California Restraining Order Proceedings and Counter-Defendants’ Deceptive Exploitation of the Same.**

50. In 2019, Aaron began publicly threatening to harm his family members and confessed to Angel that he “*had thoughts of Killing Lauren (Carter’s wife) and babies.*”

51. This was alarming not only to Nick and his wife Lauren Carter (“Lauren”), but also to Angel and her husband, who had welcomed a baby girl into their family in January of 2019, and who had been allowing Aaron to stay at the house at times.

52. At the time Aaron acknowledged his violent thoughts to Angel, Aaron had also started stockpiling various assault rifles. Aaron even posted pictures and videos of himself online brandishing these weapons.

53. Carter and Lauren, who was pregnant at the time, became very concerned about Aaron’s behavior and threats. Carter also learned that at one point Aaron, who lived in California at the time, had been sitting in a parked car just minutes from Carter’s Las Vegas home.

54. Nick and Angel attempted to intervene and pleaded with Aaron to seek treatment for his mental health issues and drug abuse, but Aaron refused, and instead became enraged. Nick and Angel were left with no choice but to seek restraining/protective orders in both Los Angeles (for Angel and her family) and Las Vegas (for Nick and his family).

55. The California and Nevada restraining/protection order applications, and evidence submitted in support thereof, had absolutely nothing to do with Ruth, Schuman, Jerome or “silencing” their false narrative. The applications pertained solely to Aaron’s bizarre behavior and alarming threats to his own family.

56. Notwithstanding the purpose of the applications, and despite it being a private family matter, both Schuman and Jerome personally attended the restraining order hearing in Los Angeles on November 19, 2019.

57. Schuman and Jerome did not attend the hearing to support Aaron (an individual they purported to love and care about), but, rather, to inject themselves into the proceeding in the hopes of garnering exposure for Schuman’s false claims and to advance their unlawful smear campaign against Carter.

1 58. At the California hearing, Aaron asserted multiple defenses, including that the
2 purpose of both Angel’s and Nick’s restraining order applications was to “silence” his support of
3 Schuman’s ongoing campaign. Aaron testified on behalf of himself and brought Schuman to the
4 hearing to offer her as a witness as well. After a full day hearing which included testimony from
5 Angel and Aaron and arguments by their attorneys, the Court found that it did not need to hear any
6 testimony from Schuman, and issued the restraining order against Aaron to protect Angel and her
7 family.¹⁰

8 59. Aaron complained that the restraining order sought to silence him on social media;
9 however, the California court refuted Aaron’s posturing about being *silenced* in open court:

10 [AARON]: SILENCE ME. KEEP SILENCING ME.

11 THE COURT: **NO, IT DOESN’T SILENCE YOU.**

12 60. Immediately after the hearing and just outside the courthouse, Aaron and Schuman
13 posed for a picture together pretending to celebrate a ruling they had just spent an entire day
14 seeking to prevent. Aaron had lost and a restraining order had been entered against him, yet he
15 and Schuman were laughing and high-fiving each other outside the courthouse. Schuman,
16 immediately posted the picture online to conceal the true purpose and grounds for the restraining
17 order – all aimed to advance her agenda and publicize her false narrative.

18 61. The day after the California restraining order hearing, a hearing having zero to do
19 with Schuman or her false accusations about Carter, Schuman deceptively made the following post
20 on Twitter:

21 Witnesses weren’t questioned at the hearing yesterday. I wish we had because
22 **Nick’s RO was requested the day after Aaron and I went live talking about my**
23 **sexual assault.**

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27 ¹⁰ On November 20, 2019, the very next day, a Las Vegas judge extended a protection order against Aaron
28 to protect Carter and his family from Aaron. Neither Aaron nor his attorney attended the hearing in Las
Vegas.

1 62. Counter-Defendants, in turn, did whatever they could to spread the deceptive
2 narrative on social media. Ruth sent Jerome and Schuman the following deceptive and publicized
3 message: “[s]o proud of you all for telling your truth and standing your ground at court!”¹¹

4 63. Counter-Defendants thus preyed on Aaron, who was clearly struggling with mental
5 health issues and drug addiction, and exploited his troubling behavior (a private Carter family
6 matter) to advance their defamatory campaign against Carter.

7 **D. BACKGROUND OF THE CONSPIRACY**

8 64. Nearly 15 years after the alleged event, Schuman accused Carter of sexually
9 assaulting her in 2003.

10 65. Nearly 20 years after the alleged event, Ruth accused Carter of sexually assaulting
11 her in early 2001.

12 66. Schuman did not report or otherwise accuse Carter of sexual assault until the end
13 of 2017, while Ruth did not report or otherwise accuse Carter until 2020, just months after
14 Schuman and Jerome got hold of her.

15 67. The #MeToo movement exploded at the beginning of October 2017. It is not a
16 coincidence that Schuman chose to exploit that moment and first publicly accused Carter of
17 sexually assaulting her shortly thereafter.

18 68. Upon information and belief, Schuman and Ruth deliberately waited for the
19 applicable limitation periods to run so as to allow evidence to spoil, witnesses to die or disappear,
20 and memories to fade in an effort to evade any thorough investigation into their false claims.¹²

21 69. As the years progressed, Schuman’s career as a musician and actress faded, leaving
22 Schuman desperate for a lifeline to resurrect her career.

23 70. Ruth was never a famous musician, actress or influential internet persona. But she
24 was a highly impressionable individual, desperate for attention and validation.

25
26 ¹¹ Shannon Ruth (@Musiciansunshine), Twitter (Nov. 19, 2019, 4:44 PM).

27 ¹² Indeed, multiple *would-be* key witnesses that were present on the night that Ruth claims she was assaulted
28 have now passed away.

1 71. Prior to Schuman and Jerome taking her under their wing and grooming her, Ruth
2 would inject herself into social media discourse, pledge loyalty to a cause and thereafter seek to
3 connect directly with the person involved. Indeed, this is exactly how Ruth met Schuman and,
4 ultimately, Jerome and Aaron.

5 72. On September 21, 2019, Ruth sent the following tweet seeking to “join” Schuman’s
6 campaign against Carter:

7 @MelissaSchuman @aaroncarter Are you wanting all abuse victims¹³ to come
8 forward & join you? Or just Voldemorts [sic]¹⁴ victims? Either way, I support you.
9 Now that we are finally talking about it, it might encourage others to find their
voice! #MeToo

10 73. Ruth’s tweet on September 21, 2019, reveals that at the time of her first contact
11 with Schuman and Aaron, she was not claiming that Carter abused her, sexually or otherwise: “Are
12 you wanting *all abuse victims to come forward & join you? Or just [Carter’s] victims?*”

13 74. Her tweet also demonstrates her blind “support” of Schuman’s campaign, despite
14 the fact that she had no basis or grounds to believe a word Schuman said.

15 75. Three days later, on September 24, 2019, in an attempt at connecting with another
16 co-conspirator in the campaign against Carter, Ruth directly reached out to Jerome.

17 76. Ruth’s foregoing message was totally unsolicited. In fact, Jerome immediately
18 responded as follows:

19 What are you talking about? Who do you think I'm defending? I am Melissa's
20 father. What did I tweet out that you interpret otherwise? I am super curious.

21 77. Ruth maintained her adulating approach:

22 No, I [sic] saying the people defending Voldemort are defending the wrong person.
23 **I stand with you, @MelissaSchuman and @aaroncarter.**

24
25
26 ¹³ Upon information and belief, the perpetrator of the “abuse” Ruth referenced in her September 21, 2019
tweet was a different celebrity.

27 ¹⁴ “Voldemort,” the antagonist from the Harry Potter franchise, was a moniker that Aaron used to vilify
28 Carter in his social media posts. Aaron’s cohorts, such as Schuman *and thereafter Ruth*, adopted its use.

1 78. After her groveling explanation, Jerome changed his tone and rapidly attempted to
2 recruit her:

3 And we thank you for that support with all our hearts. Sorry for misunderstanding
4 your tweet We continue to hold @aaroncarter up in our prayers as a family.

