

## REPLY TO ECF 29

Because much time has gone by over the year and the issues of this case are being reported on and tried more and more in the post MeToo zeitgeist worthy of a Jury of Our Peers, I will ask the following 7 page Reply to be properly processed because Defense misrepresented issues in its last Response. Judge deserves clarity of the issue of “unfair” and “outright false”. This culture is attempting to learn how to handle the extreme blowbacks from the MeToo Movement seemingly week by week for the past 4 years like various types of confections with the MeToo zeitgeist to which obviously is part of my Complaint with Hearst.

On Dec. 13, 2020 – one day before Defense recent Dec. 14, 2020 Response, a top news story broke about the Governor of New York Andrew Cuomo, where a woman who worked for Cuomo over a prolonged period of time accused him via Twitter of “*harassing her for years*”.

### Sound familiar?

Lets briefly recap. Here is how Hearst’s March 23, 2018 headline began to butcher my life via unproven and un-provable accusations.

Westport News

<https://www.westport-news.com/news/article/Police-Westport-man-harassed-women-for-years-12774215.php>

## Police: Westport man harassed women for years

By Sophie Vaughan Published 12:00 am EDT, Friday, March 23, 2018

....

Despite me living in San Francisco from 2007-2017 and Westport Ct. being the only place of alleged incidents.

**FACTS:** I only had one alleged unwanted supermarket or café contact with anyone mentioned in the Arrest Warrant (**a Warrant devoid of deploying the “harass” language**) as presented in ECF documents up to this stage. Hearst is brazenly saying (putting phantom words in the police mouths) that I “*harassed women for years*”. As I have pointed out they did not even afford me the “allegedly harassed” language (which is still libel) that was written in their year later Feb. 11, 2019 article of an actual first and only Harassment arrest and charge I faced. Yes their second hit job on me avoided the absolutist language from the March 23, 2018 first false arrest article. The Feb. 11, 2019 second arrest article attempts to be more careful in its title having written “accused of harassing women” (which is also wrong, unfair, and libelous) and then proceeded to write in the opening paragraph “allegedly harassed” (which is still libel) thereby showing that the March 23, 2018 first hit job article deploying the absolutist language of “*Harassed Women for Years*” **without any proper “allegedly” language** let alone proper quotes from police or even any woman at all relative to my noncriminal past to be obviously unfair, damaging, and libelous.

**The following recent article’s title concerning Governor Andrew Cuomo is somewhat similar in tone to Hearst’s title of me** yet at least with a complainant’s name and quotes in tune with veritable cultural harassment definitions because with this accusation against Mr. Cuomo

there are possible multiple unwanted contacts towards an individual because they saw each other for years. The definition of harassment – dictionary definition - is the gist of this case – veritable “harassment”, since there has never been any arrests by police for harassment let alone any other crime before this Westport Ct. fiasco. I merely crossed paths with someone at a market or café **one time** and was accused by an officer (as he words in Arrest Warrant) of allegedly **“getting into personal space”** toward women (See ECF 20 Exhibit D). I was described in the Brief Description of the Incident Report as a **“suspicious person”** (See ECF 20 Exhibit I/ECF23 Amended Exhibit I) as well in the past Incident Reports (that resulted in no arrest of anything whatsoever after thorough investigations) also there is NO “harassment” Brief Descriptions of any Incident Report (See ECF 20 Exhibit I/ECF 23 Amended Exhibit I) only **“suspicious person”** or **“police general service”**. This careful wording written by the officer of the first false arrest Warrant **“getting into personal space”** is not harassment and police would never take the stand to say it was harassment or most certainly never say it was stalking or threatening for it would set them up for a lawsuit describing me in ways that is not in tune with the **ONE COUNT of Second Degree Breach of Peace** arrest (which does not have the word “harass” within its statute), or even any past investigation resulting in no probable cause for any kind of arrest after thorough investigation case long closed with statute of limitations in effect.

**Hot off the press Dec. 13, 2020 for some perspective.**

ANDREW CUOMO · Published 1 day ago

## Former aide says Cuomo sexually harassed her 'for years'

Lindsey Boylan, a Democratic candidate for Manhattan borough president, says, 'I \*know\* I am not the only woman'



**Lindsey Boylan** ✓  
@LindseyBoylan

Yes, @NYGovCuomo sexually harassed me for years. Many saw it, and watched.

I could never anticipate what to expect: would I be grilled on my work (which was very good) or harassed about my looks. Or would it be both in the same conversation? This was the way for years.

