

# EXHIBIT 1

**Williams v. Netflix: Analysis of Claimed Defamatory Statements**

<b>Episode and Timestamp</b>	<b>Statement</b>	<b>Claimed Defamatory Meaning</b>	<b>The Allegations in the Complaint Asserting Material Falsity</b>	<b>Summary of Legal and Factual Explanations of Why the Statements are Actionable</b>
<p><b>1<sup>st</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 2, 14:15-16:05</b></p>	<p>NEFF I went to court. Anna's not taking a plea. She's going to trial, which means she'll be in Rikers for, like, months.</p> <p>RACHEL Uh-huh.</p> <p>NEFF I thought we should work out some kind of schedule so she has one of us visiting her at least once a week.</p> <p>RACHEL What?</p> <p>NEFF I went online. There's a list of stuff we can bring inmates. Magazines and stuff. RACHEL Are you... Wait... You're kidding, right?</p> <p>NEFF Why would I be kidding? It's prison. Our friend is in prison. We can't just leave her in there. She needs people.</p> <p>RACHEL I'm not visiting Anna in</p>	<p>Williams claims the statements falsely portray her as:</p> <ul style="list-style-type: none"> <li>• a freeloader who allowed Sorokin to pay for her clothes and accessories;</li> <li>• a user and an opportunist who was only friendly with Sorokin because she paid for everything but dropped her when she wasn't able to pay;</li> <li>• someone who uses "grossly insulting words which may be racist;" and</li> <li>• a coward who ran away from a confrontation.</li> </ul>	<p><b>Compl. ¶ 33</b></p> <ul style="list-style-type: none"> <li>• Williams was friends with Sorokin because she liked her, not because Sorokin would pick up the tab, and she did not drop Sorokin as a friend because Sorokin was no longer able to pay for her social life and clothes, but rather because she discovered that Sorokin (i) had made the fraudulent statements and promises detailed above which induced her to incur liabilities of around \$62,000 on Sorokin's behalf, (ii) had made numerous promises to reimburse her approximately \$62,000 (and sent her fabricated wire confirmations) but only reimbursed her \$5,000, and (iii) was a liar and a con artist.</li> <li>• Sorokin never bought clothes, shoes, earrings, or a bag as gifts for Williams, who never wore Sorokin's clothing or accessories and never told Neff that Sorokin had bought her clothes. [The only exceptions to this were that Sorokin gave Williams one pair of yoga pants because they did not fit her, and one pair of shoes with black bottoms because she did not like them, which Williams accepted out of politeness but never wore and</li> </ul>	<p><b>Defamatory Meaning</b></p> <p>An average viewer would regard the depiction of Williams as befriending Sorokin for the meretricious purpose of extracting financial benefits from her less favorably than for the non-sinister purpose of being authentically attracted to her as a friend.</p> <p>An average viewer would regard Williams less favorably if she severed her relationship because she was no longer receiving financial support from Sorokin, rather than for having been the victim of fraud by Sorokin.</p> <p>The average viewer would regard Williams less favorably for calling Neff a "paid bitch" when compared to the</p>

	<p>prison. I'm not required to visit that person in prison. NEFF That person? She was your best friend. Oh. Her dad cuts her off and now she can't pay your way, fund your social life and clothes, so you drop her?</p> <p>RACHEL Anna did not ever pay my way. NEFF Anna paid for those shoes and that jacket. I was there when she bought those earrings. The sweater. And I know that bag! She paid for everything you have on. Now First National Bank of Delvey is closed and you're dumping her. You're a user.</p> <p>RACHEL If anyone is the user, it's you. I mean, we were friends, you... You were her paid bitch.</p> <p>NEFF Okay, what?</p> <p>RACHEL I mean, yeah, she may have bought some of my clothes, but you? I</p>	<ul style="list-style-type: none"> <li>• Compl. ¶ 34</li> </ul>	<p>did not keep. Sorokin also "gave" Williams some dresses in Morocco, but since Williams paid for them and was not reimbursed, she did not consider them gifts, and in any event, she did not keep them or wear them.]</p> <ul style="list-style-type: none"> <li>• Williams never accused Neff of being Sorokin's "paid bitch," has never used such foul and insulting words to anyone as an adult, and has never run away from Neff because she was afraid of her.</li> </ul>	<p>allegedly true fact that Williams never made any such statement so accusing Neff</p> <p><b>The Statements are Fact Not Opinion</b></p> <p>Whether Sorokin did or did not always buy the clothes and accessories for Williams as the series claims is objectively verifiable. The purchases either did or did not happen.</p> <p>Whether Williams became Sorokin's friend just to receive financial benefits from Sorokin, and whether Williams severed the friendship just because Sorokin ceased providing any financial benefits, can be objectively determined, discerning intent and motivation in the manner judges and juries routinely decide such matters. Objective evidence, such as evidence that Williams was defrauded by Sorokin, and evidence that Williams believed</p>
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	<p>mean, you let her buy you! She bought your time, she bought your... NEFF Say someone bought me again. Say it now. Come on. Try me. Step up here and discuss the purchase of this Black woman because I am dying to correct your face! Come on! [Rachel gasps and runs away] Yeah, you'd better run!"</p> <p>The Complaint also mentions that the title of this episode is "The Devil Wore Anna," and alleges this title implies that Williams is the devil.</p> <p>Compl. ¶¶ 31, 34.</p>			<p>Sorokin to be engaged in criminal activity, and went to authorities to complain about Williams' behavior, provides objective evidence of the alleged falsity.</p> <p>The title "The Devil Wore Anna" is not described in the Complaint as an independently actionable statement, but rather as additional context reinforcing the defamatory meaning described above.</p>
<p><b>2<sup>nd</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 2, 29:32-30:00</b></p>	<p>NEFF (to KACY) [Rachel] won't visit Anna. You know Anna. She is not ready for the real world. She is going to get upset about the service or be herself to the wrong chick and end up with a beatdown. We cannot</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as a disloyal and opportunistic friend who wore expensive</li> </ul>	<p><b>Compl. ¶ 37</b></p> <p>The true facts are that Sorokin never bought shoes for Williams, nor did Williams ever wear Sorokin's shoes, and that Williams stopped being friends with Sorokin for the good reasons set forth above, rather than because Sorokin was in jail.</p>	<p><b>Defamatory Meaning</b></p> <p>The statement reinforces the gist and sting of the defamatory meaning alleged for the 1<sup>st</sup> Set of Defamatory Statements, repeating the defamatory</p>