5 79. Ruth quickly responded to Jerome’s message asking if she could send Jerome a
6 direct message: *“It’s OK. What I wrote was confusing. Can I send you a DM sometime?”*

7 80. Copying Schuman and Aaron, Jerome responded to Ruth as follows: *“You may .. I*
8 *just followed[.]”*

9 81. Upon information and belief, Schuman and Jerome then influenced, pressured, and
10 coached Ruth into claiming that she was a victim of Carter’s alleged abuse.

11 82. Shortly after her request to “join” Schuman and Aaron, *with Aaron on the phone*
12 *coaching her*, Ruth called the Tacoma Police Department in November of 2019 to falsely report
13 that Carter “bullied” her. Upon information and belief, *just like her second call to the Tacoma*
14 *police*, when Ruth *first* spoke to the Tacoma police she did not claim that Carter sexually assaulted
15 her; that claim took approximately ten more months of Schuman’s and Jerome’s grooming and
16 persuasion to manifest.

17 **V. CARTER’S TRUE INTERACTION WITH SCHUMAN AND LACK OF**
18 **INTERACTION WITH RUTH**

19 **A. CARTER BELIEVES HE HAS NEVER EVEN MET RUTH**

20 83. Having met and encountered millions of fans over the course of his 34-year career,
21 it would be impossible for Carter to definitively know if he ever actually crossed paths with Ruth.
22 However, Carter is certain that he did not have sex with Ruth, did not grab her arm, and did not
23 sexually assault or bully her.

24 **1. The February 2001 Tacoma Dome Concerts**

25 84. As part of their Black & Blue World Tour, on February 25 and February 26, 2001,
26 the Backstreet Boys performed two concerts at the Tacoma Dome in Tacoma, Washington.

27 85. Management for the Backstreet Boys planned a meet and greet autograph event that
28 was scheduled to occur, and did occur, *before* the concert on February 25, 2001. Invitations to the

1 *meet and greet* were awarded to local radio-contest winners. Fans could **only** attend the pre-
2 concert *meet and greet* if they received an invitation.

3 86. No autograph signing events were planned or scheduled to occur, and none did
4 occur, **after** either concert at the Tacoma Dome. No autograph lines were formed outside of the
5 tour buses, including Carter's tour bus.

6 87. After the February 25, 2001 concert, the Backstreet Boys, including Carter, quickly
7 exited the Tacoma Dome to board their tour buses and beat the crowd out of the venue and parking
8 lot. The tour buses then immediately left the Tacoma Dome and went to the Four Seasons Olympic
9 Hotel (now The Fairmont Olympic Hotel) in Seattle, Washington. After arriving at the hotel,
10 Carter and a small group socialized on a tour bus for a while and then left the bus for their
11 respective hotel rooms to go to sleep at approximately 3:30 a.m.

12 88. The same procedure was followed the next night. After the February 26, 2001
13 concert, the Backstreet Boys, including Carter, did not hold an autograph signing event. No
14 autograph lines were formed outside of the tour buses, including Carter's tour bus. Just like the
15 previous night, Carter exited the Tacoma Dome and immediately boarded his tour bus, which
16 immediately left the venue to avoid the crowds and traffic. The band members' buses exited the
17 venue bound for Portland, Oregon, the next stop on the tour.

18 89. Carter did not sexually assault Ruth or anybody else on February 25, 2001,
19 February 26, 2001, or ever.

20 90. Ruth did not report a sexual assault to the Tacoma Police Department, or any other
21 police department, on February 25, 2001, on February 26, 2001, or anytime shortly thereafter.

22 91. Upon information and belief, Ruth did not report that Carter sexually assaulted her
23 until August 25, 2020, nearly 20 years after the alleged incident.

24 92. The inconsistencies and contradictions in Ruth's numerous reports to the Tacoma
25 Police Department *spread out over nearly 12 months* are impossible to overlook.

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2. **Ruth’s Conflicting and False Police Reports**

a. **Ruth’s First Call to the Tacoma Police Department (November 2019)**

93. Sometime in approximately November 2019, just two months after asking to “join” Schuman and Aaron’s campaign, Ruth called the Tacoma Police Department to report that Carter had injured her arm on February 25, 2001.

94. Upon information and belief, *Aaron was on the phone with Ruth to coach her statements to the police.*

95. Upon information and belief, as recorded in the initial Tacoma Police Department report, Ruth reported that Carter bullied her and hurt her arm.

96. Upon information and belief, during the call, Aaron coached Ruth what to say and instructed her to increase the severity of her accusations against Carter.

97. Upon information and belief, the police officer who was on the call was disturbed by Aaron’s involvement and terminated the call.

98. Aaron was later publicly accused of “coercing” Ruth into making “false statements” concerning the report.

99. On November 29, 2019, Alex Taylor aka “Lupine” (hereinafter “Taylor”) tweeted that a “US police officer” informed her that an alleged victim of Carter’s went to Aaron for assistance in submitting a complaint to the police about Carter.

100. After the Tacoma Officer instructed Ruth to hang up the phone, Ruth called Taylor in a “very distressed” state. During Ruth’s call with Taylor, the Officer got on the phone and advised Taylor what had occurred:

101. Taylor tweeted the following:

[The Officer] told me exactly what happened. It is evident that Aaron Carter tried to coerce a victim who had contacted him for assistance into making a false statement against Nick Carter. It is true that this victim has a claim against Nick Carter but there was a clear attempt by Aaron Carter to get her to add to her claim details that are not supported by truth.

1 **The officer was extremely disturbed by Aaron’s behavior. Witness tampering,**
2 **false statements, statement coaching and perjury are clearly serious matters.**
3 **(Emphasis added).**

4 102. On August 18, 2021, Taylor posted an entry entitled “*Allegations against Nick*
5 *Carter accuser are put to the test*” on her blog, cassandracomplex.org.nz. In her post, Taylor
6 reiterated:

7 I stand by my statement that Aaron Carter did in fact try to coerce a Carter accuser
8 into making false statements against his brother Nick Carter and this was motivated
9 by the fact Aaron Carter was in open conflict with Nick Carter and other family
10 members.

11 103. Thus Taylor, who is a staunch #MeToo advocate,¹⁵ has publicly posted about the
12 false statements made against Carter by Ruth.

13 **b. Ruth’s Second Call to the Tacoma Police Department**
14 **(12/4/2019)**

15 104. After her first report, on December 4, 2019, Ruth again contacted the Tacoma
16 Police Department. Upon information and belief, Aaron was not on the phone with her during her
17 second call.

18 105. During her call, Ruth reported that Carter “grabbed her *arm*” (Incident No.
19 1933801469.1). Significantly, Ruth did not report a rape or any other sexual misconduct during
20 this call. In fact, the Officer expressly documented: “[Ruth] told me [Carter] only grabbed her arm
21 and no other physical activity occurred.”

22 106. During this call, Ruth did not report that Carter gave her alcohol.

23 107. Also during this call, Ruth advised the police that when Carter grabbed her arm, he
24 called Ruth a “stupid bitch.”

25 108. Ruth reported that she was at the concert with her friend “Joy,” who Ruth claimed
26 used to manage a fan club for Carter.

27

28 ¹⁵ Taylor is a staunch “me too” activist and blogger. Taylor’s blog page (cassandracomplex.org.nz)
proclaims that she is “committed to the survivor code.” She advocates for victims of bullying, sexual abuse
and other misconduct.

1 109. The officer that took the report documented that he “mailed [Ruth] a handwritten
2 statement form to fill out and return” along with the assigned case number.

3 **c. Ruth’s Third Call to the Tacoma Police Department (8/25/2020).**

4 110. Approximately nine months after her first report and nearly 20 years after the
5 Tacoma Dome concerts, on August 25, 2020, Ruth made her third call to the Tacoma Police
6 Department. In her third call (Incident No. 1933801469.2), Ruth claimed *for the first time* that
7 she had been sexually assaulted by Carter on February 25, 2001.

8 111. During this third call, Ruth reported that Carter grabbed her *wrist*, versus her prior
9 report of him grabbing her *arm*. The supplemental report provides: “[Ruth] said that when [Carter]
10 grabbed her *wrist* it left a bruise.”