9:16 AM · Dec 13, 2020



**“FOR YEARS”**... meaning they saw each other more than a brief 5 minute time at a public market – they were associating for veritable “years”.

**FACT: I never had any woman quoted saying I “harassed” them prior to the Feb.6, 2019 second false arrest for email harassment and was never investigated or arrested for any kind of harassment!!! In fact the March 23, 2018 hit job article’s (Article #2 aka Big Deuce) only has this one woman/name Wendy Higgins Chambers (not involved in arrest nor any past complaint) who herself does not deploy words saying I “harassed” her. This article describes me giving her my business card to an “obscure website” and this Wendy Higgins Chambers actual words are “he showed up in front of my car and scared the crap out of me. He said he wanted to go out with me and I said I did not want to go out with him. He is a creep”.**

**So many evasive lies here but needless to say I NEVER saw this woman again. It was a one time approach and encounter devoid of complaint to anyone – market manager, police, media at the time, let alone complaint to me (for she had my business card) that allegedly happened months before my ONE COUNT Second Degree Breach of Peace arrest. Is this meeting in a publically shared supermarket (with cameras) not an every day occurrence? The article concludes with this sole woman Wendy Higgins Chambers being quoted “A woman (never identified and with no complaint to anyone) who saw me show the article to a manager said he tried to pick her up twice at Darien Whole Foods”. But the fact remains Hearst’s star witness and only woman related to the libel that started the damages is this woman Wendy Higgins Chambers in the article who never herself uses the word “harass”. Hearst takes it upon themselves to write that police say I absolutely “harassed women for years” despite having no woman quoted saying this let alone never having the police themselves using this harassment language nor any quotes from women of anything I might have said (since this is allegedly a non-sexual harassment type of harassment).**

**FACT: I now have an Affidavit from Hearst’s one name within their Big Deuce Article #2 – Wendy Higgins Chambers – that has her not deploying the words **harassment** at all in her description of our encounter! Once again, how is the reporter putting these harassing words within the mouths not only of police but also of her sole woman she interviewed? This Affidavit will be among the numerous documents presents as Evidence in the coming necessary stages.**

**FACT: In my 55 year past I never had more than one brief contact or complaint from a woman about allegedly as police write “getting into personal space” (See ECF 17 Exhibit V). In the past there was a concern of a (as arresting and non-arresting Incident Reports Brief Descriptions state) “suspicious person” (See ECF 20 Exhibit I/ECF 23 Amended Exhibit I) at a market or cafe, incidents which had investigations, no probable cause for truly “threatening” behavior, no Sworn Written Statements, no pressing of charges, and most importantly – no evidence of anything worthy of being absolutely labeled a harasser, only feelings of concern aka hearsay.**

**FACT: No past Incident Report has “**Harassment**” as its Brief Description for the resulting **guilt-free Incident Report** – THESE PAST INCIDENT REPORTS FULLY INVESTIGATED RESULTING IN NO ARREST CASES LONG CLOSED HAVE EITHER “suspicious person” or “police general service” AS THEIR BRIEF DESCRIPTION (See ECF 20 Exhibit I/ECF 23 Amended Exhibit I).**

**If Second Degree Breach of Peace is to be interpreted as a kind of harassment even though**

**the word harass is not part of the statute how can any past complaint with investigation devoid of an arrest and devoid of a woman using the word harass at all be absolutely deemed a type of harassment?** Women are deploying the media accusing men of sex harassment. My arrest or past has absolutely nothing to do with sex harassment or any kind of harassment. This conflating different types of individual “uncomfortable” situations as Wendy Higgins Chambers wrote in her Affidavit or as police write *“getting into personal space”* with **harassment or stalking** is dangerous and as I has shown severely damaging.

**FACT:** I never had any prolonged unwanted contacts nor was I ever accused of anything like Threatening which is an actual charge in the state of Connecticut as well as threats being associated with First Degree Harassment with intent to do physical harm. I was charged with **ONE COUNT of Second Degree Breach of Peace that obviously showed no intent** to which Hearst outrageously attempts to conflate me as “threatening” and “harassing”. This is unproven and un-provable nonsense. If I were veritably threatening or harassing there obviously would have been some kind of arrest in the past. Once again, there are numerous types and levels of concerns and or fears and conflating any concern or fear or “scare” with there being a threat is for lazy minds with an obvious agenda. Conflation is a huge problem in our culture now with these less than average media types deploying a sick Guilt by Accusation procedure that violates proper laws. **In all reality what Hearst did was far worst than already hideous Guilt by Accusation instincts because they do not even have any words from anyone saying I harassed outside of the second false arrest for unproven email harassment in Feb, 6, 2019.**