	<p>leave her alone in there. She needs to look forward to something. And Rachel... She acts like she barely knew Anna all of a sudden. Like Anna is some stranger. As if she's new to the situation. She literally is walking in Anna's shoes as we speak. Red bottoms. Spring collection. I wish I had hit her. My fist in Becky's face...</p> <p>Compl. ¶ 35.</p>	<p>designer shoes that Sorokin had given her, but then dropped her; and</p> <ul style="list-style-type: none"> <li>Williams is described as a "Becky"—a white woman ignorant of her privilege and prejudice.</li> </ul> <p>Compl. ¶ 38.</p>		<p>implications that Williams only feigned friendship with Sorokin to gain financial benefits from their relationship. The false statement about Williams wearing Anna's Red Bottom spring collection shoes is not defamatory because of the color or expense of the shoes but because the statement specifically reinforces the overall false narrative that Sorokin bought virtually all of the clothes, shoes, and accessories that Williams wore, thereby undergirding the false, disloyal, freeloading friend narrative. An average viewer would think less of Williams for wearing luxury shoes given her by Sorokin as compared to the true facts, as alleged in the Complaint, denying any such</p>
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				<p>lavish gifts from Sorokin to Williams. And so here the "defamation is in the detail."</p> <p><b>No Substantial Truth</b></p> <p>The statement is materially false. Netflix portrayed Williams as having received lavish gifts, but Sorokin did not buy Williams any such gifts and Williams never wore the one pair of cast-off shoes that Sorokin did give her. This is not a trivial falsity going to the color of shoes or whether she was wearing shoes from Sorokin at all, but a false distortion of the major and material fact regarding whether Sorokin in fact expansively bestowed lavish gifts upon Williams. An average viewer could regard the two accounts as materially different.</p> <p><b>The Statements are Fact Not Opinion</b></p> <p>Whether the lavish gifts</p>
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				<p>that Netflix depicts as having been bestowed by Sorokin on Williams did or did not exist is a simple verifiable statement of fact that may be objectively proven or disproven.</p> <p>Whether Williams’ decision to sever her relationship with Sorokin was motivated by Williams abandoning Sorokin because she was no longer receiving financial benefits, or was rather because she was the victim of fraud and manipulation by Sorokin that Williams deemed criminal, is a fact going to motivation and intent of the sort that courts and juries routinely adjudicate in criminal and civil matters.</p>
<p><b>3<sup>rd</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 5, 33:40-34:15</b></p> <p>(This episode is told from the</p>	<p>VIVIAN How did Rachel know Anna? NEFF I don’t know. She was already around by the time Anna moved into the hotel. They weren’t like old friends or anything, but... Rachel was</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as a sponger, a freeloader and a disloyal friend.</li> </ul>	<p><b>Compl. ¶ 41</b></p> <p>Sorokin never bought items or clothing for Williams. Williams never borrowed money or valuable possessions from Sorokin, and was never in a position where she was under any obligation to pay Sorokin back for anything. Further, Williams stopped being friends with Sorokin because of her manipulations and fraud, which Williams</p>	<p><b>Defamatory Meaning</b></p> <p>The statements are defamatory for the reasons articulated as to the 1<sup>st</sup> and 2<sup>nd</sup> Set of Defamatory Statements Above. Netflix avoids the gist and sting of the statements by asserting</p>