11 112. Also during her third call, Ruth contradicted her prior reports of attending the
12 concert and alleged post-concert autograph signing with her friend and prior fan club manager
13 “Joy,” and changed her story to claim that it was her friend “Eleanor” who was with her that night.
14 Ruth reported that Eleanor had recently moved to western Washington and then provided the
15 officer with Eleanor’s contact information.

16 113. Significantly, the report from August 25, 2020 reflects that *Ruth admitted she had*
17 *spoken to Schuman who had helped her recall more detail about the alleged incident*. The report
18 further reflects that Ruth acknowledged she had also spoken to Aaron “numerous times” before
19 her report and that Aaron advised her that Carter was a “serial rapist.”

20 114. During this call, Ruth’s report of a sexual assault was limited to an accusation that
21 Carter penetrated her vagina with his penis.

22 115. Ruth did not report that Carter committed an oral sexual assault against her.

23 116. For the first time, Ruth reported that she was a virgin at the time of the alleged
24 assault (just as Schuman had previously claimed) and that she had allegedly contracted HPV as a
25 result of the alleged assault (again, just as Schuman had claimed had happened to her).

26 117. During the call, Ruth reported that Schuman had also been assaulted by Carter, that
27 Schuman had also contracted the same type of HPV-herpes as Ruth claimed to have contracted,
28 and that Schuman had filed a police report in Santa Monica, California.

1 118. Next, and also for the first time, Ruth reported that Carter provided her with alcohol
2 (which she claimed Carter referred to as “VIP Juice”).

3 119. Notably, Ruth at no point during this called repeated her claims that Carter called
4 her a “stupid bitch” *or a “bitch” at all.*

5 **d. Ruth’s Fourth Call to the Tacoma Police Department**
6 **(8/31/2020)**

7 120. On August 31, 2020, just six days after her third call and report to the Tacoma
8 Police Department, Ruth again supplemented her prior reports (Incident No. 1933801469.3).

9 121. This time, Ruth expanded the sexual assault allegation she had reported six days
10 before to include two acts of oral sexual assault (forced fellatio and forced cunnilingus).

11 122. This false supplemental report was *nearly identical* to the allegations Schuman had
12 been disseminating on social media.

13 123. Just as Schuman accused Carter of beginning the assault with an oral sexual assault
14 against her in a bathroom, now Ruth followed suit and claimed *her* alleged assault began with an
15 oral sexual assault against her in the bathroom of the tour bus.

16 124. Ruth’s prior false reports were not supplemented beyond the two new acts of oral
17 sexual assault Ruth apparently recalled in the six days since her last supplement.

18 **e. Ruth’s Hand-Written “Addendum” & Supplement to the**
19 **Tacoma Police Department (9/26/2020)**

20 125. On September 26, 2020, Ruth again supplemented her prior reports with a three-
21 page hand-written statement (dated September 17, 2020) of the alleged incident she entitled:
22 “*Police Report Addendum and Official Statement About Being Sexually Assaulted by Nick Carter*”
(hereinafter “the Addendum”).

23 126. The Addendum is a summary of the alleged incident.

24 127. In addition to submitting an Addendum to the police, Ruth also submitted a two-
25 page list of changes she was making to her prior reports and a three-page list of notes to her reports
26 she entitled: “*Special Notes.*”
27
28

1 128. Although submitted to the Tacoma Police Department on September 26, 2020, all
2 three documents were dated September 17, 2020.

3 129. Ruth’s hand-written supplements substantially conflicted with her prior reports.

4 130. In an effort at explaining the substantial inconsistencies between her prior reports
5 and her hand-written supplements, Ruth accused the police of taking her reports down “wrong.”
6 In fact, the title of her two-page list was: “*How, Where and What Parts of My Police Report Were*
7 *Taken Down Wrong*” (hereinafter “the *Wrong Report Summary*”).

8 131. Most of Ruth’s changes to her prior reports were significant.

9 132. Although she initially reported that she attended the concert with her friend “Joy,”
10 *a person Ruth initially reported was a former fan club manager for Carter*, Ruth changed her story
11 in her *Wrong Report Summary* as follows:

12 Joy did not go to the Backstreet Boys concert with me. My friend Eleanor did.

13 133. Next, although she had initially reported that Carter called her a “stupid bitch” after
14 the alleged assault, and thereafter failed to report that he called her any names, Ruth again changed
15 her story in her *Wrong Report Summary* as follows:

16 Nick didn’t call me a stupid bitch. Nick called me a retarded bitch because he knew
17 I have autism and other special needs.

18 134. Carter’s alleged knowledge of Ruth’s health conditions was never reported in any
19 of Ruth’s prior reports, *nor did Ruth explain how Carter could have learned of such conditions*.

20 135. Next, Ruth’s reports concerning alcohol are inconsistent and highly suspicious.

21 a. In her second call, Ruth did not mention alcohol at all.

22 b. In her third call, *after admitting to the police that she had “been talking” to*
23 *Schuman about allegedly being sexually assaulted by Carter*, Ruth reported that Carter had given
24 her a *cranberry drink that “tasted a little funny.”* Ruth did not report that it was alcohol. At this
25 time, she also reported that she had never had alcohol at the time. Also in her third call, *and for*
26 *the first time*, Ruth reported that Schuman had advised her that Carter had given her a “*red*
27 *beverage that tasted funny.*” Ruth’s corrections to her prior reports altered her accusations to
28 more closely mirror the accusations Schuman had made.

1 c. Finally in her *Wrong* Report Summary, Ruth indicated that she never
2 reported that Schuman advised her that she also received a red drink. Rather, Ruth stated that she
3 previously reported that she “knew” Carter had given her and Schuman alcohol and further
4 previously reported that she “knew [Carter] gave [Schuman] cranberry juice mixed with Bacardi
5 *like he gave me.*”

6 136. In summary, Ruth’s story to the police evolved from no alcohol being reported at
7 all, to a funny tasting cranberry drink being reported, to her final reports in her handwritten
8 supplement that she previously reported she “knew” that her and Schuman were both provided
9 “cranberry juice mixed with Bacardi.”

10 137. Although in her final September 17, 2020, report, Ruth stated that she had
11 previously reported that she “knew” she received “cranberry juice mixed with Bacardi” from
12 Carter, her August 25, 2020 report reflects that she reported that she had never consumed alcohol
13 before at all. It is difficult to imagine how an officer receiving a sexual assault report could
14 document that the alleged victim reported she received a funny tasting drink and had never
15 consumed alcohol when he was purportedly told that the alleged victim “knew” she was provided
16 “cranberry juice mixed with Bacardi.”

17 138. Next, although she initially reported that she attended the concert and went to the
18 alleged post-concert autograph line with her fiend Joy, in her *Wrong* Report Summary and
19 Addendum, Ruth not only stated that she went to the post-concert autograph line with Eleanor,
20 Ruth also elaborated about a conversation she had with Eleanor concerning allegedly being “hurt”
21 by Carter after the alleged assault.

22 139. In total, there were 13 contradictions between Ruth’s hand-written supplements and
23 her previous reports, without even taking into account the numerous contradictions and
24 inconsistencies in Ruth’s reports leading up to the handwritten supplements, which include the
25 following:

26 a. After never reporting a sexual assault at all in her second call with the
27 police, in her third call Ruth reported a sexual assault (vaginal penetration) that resulted in her
28 contracting HPV-herpes. During her third call, Ruth reported that her therapy had enabled her to

1 recall more details of the alleged incident. The report memorializing her third call also reflects
2 that Ruth reported that she was a virgin at the time of the alleged assault.

3 b. In her fourth call, Ruth reported two additional oral sexual assaults.

4 c. In her final hand-written supplements, Ruth stated that she did not initially
5 report the “rape” (in her second call) because she “didn’t remember it.” She further stated that she
6 was receiving therapy and that her therapist “told [her] that it is normal for victims of trauma to
7 not remember everything that happened and to only remember bits and pieces.”