**FACT: The warrant officer did not write that I “harassed” any woman.**

**FACT: The warrant officer did not write that I “threatened” any woman.**

The officer and author of the unproven and un-provable Warrant for **one count of Second Degree Breach of Peace** stated I allegedly *“got right into personal space”* and never deployed the **threatening or harassing or stalking** language nor charge me for actual Threatening or Harassment or Stalking – actual Connecticut Statutes.

Notice in the Mr. Cuomo accusation that the woman (yes an actual woman coming forward like most harassment stories) tweeted that “many saw it”, it being her accusations of Cuomo’s harassment – potential evidence to which has never been part of my simple exonerated arrest let alone any past complaint devoid of probable cause for any kind of arrest all blown way out of proportion by Hearst. **So we have here Dec. 13, 2020 an accusation of Mr. Cuomo “harassing for years” – that are being described as sex harassment - multiple acts “for years” allegedly from one person - Mr. Cuomo toward an individual woman. Chief to my arguments is that veritable Harassment is a type of Course of Conduct behavior from one person toward another person within 99% of all dictionary and cultural definitions. AND the Hearst reporter had the benefit of actual police investigations that did not show probable cause and did not result in any arrest and did not result in any description of alleged incident deploying the word harass (See coming Exhibits on any past arrest-free Incident Report and the language used in these Incident Reports - Brief Descriptions “suspicious person” or “police general service” that show police feelings of the material Hearst recklessly plays with).**

The amount of material I have to share backing up my arguments as shown deserves to be socially scientifically in front of a Jury of Our Peers for this is an obvious issue of the zeitgeist

that everyday people need to weigh in on. The people should be the ones bringing aid to defining this raw zeitgeist. How many stories must we read about showing obvious conflation with this MeToo sex harassment zeitgeist to start to open up to some true stories of victims of this overly loose “harassment” language being deployed. I have clear evidence of what happens to innocent people who never caused any harms or damages from such overly free and loose accusations.

Mr. Cuomo is accused of having made repeated remarks on his accuser’s appearance. **There were no hostile words let alone words at all involving my arrest and there are no quotes from women in past documents quoting me with harassing words!** FOIA Request for the arresting incident Dispatch Tapes shows undeniable proof the woman involved (who never pressed charges) NEVER DEPLOYED THE WORDS HARASS (See ECF 20 Exhibit H). My arrest had nothing to do with verbal harassment. My **one count second degree breach of peace** arrest had nothing to do with any kind of harassment. My arrest had nothing to do with sex harassment. My arrest had nothing to do with “unwanted touching” that president-elect Joe Biden (notice media careful avoidance of deploying sex harassment labels) was accused of from multiple women – actual names. At worst I was a “suspicious person” attempting to say hello to someone who themselves felt comfortable with the approach. This is not a crime. When and if there was a communication of displeasure in the form of a concern or complaint I was never to be seen again as evidence in there being no second incident report involving a relative person (which would invite a harassment or stalking investigation and charge). Now because of Hearst’s adolescent-like knowledge of basic dictionary definition words let alone the law I can be described in any way someone views harassment to be and that is not right. This case demands as many opinions as possible to properly define harassment.

**FROM ECF 17 (SEE EXHIBITS H-U)**

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## What is HARASSMENT?

Repeated conduct that is not wanted and is known to all parties as offensive. Refer to sexual harassment.

**What is harassment?** We put this word in front of people in various focus groups and people will undoubtedly consistently say it is badgering or repeated unwanted acts or contacts after a warning. Are we prepared as a society to allow anyone to conflate this word so broad as to allow undue freedom for a gross imagination to create whatever they want as to what actually transpired between two people **especially between a man and a woman**? With this gross definition of harassment anyone could say they were harassed (devoid of evidence of words or actions/approaches). Hearst's special articles wandering away from the one count of Second Degree Breach of Peace arrest and Official Police Press Release were absolutist, under-informed, reckless, persistent, and malicious given multiple warnings before causing the resulting undeniable damages done to me the past 3 years. I created no damage to anyone and invite any evidence in my past that would warrant a harassment accusation set in absolutist stone **from police words that never deploy the word harass for the March 5, 2018 arrest and prior.**