<p>perspective of Neff.)</p>	<p>always there when stuff was fun. Kind of like... She was there for the Instagram moments. As long as there was a good time.  VIVIAN So you don't think it was a real friendship?  NEFF Not like me and Anna. Rachel... Took and took and took. Never paid Anna back. Everything she wore was Anna's. I think she was trying to be Anna.”</p> <p>Compl. ¶ 39.</p>	<p>Compl. ¶ 42.</p>	<p>deemed criminal, rather than because Sorokin was in jail.</p>	<p>it is not defamatory to accept gifts. That is not the point. It is defamatory to be accused of befriending a person for the purpose of receiving gifts when in fact that was not the reason and moreover there were not gifts. As an example, it is not defamatory to receive a bequest in a will. It is defamatory to be falsely accused of carrying on a disingenuous relationship with a person resulting in receiving a bequest in a will, when the person falsely accused did not engage in such a disingenuous relationship and never received any bequest.</p> <p><b>No Substantial Truth</b></p> <p>The statements are not substantially true, for the reasons articulated as to the 2<sup>nd</sup> Set of Defamatory Statements.</p> <p><b>The Statements are Fact Not Opinion</b></p>
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<p><b>4<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 5, 34:50-35:07</b></p> <p>(This episode is told from the perspective of Neff.)</p>	<p>ANNA (in hair salon, shows off her new hair style) Ta-da!  RACHEL Oh, my God. NEFF Damn.  RACHEL I could never get my hair to look that good.  ANNA Do hers too. Put it on my bill.  RACHEL Oh, my God, really?  ANNA Mmm-hmm. (Anna and Rachel giggle - Neff scoffs).</p> <p>Compl. ¶ 43.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as a manipulative opportunist and freeloader who “was angling to get Sorokin to pay for an expensive hair styling for herself . . .”</li> </ul> <p>Compl. ¶¶ 44-45</p>	<p><b>Compl. ¶ 44</b></p> <p>Williams never tried to get Sorokin to pay for an expensive hair stylist for her, and Sorokin never paid for her hair. This is also a false attribution as Williams never made the statements in question in such a context.</p>	<p><b>Defamatory Meaning</b></p> <p>The statement carries defamatory meaning for the same reasons articulated with regard to the 3<sup>rd</sup> Set of Defamatory Statements above. It is not defamatory falsely say that somebody paid for another person’s haircut. It is defamatory to falsely claim that a person paid for a haircut as part of the recipient’s angling for financial favor, and then to falsely invent statements attributed to the recipient that appear to show the recipient gloating over it.</p>

				<p><b>No Substantial Truth</b></p> <p>The haircut gift never occurred, and more importantly, and more defaming, Williams never manipulated Sorokin to angle for receipt of a haircut, as the scene implies.</p>
<p><b>5<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 6, 05:19-5:33, and 55:35-40</b></p> <p>(This episode is told from the perspective of Kacy.)</p>	<p>RACHEL So the suite could fit three of us. Two in the master, one on the couch, but it might be kind of tight, right? It might just be more ideal to get two adjoining suites, then everyone has their space. We should book it today.</p> <p>ANNA I don't have time today.</p> <p>RACHEL I could book it for us.</p> <p>Compl. ¶ 46.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as an opportunist and a freeloader.</li> </ul> <p>Compl. ¶ 49.</p>	<p><b>Compl. ¶ 48</b></p> <p>Sorokin made the arrangements with the Hotel herself, and Williams did not make any suggestions to her about the accommodation there. This is also a false attribution as Williams never made the statements in question in such a context.</p>	<p><b>Defamatory Meaning</b></p> <p>The statement carries defamatory meaning for reasons parallel to those articulated as to the 3<sup>rd</sup> and 4<sup>th</sup> Set of Defamatory Statements.</p> <p>While in isolation, it may not be defamatory to be falsely portrayed as helping to pick out a hotel, it certainly can be defamatory to be falsely portrayed as opportunistically seeking a benefactor to book the most expensive hotel, when no such effort was ever made.</p> <p><b>No Substantial Truth</b></p> <p>There is a material gap between affirmatively encouraging a benefactor to book a</p>

				lavish luxury hotel and simply acquiescing in the benefactor's <i>own</i> choice of hotel, in that the affirmative effort could leave a more negative impression in the mind of an average viewer than mere passive acquiescence.
<p><b>6<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 6, 12:44-13:58, et al</b></p> <p>(This episode is told from the perspective of Kacy.)</p>	<p>According to the Complaint, these scenes show Williams joining Sorokin for a massage and tennis lessons at the Hotel, and pressuring Sorokin to “treat” their group with a private tour of the private museum and garden known as the Majorelle Gardens.</p> <p>Compl. ¶ 50.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as an opportunist and a freeloader.</li> </ul> <p>Compl. ¶ 53.</p>	<p><b>Compl. ¶ 52</b></p> <p>The true facts are they never got massages and Sorokin took tennis lessons by herself - Williams did not participate or attend. The tour of the Majorelle Gardens originated from and was booked by Sorokin.</p>	<p><b>Defamatory Meaning</b></p> <p>The statement carries defamatory meaning for reasons parallel to those articulated as to the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Set of Defamatory Statements.</p> <p><b>No Substantial Truth</b></p> <p>The statements are materially false for reasons parallel to those articulated as to the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Set of Defamatory Statements.</p>
<p><b>7<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 9, 40:23-41:08</b></p> <p>(This episode is told from</p>	<p>TODD SPODEK And when you became friends with Anna, did you ever pay for a drink? RACHEL She wouldn't let me. SPODEK Answer the question. WILLIAMS Not that I recall.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as an opportunist and a freeloader.</li> </ul>	<p><b>Compl. ¶ 56</b></p> <ul style="list-style-type: none"> <li>Williams did pay for some drinks; in particular, but without limitation, when they first started seeing each other, they split the cost of drinks and dinners; Williams bought dinner for Sorokin in New York after the Morocco trip; on two or more occasions, Williams went to a bar</li> </ul>	<p><b>Defamatory Meaning</b></p> <p>The statement carries defamatory meaning for reasons parallel to those articulated as to the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Set of Defamatory Statements.</p> <p><b>No Substantial Truth</b></p>