8 140. On September 26, 2022, together with her hand-written supplements, Ruth also
9 submitted photographs allegedly taken of the concert and the bruise that Carter allegedly caused
10 to her “*arm*,” *despite initially reporting a bruise to her “wrist.”*

11 **f. Ruth’s Fifth Call to the Tacoma Police Department (10/2/2020)**

12 141. Ruth made a fifth call to the Tacoma Police Department, on October 2, 2020, to
13 inquire into the status of the investigation.

14 142. In response to Ruth’s inquiry, the officer that took the call documented that he
15 informed Ruth of the “difference” between her initial report and her supplemental reports (of a
16 sexual assault) that was made approximately nine “months later.”

17 143. The officer also documented that he submitted the matter to the district attorney’s
18 office for “a charging decision.”

19 144. Not surprisingly, given the significant and numerous discrepancies and
20 inconsistencies in her reports, Carter was not charged in connection with Ruth’s accusations.

21 **3. Ruth Admitted She Was Not Sexually Assaulted by Carter**

22 145. In 2019, Ruth began an online relationship on Twitter with a woman named Heather
23 Hayat (hereinafter “Hayat”).

24 146. As their communications and trust progressed, Ruth informed Hayat that she had
25 been abused and bullied by Carter, but never claimed to have been sexually assaulted by him.

26 147. Hayat suspected that Ruth was being used to facilitate Counter-Defendants’
27 ongoing defamatory campaign against Carter.

28

1 148. On October 20, 2019, in a private direct message (DM) with Hayat, Ruth asked
2 Hayat: “Can I tell you something?”

3 149. Hayat replied “yes, of course you can.” Ruth then confided that she had not been
4 sexually assaulted by Carter:

5 *I feel bad. I didn’t get hurt by Nick like Melissa [Schuman] and Ashley did. He*
6 *hurt me by saying really mean things and bullying me. I feel like I don’t really*
7 *have a right to talk about it or be in the fight because what Melissa [Schuman] and*
8 *Ashley went through is much worse.*

9 150. Hayat was later shocked to learn that Ruth’s accusations about Carter had evolved
10 into allegations of sexual assault.

11 **B. CARTER AND SCHUMAN ENGAGED IN CONSENSUAL SEX**

12 151. Sometime in 2003, Schuman and Carter were both cast in a movie for television
13 entitled *The Hollow*. *The Hollow* was filmed in Los Angeles, California.

14 152. One evening, Schuman and her friend (to whom Schuman has referred as “Rachel”)
15 were socializing with Carter and his friend, Tony Bass. This was the first time Carter had been
16 introduced to Schuman’s friend, Rachel.

17 153. The group went to the beach during the day, had sushi for dinner and ultimately
18 ended up at Carter’s apartment in Santa Monica, California.

19 154. Carter and Schuman were flirtatious throughout the night. Although Tony flirted
20 with Rachel, Rachel did not express interest so the two kept their interactions platonic.

21 155. The apartment was small, comprised of only two rooms (a bedroom and an office).

22 156. The group drank alcohol and socialized together.

23 157. As the group became tired, they made their way into the only bedroom. Carter and
24 Schuman laid down on the bed together, while Tony and Rachel laid down on the ground next to
25 the bed.

26 158. With Tony and Rachel lying on the ground just feet away, Carter and Schuman had
27 consensual sex.
28

1 159. After having consensual sex, Schuman and Carter fell asleep. Schuman slept next
2 to Carter through the night. The four woke up together, exited the apartment together and walked
3 out to the parking garage together.

4 160. Approximately 15 years later, in a November 2, 2017 blog, for the first time,
5 Schuman publicly and falsely accused Carter of raping her that night.¹⁶

6 161. In her blog, after admitting to consensually kissing Carter, Schuman wrote:
7 Now this is where things take a turn and gets graphic. I want to warn you that what
8 I will be disclosing next describes graphic, violent sexual behavior. Please continue
9 reading at your own discretion.

10 162. In her same blog, Schuman further stated:

11 I felt scared and trapped. He was visually and clearly growing very angry and
12 impatient with me. I couldn't leave. It was evident to me, that I couldn't leave. He
13 was stronger and much bigger than me, and there was no way I would be able to
14 open that door or have anyone help me.

15 163. Schuman then accused Carter of taking her to the bathroom in the small apartment
16 where she alleged he orally sexually assaulted her.

17 164. At this point in time, according to Schuman, “[s]omeone in the house knocked on
18 the bathroom door” during her alleged rape. Other than she and Carter, the only other people in
19 the apartment were Schuman’s friend and roommate (Rachel) and Carter’s friend (Tony).

20 165. Despite the intimate gathering and Schuman’s personal relationship with Rachel,
21 Schuman *supposedly* did not alert the person knocking at the door that she was allegedly being
22 sexually assaulted.

23 166. Schuman alleged that after the knock on the door, Carter “took [her] into the other
24 bathroom to pick up where he left off.” According to Schuman, it was in this second bathroom
25 that Carter forced her to perform fellatio on him.

26 _____
27 ¹⁶ Just six months before publicly accusing Carter of sexually assaulting her, Schuman made her true
28 feelings about Carter clear when a Backstreet Boys fan posted a picture of Carter performing on Instagram
and Schuman responded, “Great video! Thank you for sharing ♥”

1 167. Thus, according to Schuman’s story, Carter “forced” her to perform sexual acts in
2 both bathrooms of a small apartment but she admittedly remained silent and failed to alert the two
3 other individuals present in the apartment (including her friend and roommate and Nick’s friend)
4 of the ongoing heinous crime.

5 168. Schuman continued in her defamatory blog, stating that in a mirror she was
6 “[w]atching [her]self be assaulted, forced to engage in an act against [her] will” and that after one
7 attack, Carter’s “appetite was still not satisfied,” so he took her to another room to allegedly
8 continue the assault.

9 169. According to Schuman, Carter “threw [her] on the bed and climbed on top of
10 [her],” was “relentless” and then “ruined . . . [t]he one thing [she] had held as a virtue.”

11 170. After the alleged rape, Schuman stated that Carter went to sleep.

12 171. After the alleged “graphic” and “violent” rape finally ended, Schuman claimed
13 Carter fell asleep and she went to sleep in the bed alongside him, where she remained asleep until
14 her roommate woke her up the next day. In fact, according to Schuman, she fell into such a sound
15 slumber that Carter awoke before her and left the bedroom without her even realizing it.

16 172. After an evening during which Schuman claims she was repeatedly and violently
17 assaulted and raped, Schuman described the following morning as follows:

18 The sun began to come up and my roommate came into the room and woke me up.
19 We had to get home because she had work later that morning. My abuser was
20 nowhere to be found. He was no longer on the bed and I never went looking for
21 him. I just wanted to get out of there as fast as I could. I grabbed my things and my
22 friend and I proceeded to the car.

23 173. According to Schuman’s blog entry, upon entering the car, she remained silent
24 concerning the alleged assault while her friend and roommate exclaimed: “*That was so much fun,*
25 *huh?!*”

26 174. In her November 2, 2017, blog, Schuman wrote that she did not tell anybody about
27 the alleged rape for **weeks, including her roommate**. In fact, upon awakening the next day,
28 Schuman wrote:

1 I didn't tell [Rachel]. I didn't want to even admit what happened was real to myself.
2 Over the next few weeks I withdrew further and further from my friends and family
3 and they noticed. I still didn't tell anyone.

4 175. However, while appearing on Dr. Oz's December 1, 2017, show, just 29 days after
5 posting her blog, Schuman claimed that, after the alleged assault, she immediately told her
6 roommate and her roommate's mother and that they encouraged her to go to the police and get a
7 rape kit done right away.

8 176. Next, in a 2018 interview with reporter Amy Zimmerman from *The Daily Beast*,
9 Schuman said, "There was no blueprint to how to protect yourself in the situation that I was in. I
10 did everything that I could. I started by avoiding him completely. **That was my first response, to**
11 **just stay away, never be in the same room, never be in the same space.** I did everything I could
12 within my power to protect myself."

13 177. In truth, immediately after the alleged assault, Schuman continued (and finished)
14 filming *The Hollow* alongside Carter.