**Finally I need to address a departure from the truth aka spin aka lie from Hearst's last Response.**

**Hearst writes in Response ECF 29:**

*Hearst: "Plaintiff again mischaracterizes the proceedings in his separate defamation action against a different publisher over its reporting on the same underlying allegations concerning Plaintiff. Contrary to Plaintiff's claims, Judge Underhill never "deem[ed] Altice/News 12's coverage of [him]" to be "outright false' and 'unfair.'" The Court granted Altice's motion to dismiss as to all but one of the statements in that case, and denied Altice's motion only as to the statement that Plaintiff was charged with "stalking," which Hearst's articles did not state or suggest was among the charges brought against Plaintiff. (See ECF No. 27, at 1-2; see also ECF No. 19-1, at 35:10- 14; ECF No. 14-3, at 2; ECF No. 14-4, at 4; ECF No. 14-6, at 2.)"*

*Hearst: "reporting on the same underlying allegations concerning Plaintiff"*

"Same"?

I have detailed all the ways the case against Hearst/Westport News has some significant differences to my ongoing case against Altice/News 12, most notably Hearst's persistent now 3 year attack knowing I was already damaged by the previous yes "unfair" and "outright false" Altice/News 12 report and Hearst in their persistence not even deploying a proper "alleged" description (which is still libel) in tune with Due Process of Law let alone any past Due Process of Law to which I was never even arrested for after thorough investigation, the reporter knowing past incidents were thoroughly investigated resulting in no charges let alone harassment, the reporter knowing I was previously harmed by her only witness with News 12, reporter deploying unproven and un-provable words like "harass" and "haunt", reporter deviating from the Official Police Press Release, reporter repeatedly treating my Arrest Record as if it was a Conviction Record, etc... (**See Complaint**). The Altice and Hearst cases are similar in ways most notably how Hearst made the same mistake as Altice by choosing a language – "**harassment**" that the warrant never deployed. Both stalking and harassment were never part of the arrest and were never part of the wording carefully chosen by the officer.

**Hearst flat out LIES from Response ECF 29:**

Hearst: *Contrary to Plaintiff's claims, Judge Underhill never "deem[ed] Altice/News 12's coverage of [him]" to be "outright false" and 'unfair.'*

**SEE ECF 20 EXHIBIT O** where undeniable transcripts show Judge Underhill concluding at the May 9, 2019 Altice Motion to Dismiss Hearing that the Altice/News 12 coverage of me was indeed **"unfair"** (the subject matter of a Motion to Dismiss) and it was time to proceed to presentation of evidence and Exhibits. **I am arguing that the case at hand (a unique case with major differences) also most certainly at the very least deserves the same process – sharing as much evidence to back up arguments as possible.**

Judge Underhill's **"outright false"** conclusion was from the ongoing Altice case's Summary Judgment Decision (**SEE ECF 20 EXHIBIT/SUPPLEMENT P**) now in Appeals with the issue of malice. Altice took their material off line after 2 days of reporting and amongst the Judge's possible reasoning for Summary Judgment was that Altice *"dulled impact"*, to which among other things can be interpreted as they did not leave their *"unfair" and "outright false"* let alone unproven and un-provable material alive for 3 years like Hearst, and perhaps were worthy of a Summary Judgment for making good hearted efforts to clean up their un-provable nonsense the moment it happened. **Obviously, Hearst cannot claim any of this and are hardly worthy of being given an easy out.** It has been nearly 3 years. It is time for Hearst to prove as they absolutely wrote *"Police: Man harassed women for years"* because I kindly ask for my name and productive life back.

Once again, I address this Altice case only because of Hearst's latest ECF 29 Response and the court deserves details clarified all the while knowing the cases James Lawrence v. Altice and James Lawrence v. Hearst have different elements and deserve to be tried according to the facts of the particular case. If Hearst feels (and I emphasize feel) police are part of a claim or opinion of "harassment", need there not be harassment investigations and harassment descriptions within any past Incident Report, let alone a past arrest or best past conviction of anything, past alleged happenings that were fully investigated and resulted in no probable cause for any crime let alone harassment. Need there not be the use of the word "harass" in the Arrest Warrant they read. If Hearst has the right to absolutely say I *"harassed women for years"* then they best have a reliable source with actual quotes from an officer or even a woman quoted. This they do not have and will never have and can only hope to ascertain via a trial to which would still leave them without the necessary material to justify their hasty conclusions at the time of the libel.