<p>the perspective of Todd Spodek, Sorokin’s lawyer.)</p>	<p>SPODEK Any of the dozens of dinners at Le Coucou and other fine dining establishments? WILLIAMS Not that I recall. SPODEK: Spa treatments? Facials? Infrared saunas? Massages, nail salons? WILLIAMS: No, Anna was very generous.  Compl. ¶ 5.4</p>	<p>Compl. ¶ 57.</p>	<p>with Sorokin and some others where Sorokin offered to buy drinks for everyone, but when the bill came, she did not have a credit card and Williams ended up paying for the bill, one of which was more than \$1,000;</p> <ul style="list-style-type: none"> <li>• Williams and Sorokin had approximately 10 sessions together in an infrared sauna, and they paid for 5 sessions each;</li> <li>• Sorokin only paid for one spa treatment for Williams, which consisted of a facial and a massage, at the Greenwich hotel where Sorokin was staying; Sorokin never paid for a manicure for Williams;</li> <li>• At the beginning of their relationship, they would share the cost of eating out, and Williams paid for some of their dinners at La Coucou</li> <li>• Williams never made the statements attributed to her.</li> </ul>	<p>The statements are materially false for reasons parallel to those articulated as to the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> and 6<sup>th</sup> Set of Defamatory Statements.</p>
<p><b>8<sup>th</sup> Set of Allegedly Defamatory Statements</b>  <b>Episode 5, 33:34-33:44</b>  (This episode is told from the perspective of Neff.)</p>	<p><i>ANNA: Hi. You made it.</i> <i>RACHEL: Only just. My boss was such a bitch today. I had to walk eight blocks in heels. Can you even... (Rachel sighs)</i> <i>ANNA: Oh. Rachel, you know my friend Neff.</i> <i>Neff, Rachel works at Vanity Fair. Her</i></p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>• Williams is falsely portrayed as an “entitled, status-conscious snob who is mean to a Black woman because she works in a hotel (in short, a ‘Becky’) and as someone who is spoiled, whiny,</li> </ul>	<p><b>Compl. ¶ 60</b>  Williams never acted or spoke in such a way to Neff, or to anyone else as an adult, nor did she make the other statements attributed to her in this scene, such as the one denigrating her boss.</p>	<p><b>Defamatory Meaning</b>  An average viewer would think less of Williams for making the statements to Neff, because they portray Williams as an entitled status-conscious snob who is mean to a Black woman in the hotel, as compared to the truth, which is that Williams never had any such conversation with Neff, nor to anyone else as</p>

	<p><i>boss is a monster. Some bitter 46-year-old.</i>  <i>RACHEL: So bitter.</i>  <i>NEFF: Horrible bosses are the worst.</i>  <i>RACHEL: Totally. She's jealous. Like, she knows I'll be her boss one day soon.....</i>  <i>RACHEL (judgmental tone)</i>  <i>You work at the hotel?</i>  <i>NEFF While I raise money for my film.</i>  <i>RACHEL (smiles dismissively, nodding) Sure.</i>  <i>NEFF (looks offended).</i></p> <p>Compl. ¶ 58.</p>	<p>and judgmental.”</p> <p>Compl. ¶ 61.</p>		<p>an adult.</p> <p><b>No Substantial Truth</b></p> <p>Williams never made the statements attributed to her, period.</p> <p><b>The Statements are Fact Not Opinion</b></p> <p>Whether Williams made the statements attributed to her is a fact, not an opinion. Williams either made the statement, or she did not. It is a red herring to suggest that Netflix was simply expressing “its opinion” about Williams. Netflix falsely portrayed the statements <i>as coming from Williams herself</i>. Those statements carry defamatory meaning. Netflix cannot fabricate quotations putting words in William’s mouth and then claim that its false attribution and fabricated quotes are “opinion.”</p>
<p><b>9<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 6,</b></p>	<p>According to the Complaint, after “several scenes about the problems with the credit cards at the Hotel and the private</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>• Williams is falsely portrayed as</li> </ul>	<p><b>Compl. ¶ 65</b></p> <p>The true facts are that Williams had told Sorokin back in New York before they left that she would be leaving</p>	<p><b>Defamatory Meaning</b></p> <p>An average viewer could think less of Williams when considering how she is portrayed by</p>