15 178. Then, just a few months later (in 2004), Schuman recorded a duet with Carter called
16 "There for Me." Soon after recording the duet, Schuman performed the duet live with Carter as
17 part of a showcase for a major record label.

18 179. In the years after the alleged sexual assault but before falsely accusing Carter,
19 Schuman praised Carter and was supportive of him:

- 20 • Schuman followed Carter on Twitter for years following the alleged incident;
- 21 • In approximately 2008, 2010 and 2012, Schuman posted and/or "liked" tweets
22 about the song she recorded with Carter and further praised Carter as being a
23 "Talented guy!";
- 24 • On February 2, 2012, Schuman expressed empathy to Carter, tweeting him
25 condolences after the death of Carter's sister, Leslie;
- 26 • On December 25, 2015, Schuman "liked" a tweet from her band Dream that stated
27 "@backstreetboys Merry Christmas to our tour mates! We miss you guys!";¹⁷

28 ¹⁷ Missing your alleged rapist is an odd sentiment to say the least.

- On February 22, 2016, Schuman liked a tweet directed at her stating “@MelissaSchuman my favorite DILFS¹⁸ together on stage Thursday on Lip sync battle!! @nickcarter @BrandonHenschel lol.”;
- On March 15, 2017, Schuman commented “Great video! Thank you for sharing ♥” in response to a video posted on a Backstreet Boys Instagram fan page of a Backstreet Boys performance from Las Vegas; and
- On May 23, 2017, Schuman again expressed empathy and sadness to Carter after the death of Carter’s father. This time Schuman posted her condolences on an *Instagram Live* feed.

180. Although Schuman, her father and their followers have repeatedly disseminated the narrative that Schuman would be legally pursuing Carter but for the applicable statute of limitations, a closer look at the protracted evolution of Schuman’s tale reveals that Schuman had ample time and opportunity to pursue Carter *but deliberately did not until it was too late*.

181. Despite the foregoing, neither Schuman nor any of the other many persons she allegedly informed of the assault advised law enforcement (which would not have cost Schuman a dime) or made any formal complaint in 2003, or 2004, or 2005, or 2006, or 2007, or 2008, or 2009, or 2010, or 2011, or 2012, or 2013, or 2014, or 2015, or 2016, or 2017 *until November*.¹⁹

182. When the criminal investigation was reportedly cut short due to the statute of limitations, Schuman, Jerome and their followers exploited the foregoing *expected* result by falsely claiming that the statute of limitation *saved* Carter from investigation and prosecution.

183. Moreover, despite posting her dramatized account of Carter’s alleged assaults in 2017, Schuman did not retain a civil attorney to pursue claims against Carter until October 2020, *once again, after it was too late*.

184. Despite her transparent hope to be cloaked with the credibility of the #MeToo movement, upon sober analysis, Schuman’s allegations are nothing more than the desperate

¹⁸ D.I.L.F. is an acronym for *Dad I’d Like to Fuck*.

¹⁹ On November 21, 2017, Schuman reported that she was raped by Carter to the Santa Monica Police Department. The Los Angeles District Attorney declined the case in September 2018, because the applicable statute of limitations had elapsed.

1 attempts of a former pop star to revive her public relevance and celebrity status, just as she had
2 publicly stated she needed to do.

3 **C. SCHUMAN ATTEMPTS TO RECRUIT TONY AS A “VALIDATING”**
4 **WITNESS**

5 185. After falsely accusing Carter in the media, on December 18, 2017, Schuman
6 reached out to Tony via text concerning the night of the alleged sexual assault. Schuman has
7 admitted that Tony was on the floor with her friend in the same room while Carter allegedly
8 sexually assaulted her on a bed just feet away.

9 186. Schuman’s texts clearly demonstrate that Schuman was attempting to recruit Tony
10 to support her story.

11 187. Schuman initiated the communication with the following text:

12 Hi Tony. I don’t know if I am remembering the right person or not. I think I
13 remember meeting you back in 2002-03? in CA when Nick was filming The Hollow
14 If that is you, I’d love to chat a bit if you are open to it. I’d really appreciate it.

15 188. Tony responded in a somewhat confused fashion, pointing out that Schuman was
16 inquiring about events that occurred years before.

17 189. Schuman persisted, asking if Tony would speak with her over the telephone:

18 Any chance you’d be willing to talk over the phone?

19 Totally confidential. I was wondering if you remember anything about the night
20 my friend Rachel and I was over at Nick’s Santa Monica apt.

21 It’s been a super long time so I understand if you don’t remember.

22 190. Tony’s confusion persisted:

23 Sorry .. but where is this all going ?? I’ve been out of the loop for 14 years. So
24 I’m kinda lost on all this ?

25 191. Schuman then injected her false story into the conversation:

26 I remember you on the floor in the room I was in with Nick. I never knew if you
27 were asleep or not. I always hoped that you weren’t so you can validate my story.

28 192. Tony responded by asking Schuman to explain what “story” she was referring to.

1 193. Schuman then called Tony and attempted to coach him into corroborating her
2 fabricated sexual assault story. Tony advised Schuman that he did not observe the sexual assault
3 she described and would not allow a woman to be sexually assaulted right in front of him.

4 194. Nearly two months later, on February 5, 2018, Schuman again reached out to Tony
5 with the following Facebook message:

6 Hi Tony. I know that I reached out to you a month ago and you said you didn't remember.
7 I thought I'd share my story with you

8 195. With her February message, Schuman included two videos of her being interviewed
9 about the alleged assault, including her appearance on the “Dr. Oz” show.

10 196. Despite her repeated efforts, Schuman was not able to persuade Tony to “validate”
11 her false claims of sexual assault.

12 **VI. COUNTER-DEFENDANTS’ UNLAWFUL CONDUCT**

13 **A. COUNTER-DEFENDANTS’ DEFAMATORY STATEMENTS AND**
14 **INTENTIONAL INTERFERENCE**

15 **1. Counter-Defendants’ Social Media Posts**

16 197. On February 12, 2021, replying to a tweet by Schuman, Ruth published the
17 following statement: “20 years later Nick Carter is still a rapist.” The statement is false and
18 constitutes libel *per se*.

19 198. On March 8, 2021, Olay published a message on Twitter stating that Carter had
20 committed sexual assault and “so much more.” The statement is false and constitutes libel *per se*.

21 199. On March 8, 2021, Ruth published the following statement: “I can tell you Paris
22 was not the only one Nick lost his temper with & left bruises.” The statement is false and
23 constitutes libel *per se*.

24 200. On April 6, 2021, replying to a tweet made by *People* magazine, Jerome posted a
25 mugshot picture of Carter deceptively conveying that Carter had been arrested for sexual assault.
26 Next to Carter’s picture was a picture of Harvey Weinstein and Danny Masterson, both known to
27 be criminally prosecuted for sexual assault, *and Weinstein known to have been convicted*
28 (hereinafter “the Defamatory Mugshot”). On and above the picture, Jerome published the

1 following statements about Carter: “#SerialPredator,” “#SerialRapist” and “#BSBCoverUp.” All
2 four of these statements, including the message conveyed by the Defamatory Mugshot, are false
3 and constitute libel. The picture and statement that Carter is a “serial rapist” constitute libel *per*
4 *se*.

5 201. On April 7, 2021, Ruth published the following statement:
6 “#NickCarterIsARapist.” The statement is false and constitutes libel *per se*.

7 202. On April 13, 2021, Ruth published the following statement directed at Carter: “you
8 are a rapist and it's time to admit the truth.” The statement is false and constitutes libel *per se*.

9 203. On April 13, 2021, Jerome published the following statements about Carter on
10 Twitter: “you are a rapist” and “you assault multiple women.” Both statements are false and
11 constitute libel *per se*.

12 204. On April 13, 2021, Olay published the following statements about Carter on
13 Twitter: “Nick is a rapist” and “everyone knows that he sexually assaulted all of those women.”
14 Both statements are false and constitute libel *per se*.

15 205. On April 21, 2021, replying to a tweet from Jerome, Ruth published a statement
16 describing herself “as someone who was sexually assaulted by Nick.” The statement is false and
17 constitutes libel *per se*.