<p><b>46:05-51:05</b></p> <p>(This episode is told from the perspective of Kacy.)</p>	<p>museum tour, there is a long scene in which Noah is shown meeting Williams and suggesting to her that they leave immediately because of the ‘bad situation.’ At first, Williams says that the problems are over and suggests that they stay but Noah persists, and she gives in. She finds Anna who is alone in her room, drinking heavily and depressed. Williams tells her that they are leaving, making a bogus excuse. Sorokin begs her not to leave her, but Williams leaves anyway. She and Noah pack and leave the Hotel immediately, leaving Sorokin alone with a hotel guard stationed outside her room.”</p> <p>Compl. ¶ 62</p>	<p>a fair weather friend who abandoned Sorokin when she was alone, depressed and in trouble in Morocco, and needed help and support.</p> <p>Compl. ¶ 65.</p>	<p>Morocco on a specific day (May 19) to travel to France for a work assignment. She did not “abandon” Sorokin. The problems with the credit cards at the Hotel and the private museum tour occurred on May 18, the day before she left. Williams stayed at the Hotel on May 18 and had dinner with Sorokin. When she left the next morning as previously arranged, Sorokin was still in the luxurious private villa at the Hotel and was accompanied by Jesse (the real person identified in the Series as Noah) who stayed with Sorokin until she checked out of the Hotel, and then accompanied her to another luxury hotel in Morocco where they both stayed for a few more days. When Williams left on May 19, she knew that Sorokin was having financial difficulties, but Sorokin had said that she would be receiving substantial funds soon. It is therefore absolutely false to suggest that Williams left Marrakesh when Sorokin was alone, depressed and in trouble.</p>	<p>Netflix than when confronted with the actual truth. A viewer could perceive Netflix as portraying Williams as a fickle fair-weather friend who coldly abandoned Sorokin in Morocco, when compared to the true facts, which were that Williams left Morocco on the date previously arranged, and Sorokin stayed on with her companion Jesse.</p> <p><b>No Substantial Truth</b></p> <p>Netflix is wrong in saying that the depiction is substantially true because Williams did in fact leave Morocco—of course she did. The point is that Williams did not leave Morocco under the circumstances and for the reasons depicted by Netflix, conveying the defamatory meaning of that depiction.</p>
<p><b>10<sup>th</sup> Set of Allegedly Defamatory Statements</b></p>	<p><i>NEFF: Please, Rachel abandoned Anna. Kicked her when she was down, and left her alone in some</i></p>	<p>Claims the statement is defamatory because:</p>	<p><b>Compl. ¶¶ 68, 69</b></p> <p>Williams did not abandon Sorokin in Morocco as depicted. Futher, Neff states or implies that Williams terminated her</p>	<p><b>Defamatory Meaning</b></p> <p>These statements carry defamatory meaning for the same reasons as the</p>

<p><b>Episode 6, 54:25-54:40</b></p> <p>(This episode is told from the perspective of Kacy.)</p>	<p><i>foreign country. Rachel's happy to call herself Anna's friend when it meant free shit, trips to Morocco, but as soon as times got tough... Some friend.</i></p> <p>Compl. ¶ 66.</p>	<ul style="list-style-type: none"> <li>Williams is falsely portrayed as a freeloader and a disloyal, fair weather friend who abandoned Sorokin when she was alone and in trouble in a North African country and needed help and support.</li> </ul> <p>Compl. ¶ 70.</p>	<p>friendship with Sorokin in Morocco because Sorokin was having problems. Williams did not stop being friends with Sorokin because Sorokin was having problems in Morocco, but because she discovered on her return to New York that Sorokin was a liar and a con artist whose false statements and promises had induced Williams to incur liabilities of around \$62,000 on Sorokin's behalf, and who only reimbursed Williams \$5,000 despite numerous promises to reimburse her \$70,000 to account for the full debt and any late fees incurred.</p>	<p>9<sup>th</sup> Set of Defamatory Statements above.</p> <p><b>No Substantial Truth</b></p> <p>The statements are materially false for the same reasons as the 9<sup>th</sup> Set of Defamatory Statements above.</p>
<p><b>11<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 1, 03:42-3:52</b></p>	<p><i>KACY (into phone) Are you reading it? That girl's back in New York. RACHEL I can't believe it. How do you think they caught her?</i></p> <p>Compl. ¶ 71.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as someone who lied to her friends to conceal her role in Sorokin's arrest.</li> </ul> <p>Compl. ¶ 74.</p>	<p><b>Compl. ¶ 73</b></p> <p>The true facts are that from September 13, 2017 (weeks prior to Sorokin's arrest) to April 10, 2018 (when she gave Kacy advance notice that Vanity Fair would be publishing her article), Williams did not communicate with Kacy, and she never had a conversation with Kacy in which she intentionally concealed or lied about her role in the arrest.</p>	<p><b>Defamatory Meaning</b></p> <p>An average viewer could think less of Williams by believing the false Netflix account that Williams lied to friends including Kacy, intentionally concealing or lying about her role in Sorokin's arrest, when in fact she did not.</p> <p><b>No Substantial Truth</b></p>

				<p>Williams did not have the conversation with Kacy depicted, and more importantly, did not lie about or conceal her role in Sorokin’s arrest.</p>
<p><b>12<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 8, 1:02:05-1:02:45</b></p>	<p>NEFF: So the next time we see her she’ll be wearing a jumpsuit. I knew she was due for a fall but...</p> <p>KACY: What was she doing in LA anyway?</p> <p>WILLIAMS: I think she was in some rehab. KACY: Rehab? How do you know that?</p> <p><i>WILLIAMS: OK, look guys, I wasn’t going to say this, but I was actually on the phone with her when she was arrested.</i></p> <p>NEFF: Seriously? That’s a coincidence.</p> <p><i>WILLIAMS: It was surreal. It was awful. I hope they’re treating her well. Can you imagine? Anna in jail?</i></p> <p>NEFF: Bet you can imagine.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as a liar who misled friends about her role in Sorokin’s arrest.</li> <li>She is also portrayed as hypocritical because in Episode 7 at 19:32-19:37, she told a colleague that “I’m not going to turn over a foreign woman to the police, not in Trump’s</li> </ul>	<p><b>Compl. ¶ 77</b></p> <p>Williams never had a conversation with Kacy or Neff in which she intentionally concealed or lied about her role in Sorokin’s arrest</p>	<p><b>Defamatory Meaning</b></p> <p>These statements carry defamatory meaning for the same reasons as the 11<sup>th</sup> Set of Defamatory Statements above.</p> <p><b>No Substantial Truth</b></p> <p>The statements are materially false for the same reasons as the 11<sup>th</sup> Set of Defamatory Statements above.</p>



	<p>Compl. ¶ 75.</p>	<p>America,” but then she went to the police to offer to help them arrest Sorokin.</p>		
<p><b>13<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 9, 44:40-45:52</b></p> <p>(This episode is told from the perspective of Todd Spodek, Sorokin’s lawyer.)</p>	<p><i>KACY You dropped a dime on Anna? Worked with the cops? Set her up? Lured her out of rehab?</i> <i>WILLIAMS: Look, I can explain. I know you’re probably angry. KACY: This is shock. You’ll know when I’m angry.</i> <i>WILLIAMS: I had to cooperate with the police. It was the only way to get reimbursed.</i> <i>KACY: Why hide it?</i> <i>WILLIAMS: I was ashamed. I felt used. By the police, by the prosecutor.</i> <i>KACY: I feel used. By you. Thinking you’re some kind of victim in all this. Taking care of yourself.</i></p>	<p>Compl. ¶ 78.</p> <p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>• Williams is falsely portrayed as a liar who misled mutual friends about her role in Sorokin’s arrest;</li> <li>• as a disloyal and opportunistic friend who assisted law enforcement to arrest a friend for her financial benefit;</li> <li>• as someone who falsely claimed to be a victim of the Sorokin saga when in fact she</li> </ul>	<p><b>Compl. ¶¶ 81, 82</b></p> <p>This scene occurs in the courthouse immediately after Williams has finished her testimony which revealed her role in Sorokin’s arrest. Kacy, who had heard the testimony, is waiting on the stairs and confronts Williams, accusing her of betraying Sorokin to the police but concealing that fact from her friends, of benefitting financially from this conduct, and of falsely playing the victim. The accusations have great power because of the strength with which Kacy delivers them and because Kacy is the moral compass in the Series, one of the few to emerge with her integrity intact. By contrast, Williams is shown to be a weak, cowardly and dishonest person who does not stand up to Kacy but rather runs away with a few lame excuses, just as she had run away when Neff confronted her about her disloyalty to Sorokin in Episode 4 (1st Set of Defamatory Statements).</p> <p>These are false statements of fact and false attributions for the following</p>	<p><b>Defamatory Meaning</b></p> <p>An average viewer could think less of Williams when comparing her depiction in this scene, including her depicted motivations and actions, with the actual truth. The average viewer could think less of Williams because she is falsely depicted as a as a liar who misled mutual friends about her role in Sorokin’s arrest, as a disloyal and opportunistic friend who assisted law enforcement to arrest a friend for her financial benefit, as someone who falsely claimed to be a victim of the Sorokin saga when in fact she benefitted financially, and as</p>