18 206. On June 18, 2021, Jerome published the following statement on Twitter: “Nick
19 Carter [] is an abuser and rapist.” This statement is false and constitutes libel *per se*.

20 207. On June 29, 2021, Jerome posted the Defamatory Mugshot, with the following
21 statements about Carter on Twitter: “#SerialPredator,” “#SerialRapist” and “#BSBCoverUp.”
22 Below the picture, Jerome published the following statement on Twitter: “This is FACT
23 @nickcarter is a #serialrapist.” All five of these statements, including the message conveyed by
24 the Defamatory Mugshot, are false and constitute libel. The picture and two statements that Carter
25 is a “serial rapist” constitute libel *per se*.

26 208. On July 8, 2021, Jerome re-published the following statement that was originally
27 published by Ruth on Twitter: “Nick Carter is a rapist & abuser of multiple people.” The statement
28 is false and constitutes libel *per se*.

1 209. On July 8, 2021, Ruth published the following statement to *Variety* magazine on
2 Twitter: “Nick Carter is a rapist & abuser of multiple people.” The statement is false and
3 constitutes libel *per se*.

4 210. On July 8, 2021, Olay published the following statement about Carter on Twitter:
5 “Just a reminder that Nick Carter is a rapist.” The statement is false and constitutes libel *per se*.

6 211. On July 8, 2021, Olay published the following statement about Carter on Twitter:
7 “Nick Carter is a rapist & abuser of multiple people.” The statement is false and constitutes libel
8 *per se*.

9 212. On July 11, 2021, Ruth published the following statement: “Nick is a rapist &
10 abuser.” The statement is false and constitutes libel *per se*.

11 213. Also on July 11, 2021, Ruth published the following statements: Carter “is a
12 RAPIST!,” “#SerialRapist,” “#SerialPredator” and “#SerialAbuser.” The foregoing four
13 statements are false and constitute libel. The statements that Carter is a “rapist” and “serial rapist”
14 are false and constitute libel *per se*.

15 214. On August 1, 2021, Ruth published the following statement: “Nick is definitely a
16 rapist and abuser!” The statement is false and constitutes libel *per se*.

17 215. Also on August 1, 2021, Ruth published the following statement: “If you are asking
18 if Nick raped and abused me too, yes he did.” The statement is false and constitutes libel *per se*.

19 216. On August 4, 2021, Ruth published the following statement: “Nick is a rapist &
20 abuser.” The statement is false and constitutes libel *per se*.

21 217. On August 5, 2021, Ruth and Jerome published the Defamatory Mugshot, with the
22 following statements about Carter: “#SerialPredator,” “#SerialRapist” and “#BSBCoverUp.”
23 Above the Defamatory Mugshot, Jerome published the following statements: “CANCEL
24 #NickCarter,” “#SerialRapist,” “#SerialPredator” and “#SerialAbuser.” Below the Defamatory
25 Mugshot, Ruth also published that Carter is a “known rapist & abuser.” These statements,
26 including the message conveyed by the Defamatory Mugshot, are false and constitute libel. The
27 statements that Carter is a “serial rapist” and a sexual assault convict are false and constitute libel
28 *per se*.

1 218. On August 5, 2021, Jerome tweeted the following message with the intent to
2 interfere with Carter’s scheduled appearance at Fan Expo Boston:

3 Spend your hard earned money to meet a #SerialRapist? Cancel @FanExpoBoston.
4 Cancel #NickCarter

5 219. Ruth then retweeted Jerome’s false and unlawful post and separately accused Carter
6 of being a “known rapist & abuser” and further attacked Fan Expo Boston for involving Carter in
7 a 2021 convention.

8 220. On August 6, 2021, Ruth published the following statement: “Nick sexually
9 assaulted me.” The statement is false and constitutes libel *per se*.

10 221. Also on August 6, 2021, Ruth published the following statement: “Nick is a rapist
11 and abuser of multiple people.” The statement is false and constitutes libel *per se*.

12 222. On September 22, 2021, Jerome published the following statements: Carter is a
13 “rapist,” “abused” multiple women, “#SerialPredator,” “#SerialRapist” and “#SerialAbuser.” All
14 of the foregoing five statements are false and constitute libel. The statements that Carter is a
15 “rapist” and “serial rapist” are false and constitute libel *per se*.

16 223. On November 20, 2021, Jerome published the following statement:

17 @nickcarter is a RAPIST, many times over. Simple FACT. Your day is coming
18 you piece of shit, one way or another. Mark my words.

19 These statements are false and constitute libel. The statement that Carter is a “rapist many times
20 over” is false and constitutes libel *per se*.

21 224. On August 11, 2022, Schuman posted a video on TikTok that displayed an image
22 of Carter next to a banner that stated “PREDATOR.” The message conveyed was that Carter was
23 a sexual predator. The statement that Carter is a sexual predator is false and constitutes libel *per*
24 *se*.

25 225. On August 12, 2022, Schuman posted a video on TikTok displaying Carter’s name
26 on a list as: “Nick Carter (of Backstreet Boys; Rape, DA).” The video contained Carter’s image
27 and was posted with the hashtag “#eatpredators.” The message conveyed by the list and hashtag
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1 was that Carter was a rapist and sexual predator. The statements that Carter was a rapist and sexual
2 predator are false and constitute libel *per se*.

3 226. On August 26, 2022, Schuman posted a reply on Twitter that concerned Carter.
4 The reply contained an image of Carter with the following statement: “my abuser.” The statement
5 is false and constitutes libel *per se*.

6 227. On December 30, 2021, Ruth, Schuman and Jerome appeared on a *Child USA*
7 podcast. During the podcast, Ruth stated that Carter “sexually assaulted” her. The foregoing
8 statement is false and constitute slander *per se*.

9 228. During the same podcast, Schuman stated that Carter “sexually assaulted” her, that
10 Carter “assaulted [her] numerous times,” that “other survivors have suffered the same” by Carter,
11 that “there’s definitely a pattern” to Carter’s alleged sexual assault, that Carter “raped” her, and
12 that Carter “roofied” her. The foregoing statements are false and constitute slander *per se*.

13 **2. Ruth and her Attorney’s Stage a “News Conference”**

14 229. Because Ruth’s claims had already been vetted and dismissed by both law
15 enforcement and civil attorneys, there was very little value in Counter-Defendants continuing to
16 pursue their extortive efforts.

17 230. Notwithstanding the foregoing, Ruth was able to find a law firm willing to milk her
18 ongoing campaign for what little value remained: *publicity*.

19 231. The law firm of Corsiglia, McMahon & Allard (hereinafter “CM&A”) quickly
20 realized the marketing benefits that could be realized from publicizing Ruth’s frivolous claims in
21 the media.

22 232. Accordingly, on December 7, 2022, before the instant lawsuit was even filed, Ruth
23 and CM&A posted a “Live Press Conference” announcement on CM&A’s Facebook page. The
24 announcement indicated that the press conference would take place on December 8, 2022, at 10:30
25 a.m. (PDT).

26 233. The “Live Press Conference” announcement described the purpose of the press
27 conference as follows:
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To announce details of a lawsuit against a prominent singer for the sexual abuse and rape of a young teenage girl.

234. Also, before the lawsuit was filed, Ruth and CM&A sent a *Media Advisory* out to local Los Angeles news outlets announcing the foregoing press conference. The announcement in the *Media Advisory* provided as follows:

Announcing a sexual abuse lawsuit filed against Nick Carter of the Backstreet Boys for the rape of a young teenage girl.

235. The *Media Advisory* indicated that the press conference would take place in the Palm Room of the Beverly Hilton Hotel on December 8, 2022, at 10:30 a.m. The *Media Advisory* further announced that:

Attorney Mark Boskovich, law firm of Corsiglia, McMahon & Allard, will discuss the filing of a lawsuit against Nick Carter on behalf of an underage rape victim.

236. The *Media Advisory* provided that the following persons would be involved with the press conference:

The rape victim, her attorney Mark Boskovich, and CHILD USA Founder and CEO Marci Hamilton.