	<p><i>WILLIAMS: I am a victim in all of this. KACY: At least you get to cry into all that money. Looks like you'll have plenty left over even after you pay Amex the 60k you owe. Unless someone already paid that back for you. Do not withhold from me at this moment. WILLIAMS: Amex took care of it. They saw how crazy this situation was and they... KACY: So you made out just fine from dropping a dime on your friend.” (Rachel hurries past her down the stairs without saying anything else.)</i></p> <p>Compl. ¶ 79</p>	<p>benefited financially;</p> <ul style="list-style-type: none"> <li>and as someone who was ashamed of her actions.</li> </ul> <p>Compl. ¶ 82.</p>	<p>reasons:</p> <ul style="list-style-type: none"> <li>Kacy never confronted Williams in this manner - Kacy came to court to hear Williams’ testimony to support Williams - she and Williams maintained an amicable relationship before, during and after the trial.</li> <li>Williams never uttered the words attributed to her in this scene, nor did she ever run away from Kacy;</li> <li>Williams cooperated with the police because she believed that Sorokin was a criminal who had defrauded her and others and that it was appropriate for the authorities to prosecute her for those crimes: not because it was “the only way to get reimbursed.” In fact, Williams had no expectation at all that Sorokin’s prosecution would benefit her financially or otherwise;</li> <li>She did not mislead her friends about her role in Sorokin’s arrest by omission - she included the relevant details in the Book and testified about them at trial;</li> <li>She was not ashamed by what she had done, nor did she feel used by the police and prosecutors, and she never said such things to anyone; and</li> <li>American Express had not “taken care” of Williams’ liability for the Hotel charges on her Personal Amex – it did eventually waive the \$36,010 charge for the Hotel but not until a few weeks after the criminal trial</li> </ul>	<p>someone who was ashamed of her actions.</p> <p><b>No Substantial Truth</b></p> <p>There is a material difference between the alleged truth, which is that Williams cooperated with police because she believed Sorokin to be criminal and believed that Sorokin had committed fraud and manipulation of Williams, and was in fact victimized by Sorokin, and the depicted events, which attribute to Williams motivations entirely based on selfish financial gain, and depict her as lying and deceiving friends. Moreover, the entire scene is a fabrication that never occurred, and the words attributed to Williams, which portray her negatively, fabricated and never spoken by her.</p> <p><b>The Statements are Fact Not Opinion</b></p>
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			<p>ended (i.e., after this scene), when it unexpectedly agreed to remove it; moreover, Williams had already paid Amex for the non-hotel charges.</p>	<p>The fabricated scene and invented dialogue put words in Williams’ mouth that she never spoke and thereby communicate to viewers, in Williams’ own voice, character traits and motivations that she did not have, which are false and presented to viewers as facts that actually occurred. They are not opinion.</p> <p>The false portrayal of the motivation for Williams’ actions, particularly portrayed through false statements put in Williams’ mouth that she never uttered, are motivations capable of being determined true or false, as such motivation is commonly determined by courts and juries in civil and criminal matters.</p>
<p><b>14<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 7, 33:22-33:35</b></p> <p>(This episode is told from the</p>	<p><i>KACY (to Vivian): I told Rachel we should contact Anna’s parents. We could find them online or something.</i></p> <p><i>VIVIAN: So you spoke to Anna’s parents?</i></p> <p><i>KACY: No, Rachel said she wanted to</i></p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as a manipulative and deceitful person who misled Kacy about wanting to</li> </ul>	<p><b>Compl. ¶¶ 84-85</b></p> <p>In this scene, Kacy states or implies that Williams was lying when she told Kacy that she wanted to think about contacting Sorokin’s parents, because at the time, she was writing, or had written, the Vanity Fair Article which explained how Sorokin had conned her and lied to her. Thus, she had no desire to help Sorokin by contacting her parents, but rather than</p>	<p><b>Defamatory Meaning</b></p> <p>An average viewer could find that the depiction falsely Portrays Williams as a manipulative and deceitful person who misled Kacy about wanting to help</p>

<p>perspective of Williams.)</p>	<p><i>think about it. [Laughs] And then, I saw her article today. These girls are toxic—all of them.</i></p> <p>Compl. ¶ 83.</p>	<p>help Sorokin in order to dissuade her from calling Sorokin’s parents while she worked on the Vanity Fair article.</p> <p>Compl. ¶¶ 84-86.</p>	<p>explaining to this to Kacy in a direct and honest manner, she had lied by saying she wanted to think about it. The unpleasantness of her conduct is underlined by Kacy, who is the most moral character in the Series. describing her as “toxic.” These are false statements of fact and false attributions. The true facts are that Williams told Kacy that she wanted to think about contacting Sorokin’s parents.</p>	<p>Sorokin in order to dissuade her from calling Sorokin’s parents.</p> <p><b>Substantial Truth</b></p> <p>It is true that Williams did say that she wanted to think about contacting Sorokin’s parents. It is false that she misled Kacy about her motivation to dissuade her from contacting Sorokin’s parents while she worked on the <i>Vanity Fair</i> article. A average viewer could think less of Williams based on the difference between the two accounts.</p> <p><b>The Statements are Not Opinion but Fact</b></p> <p>Netflix wrongly characterizes the Complaint as grounded entirely in the use of the word “toxic.” Rather, the false factual content resides the false</p>
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				<p>depiction of the motivation for Williams’ needing to think about contacting Sorokin’s parents.</p>
<p><b>15<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 7, 16:25-16:39</b></p> <p>(This episode is told from the perspective of Williams.)</p>	<p><i>LINDA (Vanity Fair employee): ... I had a message from Amex, something about an unpaid balance on your corporate card.” WILLIAMS: Oh. Mine?</i></p> <p><i>LINDA: Look, Marco’s doing his quarterly checks next week, so you’d better pay whatever need spaying by then.[sic] WILLIAMS: Definitely. I’ll have everything cleared. I must have forgotten.</i></p> <p><i>LINDA; Sure.”(Williams immediately calls Sorokin and leaves a message imploring her to send her the money she is owed).</i></p> <p>Compl. ¶ 87.</p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is portrayed as an unethical, evasive and deceitful employee who lied about being aware of this charge.</li> </ul> <p>Compl. ¶ 89.</p>	<p><b>Compl. ¶ 88</b></p> <p>Williams is shown lying to her employer about being aware that there is a large unpaid balance on her Business Amex, falsely claiming when confronted that she must have forgotten about it. This is a false statement and/or attribution. Williams never lied to her employer about this charge. On the contrary, she voluntarily told her employer that a large personal charge had been placed on her Business Amex and that she accepted responsibility for it.</p>	<p><b>Defamatory Meaning</b></p> <p>An average viewer could easily find defamatory meaning in a depiction of Williams as being evasive and lying to her employer in the investigation surrounding the American Express charges. Indeed, imputations of unethical business or professional conduct is universally treated as defamation <i>per se</i>.</p> <p><b>No Substantial Truth</b></p> <p>Netflix is wrong in claiming substantial truth because there was an investigation into the business charges on Williams’ account. There is a material difference between an investigation into an unauthorized business charge in which the employee is entirely forthcoming about</p>