237. Finally, the *Media Advisory* provided the following “background” information for the press conference:

Nick Carter’s rape victim will speak at the press conference. She has agreed to be named publicly. The lawsuit will be filed first thing in the morning and will be available to the media starting at 10:30 am.

238. On December 8, 2022, at 7:28 a.m. (PDT), Ruth filed her Complaint against Carter falsely alleging that he sexually assaulted her after a Tacoma concert in February of 2001.

239. As scheduled and promoted, the press conference was broadcast on Facebook Live at approximately 10:30 a.m. on December 8, 2022. Thereafter, the press conference was replayed by countless television networks and media platforms.

240. Throughout the press conference, Ruth and Boskovich defamed Carter over and over behind a podium that was draped with a large advertisement depicting the CM&A logo, the CM&A law firm name, and CM&A’s web address.

1 241. During the press conference, *knowing full well that Ruth’s accusations had not*
2 *been properly investigated by his firm and were unsubstantiated*, Boskovich openly solicited
3 other individuals to come forward with accusations of sexual assault against Carter and to “call or
4 email” his law firm.

5 242. Throughout the press conference, both Ruth and Boskovich repeatedly solicited
6 alleged victims to come forward and join their cause.

7 243. After the defamatory press conference, on December 19, 2022, CM&A re-posted
8 the press conference on its Facebook page along with a statement that provided:

9 Our law firm continues to investigate allegations of sexual assault against Nick
10 Carter, Backstreet Boys, as a result of our recently filed lawsuit[.]

11 244. Since its opportunistic broadcasting of Ruth’s story, Boskovich and CM&A have
12 posted defamatory advertisements about Carter and Ruth’s story on both their Facebook page and
13 business website. The advertisement reads:

14 Attorney Mark Boskovich is encouraging . . . other women who may have been
15 sexually assaulted by Nick Carter, to call 408-[XXX-XXXX].

16 245. Ruth, Schuman and Jerome permitted and facilitated the defamatory press
17 conference with full knowledge of Carter’s business opportunities, advantages and contracts.

18 246. Ruth, Schuman and Jerome permitted and facilitated the defamatory press
19 conference with the intent of defaming Carter, extorting Carter, and interfering with Carter’s
20 prospective business opportunities/advantages and contractual relationships.

21 247. All of the foregoing statements, whether made during the press conference or
22 posted on social media platforms months and even years prior to the filing of the lawsuit, were and
23 are defamatory. These statements were not made as part of a judicial proceeding or in furtherance
24 of a judicial proceeding. The statements were neither compelled by law nor subject to the control
25 and oversight of the judicial system. In fact, these statements were published to the world, to
26 persons totally and completely uninvolved in Ruth’s lawsuit. The statements made during the
27 *coordinated* press conference, as a matter of law, fall outside the scope of the litigation privilege.
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1 Accordingly, all defamatory statements alleged herein were made without privilege and outside
2 the protection of the litigation privilege.

3 **B. COUNTER-DEFENDANTS' INTENTIONAL INTERFERENCE**

4 248. Counter-Defendants had and have knowledge of Carter's business opportunities,
5 advantages and contracts.

6 249. Counter-Defendants published the foregoing defamatory statements with a specific
7 intent to damage Carter's reputation and interfere with his business opportunities, advantages and
8 contracts.

9 250. In addition to publishing the defamatory statements to the world on social media
10 and through other mediums, Counter-Defendants also copied or "tagged" many of their defamatory
11 statements directly to third parties that are either involved with or have influence over Carter's
12 prospective business opportunities, advantages and contracts. Such third parties include but are
13 not limited to: *People* magazine, *Variety* magazine, Donny Osmond, Fan Expo Boston, Safemoon,
14 "Varney & Co" (television program on FOX), "The Masked Singer" (television program on FOX),
15 Perez Hilton, FOX News, Billboard, TMZ, "The Ellen Show," ABC, Sean Hannity, Dan Bongino,
16 Laura Ingraham and iHeart Radio.

17 251. Counter-Defendants had no right or privilege to interfere with Carter's prospective
18 business opportunities, advantages and contracts.

19 252. Counter-Defendants' interference was intentional, malicious and oppressive and
20 designed specifically to damage Carter's image, reputation, and prospective economic advantages
21 and opportunities.

22 253. As an illustration, prior to coordinating their press conference, Counter-Defendants
23 were acutely aware of Carter's ABC Christmas special, "A Very Backstreet Holiday." Counter-
24 Defendants were also aware that "A Very Backstreet Holiday" was scheduled to air on ABC on
25 December 14, 2022.

26 254. At the urging of Schuman and Jerome and in furtherance of the conspiracy, Ruth
27 and her attorneys (Boskovich and CM&A) deliberately and strategically filed this lawsuit just six
28 days before "A Very Backstreet Holiday" was scheduled to air and the day before Carter and his

1 band were scheduled to go on “Good Morning America” to promote the special as well as the
2 band’s new Christmas album. Counter-Defendants did so to torpedo the ABC special and all of
3 the publicity, promotion and revenue that would have been realized, garnered and earned in
4 connection therewith.

5 255. Indeed, within hours of Ruth’s suit being filed, ABC cancelled both the special as
6 well as the band’s scheduled appearance on “Good Morning America.” The value of the foregoing
7 publicity and album-promotion would have been substantial.

8 256. Carter and his band spent hundreds of hours and thousands of dollars rehearsing
9 and filming the Christmas special in Los Angeles. Carter and the band also incurred substantial
10 costs associated with travel and promotional efforts concerning the special.

11 257. The cancellation of the Christmas special and “Good Morning America” shows
12 alone have damaged Carter in an amount in excess of \$1,000,000.

13 258. Counter-Defendants also had and have knowledge of the following contracts and/or
14 business deals in which Carter, and/or companies in which he holds an interest, was a party:

- 15 • an endorsement deal with MeUndies worth at least \$350,000;
- 16 • an endorsement deal with VRBO worth at least \$1,000,000; and
- 17 • an endorsement deal with Roblox worth a substantial amount in
18 publicity/marketing, retail revenue and other potential revenue streams.

19 259. Counter-Defendants, with the help of Ruth’s lawyers, defamed Carter with the
20 intent or design to disrupt, interfere with and/or sabotage the foregoing contracts and business
21 deals.

22 260. As a direct result of the press conference and Counter-Defendants other defamatory
23 statements as outlined in Section VII(A) *supra*, the ABC special, Carter and his band’s appearance
24 on the “Good Morning America” show, and Carter’s contracts and business deals with MeUndies,
25 VRBO and Roblox, among others, were cancelled. Accordingly, Carter has been damaged in the
26 amount of at least \$2,350,000.

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1 261. Additionally, Counter-Defendants' acts have caused Carter, his wife and his young
2 children to suffer emotional distress. Carter and his family have been harassed for years, including
3 being stalked, receiving relentless phone messages and even receiving multiple death threats –
4 forcing the family to retain full-time security.

5 **FIRST CLAIM FOR RELIEF**
6 **(Civil Conspiracy – All Counter-Defendants)**

7 262. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same
8 by reference as if repeated herein in their entirety.

9 263. Counter-Defendants entered into an agreement, whether explicit or implied, to
10 publicly defame and smear Carter's name and reputation for the unlawful objectives of ruining his
11 reputation, interfering with his prospective economic advantages and contractual relations, and
12 extorting him.

13 264. Counter-Defendants' agreement was and is intended to accomplish an unlawful
14 objective.

15 265. Acting in concert, the purpose of Counter-Defendants' agreement was and is to
16 harm Carter in furtherance of achieving their avaricious, malicious, and unlawful objectives.

17 266. As co-conspirators, Counter-Defendants are liable for the actions of themselves and
18 of one another in furtherance of their conspiracy and underlying torts.

19 267. Counter-Defendants' intentional interference, defamation, extortion, and abuse of
20 process was intentional, malicious and oppressive, and designed specifically to damage Carter.