				<p>the circumstances, and a depiction in which an employee is shown as lying or evasive.</p>
<p><b>16<sup>th</sup> Set of Allegedly Defamatory Statements</b></p> <p><b>Episode 7, 18:40-18:51; 38:10-38:45; and 45:43-48</b></p> <p>(This episode is told from the perspective of Williams.)</p>	<p><i>LINDA: Something you want to tell me?</i>  <i>LINDA: You let her spend \$62,000 on your company AmEx?</i>  <i>WILLIAMS: I didn't let her. I mean, I did, but she is supposed to pay me back.</i>”</p> <p>...</p> <p><i>“RACHEL: I... I swear, I wasn't trying I wasn't trying to defraud the company. She said she would pay me back. /</i>  <i>VANITY FAIR EXEC: This isn't about your friend, but your lack of judgment.</i>  <i>RACHEL: But it wasn't my fault.</i>  <i>VF EXEC: Whose then?</i>  <i>RACHEL: I tried to fix it.</i>  <i>EXEC: You failed.</i>  <i>RACHEL: Are you firing me?</i>  <i>EXEC: If an</i></p>	<p>Claims the statement is defamatory because:</p> <ul style="list-style-type: none"> <li>Williams is falsely portrayed as an irresponsible employee whose employer believed that she helped a friend defraud the company out of \$62,000;</li> <li>and whose misconduct was sufficiently serious to warrant an investigation and the return of her IDs and credit cards.</li> </ul> <p>Compl. ¶ 95.</p>	<p><b>Compl. ¶¶ 93-94</b></p> <p>In the first scene, Williams admits that she let Sorokin charge \$62,000 to the Business Amex. In the second, the executive accuses Williams of poor judgment and of helping her friend defraud her employer. And in the third, she is ordered to return her company ID's and credit cards. The cumulative effect of these scenes is to portray Williams as an irresponsible employee whose employer believed that she was complicit in a \$62,000 fraud against the employer, and that her misconduct was sufficiently serious to warrant an investigation and the return of her ID's and credit cards.</p> <p>These statements and/or attributions are false. Vanity Fair was not defrauded, and Williams was not complicit in such a scheme, not least because she had not given the Hotel permission to charge anything on the Business Amex. At no point in time was there any possibility of Vanity Fair having to pay the charge because Williams marked the charge as “personal” on her expense report and informed the finance manager that she was reconciling the line item. This meant that she accepted responsibility for</p>	<p><b>Defamatory Meaning</b></p> <p>Much as with the 15<sup>th</sup> Set of Defamatory Statements described, above, there is defamation <i>per se</i> in this depiction. An average viewer could easily find defamatory meaning in a depiction of Williams as being evasive and lying to her employer in the investigation surrounding the American Express charges.</p> <p><b>No Substantial Truth</b></p> <p>Again, parallel to the reasons articulated with regard to the 15<sup>th</sup> set of Defamatory Statements, there are material differences between the depictions of Netflix and the true facts. Williams was never deemed complicit in Sorokin's fraud, was never so regarded as complicit by <i>Vanity Fair</i>, and never sought to deceive <i>Vanity Fair</i> or was treated by <i>Vanity Fair</i> as having</p>

	<p><i>investigation finds that you were in on it, we'll be calling in the police. RACHEL: Wait, I... I didn't take any of it. EXEC: You stayed at the hotel, didn't you? RACHEL: Can't you understand what I've gone through? EXEC: You helped your friend defraud this company. You're neck deep in this Rachel."</i></p> <p><i>... VF EXEC: Rachel, until this investigation is complete, I'll need you to return all your company IDs and credit cards. . .</i></p> <p>Compl. ¶¶ 90-92.</p>		<p>paying the balance to Amex directly, and consequently, she was never confronted nor investigated by Vanity Fair. Williams was supported by her colleagues throughout the ordeal. Further, only \$16,670 of the Hotel charges was charged to the Business Amex, not \$62,000, and American Express's own investigation concluded that it was charged without her consent and against her explicit instructions. Furthermore, the ensuing conversation falsely portrays Williams as attempting to conceal the fraudulent charge from her employer.</p>	<p>engaged in deception.</p>
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