21 268. As a result of Counter-Defendants' actions, Carter has been damaged in an amount
22 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-
23 Defendants' actions, Carter has suffered anxiety and severe emotional distress causing him
24 additional damages, the exact amount to be proven at trial.

25 269. It was necessary for Carter to retain the services of an attorney and incur attorneys'
26 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the
27 attorney's fees and costs incurred herein as special damages.

28 ///

SECOND CLAIM FOR RELIEF

(Intentional Interference with Prospective Economic Advantage – All Counter-Defendants)

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3 270. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same
4 by reference as if repeated herein in their entirety.

5 271. Carter is a professional musician and performer who enjoys prospective contractual
6 relationships and economic advantages with third parties throughout the entertainment and
7 commercial industries.

8 272. Counter-Defendants had and have knowledge, or should have had knowledge, of
9 Carter’s existing and prospective contractual relationships and economic advantages.

10 273. Counter-Defendants intended to harm Carter by interfering with, disrupting and/or
11 preventing his prospective contractual relationships and economic advantages by the acts outlined
12 in Section VII, *supra*, among others.

13 274. Counter-Defendants had no right, justification or privilege to interfere with Carter’s
14 prospective contractual relationships and economic advantages.

15 275. As co-conspirators, Counter-Defendants are liable for the actions of themselves and
16 of one another in furtherance of their conspiracy and underlying torts.

17 276. All defamatory statements and other unlawful acts alleged herein were made
18 outside the purview and scope of the absolute judicial and/or litigation privilege. Counter-
19 Defendants improperly and/or illegally interfered with Carter’s prospective contractual
20 relationships and economic advantages.

21 277. Counter-Defendants’ interference was intentional, malicious and oppressive, and
22 designed specifically to damage Carter.

23 278. As a result of Counter-Defendants’ actions, Carter has been damaged in an amount
24 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-
25 Defendants’ actions, Carter has suffered anxiety and severe emotional distress causing him
26 additional damages, the exact amount to be proven at trial.

1 279. It was necessary for Carter to retain the services of an attorney and incur attorneys’
2 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the
3 attorneys’ fees and costs incurred herein as special damages.

4 **THIRD CLAIM FOR RELIEF**
5 **(Intentional Interference with Contractual Relations – All Counter-Defendants)**

6 280. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same
7 by reference as if repeated herein in their entirety.

8 281. Carter and or his companies were a party to the valid and existing contracts,
9 business deals and/or endorsements set forth in Section VII, *supra*.

10 282. Counter-Defendants had actual or inferred knowledge of the foregoing contracts,
11 contractual relations, business deals and/or endorsements.

12 283. Counter-Defendants engaged in acts that were intended or designed to disrupt
13 and/or interfere with the foregoing contracts, contractual relations, business deals and/or
14 endorsements.

15 284. Carter’s foregoing contracts, contractual relations, business deals and/or
16 endorsements were actually disrupted and/or cancelled.

17 285. As co-conspirators, Counter-Defendants are liable for the actions of themselves and
18 of one another in furtherance of their conspiracy and underlying torts.

19 286. All defamatory statements and other unlawful acts alleged herein were made
20 outside the purview and scope of the absolute judicial and/or litigation privilege. Counter-
21 Defendants improperly and/or illegally interfered with Carter’s contracts, contractual relations,
22 business deals and/or endorsements.

23 287. Counter-Defendants’ interference was intentional, malicious and oppressive, and
24 designed solely to damage Carter.

25 288. As a result of Counter-Defendants’ actions, Carter has been damaged in an amount
26 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-
27 Defendants’ actions, Carter has suffered anxiety and severe emotional distress causing him
28 additional damages, the exact amount to be proven at trial.

1 289. It was necessary for Carter to retain the services of an attorney and incur attorneys’
2 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the
3 attorneys’ fees and costs incurred herein as special damages.

4 **FOURTH CLAIM FOR RELIEF**
5 **(Defamation – All Counter-Defendants)**

6 290. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same
7 by reference as if repeated herein in their entirety.

8 291. The statements made by Counter-Defendants outlined in Section VII(A), *supra*,
9 were false and defamatory in nature.

10 292. The false and defamatory (slandorous/libelous) statements by Counter-Defendants
11 were made about Carter.

12 293. The false and defamatory statements were made and published online and in the
13 public domain by Counter-Defendants to countless third parties.

14 294. Under the circumstances, no privilege exists regarding the false and defamatory
15 statements made by Counter-Defendants.

16 295. Counter-Defendants intentionally, or at the very least negligently, made the
17 defamatory statements.

18 296. As co-conspirators, Counter-Defendants are liable for the actions of themselves and
19 of one another in furtherance of their conspiracy and defamation.

20 297. All defamatory statements and other unlawful acts alleged herein were made
21 outside the purview and scope of the absolute judicial and/or litigation privilege.

22 298. Counter-Defendants’ acts in making the false and defamatory statements were
23 intentional, malicious and oppressive, and designed specifically to damage Carter’s image,
24 reputation and professional dealings.

25 299. As a result of Counter-Defendants’ actions, Carter has sustained actual and/or
26 presumed damages in excess of \$2,350,000, the exact amount to be proven at trial. As outlined in
27 Section VII(A), *supra*, many of these defamatory statements constitute defamation *per se*. As a
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1 further result of Counter-Defendants’ actions, Carter has suffered anxiety and severe emotional
2 distress causing him additional damages, the exact amount to be proven at trial.

3 300. It was necessary for Carter to retain the services of an attorney and incur attorneys’
4 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the
5 attorneys’ fees and costs incurred herein as special damages.

6 **FIFTH CLAIM FOR RELIEF**
7 **(Abuse of Process – All Counter-Defendants)**

8 301. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same
9 by reference as if repeated herein in their entirety.

10 302. Ruth, *and based on their concerted and unlawful involvement Schuman and*
11 *Jerome*, had an ulterior purpose in filing this action other than resolving a legitimate legal dispute.

12 303. Both Ruth and Schuman have made multiple attempts to extort money from Carter
13 in connection with their false and fabricated allegations. All such attempts failed due to the
14 accusations having no merit.

15 304. As outlined herein, Counter-Defendants’ ulterior purpose was and is to continue to
16 defame, financially ruin and extort Carter while drawing unwarranted fame and attention to
17 themselves.

18 305. Counter-Defendants willful acts in the use of process were not proper in the regular
19 conduct of the proceeding.

20 306. As co-conspirators, Counter-Defendants are liable for the actions of themselves and
21 of one another in furtherance of their abuse of process.

22 307. All unlawful acts alleged herein were made outside the purview and scope of the
23 absolute judicial and/or litigation privilege.

24 308. Counter-Defendants’ conduct was intentional, malicious and oppressive, and
25 designed specifically to damage Carter.

26 309. As a result of Counter-Defendants’ actions, Carter has been damaged in an amount
27 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-
28

1 Defendants' actions, Carter has suffered anxiety and severe emotional distress causing him
2 additional damages, the exact amount to be proven at trial.

3 310. It was necessary for Carter to retain the services of an attorney and incur attorneys'
4 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the
5 attorneys' fees and costs incurred herein as special damages.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Carter prays for judgment against Counter-Defendants, and each of them,
8 as follows:

- 9 1. For damages in an amount of no less than \$2,350,000, the exact amount to be
10 proven at trial;
- 11 2. For emotional distress damages, the exact amount to be proven at trial;
- 12 3. For punitive damages;
- 13 4. For an award of reasonable attorney fees and costs of suit;
- 14 5. For pre and post-judgment interest in an amount to be determined after trial; and
- 15 6. For such other and further relief as the Court deems just and proper.

16 DATED this 2nd day of February, 2023.

17 **HAYES | WAKAYAMA | JUAN**

18 By /s/ Liane K. Wakayama

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **DEFENDANT NICKOLAS CARTER'S COUNTERCLAIM** was submitted electronically for filing and service with the Eighth Judicial District Court on the 2nd day of February, 2023. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:²⁰

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²⁰ Pursuant to the Nevada Electronic Filing and Conversion Rules, Rule 9(c), each party who is a registered user with EFS consents to electronic service in accordance with NRCP 5(b)(2)(E).