

APPEAL NO. B341119
Consolidated Appeal No. B345361

**IN THE COURT OF APPEAL
OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION ONE**

JANE DOE,

Plaintiff and Respondent,

vs.

ALKIVIADES DAVID, an Individual, et al.

Defendants and Appellant.

**APPEAL FROM THE SUPERIOR COURT FOR LOS
ANGELES COUNTY**

Trial Court Case No. 20STCV37498

Hon. Judge Christopher K. Lui

**APPELLANT ALKIVIADES DAVID APPENDIX
VOLUME 3 of 6 [TABS 55-80; PAGES AA0783-AA1225]**

BOHM WILDISH & MATSEN, LLP

James G. Bohm, Esq. (SBN 132430)

Cecilia Preciado, Esq. (SBN 159309)

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Document received by the CA 2nd District Court of Appeal.

AA0783

TAB 55

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AA0784

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B# 320939
3 DORDICK LAW CORPORATION
4 509 South Beverly Drive
5 Beverly Hills, California 90212
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8 **Attorneys for Plaintiff, JANE DOE**

Electronically FILED by
Superior Court of California,
County of Los Angeles
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David W. Slayton,
Executive Officer/Clerk of Court,
By S. Bolden, Deputy Clerk

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

13 JANE DOE, an Adult Individual Suing Under
14 Anonymity Due to Privacy and Safety,

15 Plaintiff,

16 vs.

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20 ALKIVIADES DAVID, an Individual, a.k.a.
21 ALKI DAVID; HOLOGRAM USA, INC., a
22 California Corporation, a.k.a. HOLOGRAM
23 USA PRODUCTIONS, INC., HOLOGRAM
24 USA ENTERTAINMENT, INC.,
25 FILMON.TV, INC., FILMON.TV
26 NETWORKS, INC. and FILMON.TV LA,
27 INC.; SWISSX LABS AG, INC. a California
28 Corporation, a.k.a. SWISSX LOUNGE and
FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**PLAINTIFF'S STATEMENT OF THE
CASE**

Complaint Filed: September 30, 2020

FSC: May 15, 2024

Trial Date: May 28, 2024

1 **TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:**

2 COMES NOW Plaintiff JANE DOE who submits the following statement to be
3 read to the jury:

4 This lawsuit arises from the sexual harassment, sexual assault, and rape committed
5 by Defendant ALKIVIADES DAVID against his then-employee, Plaintiff JANE DOE, as
6 well as the wrongful, discriminatory, and retaliatory termination of Plaintiff JANE DOE's
7 employment by Defendant ALKIVIADES DAVID and his various companies: Defendant
8 FILMON.TV INC., Defendant FILMON.TV LA INC., Defendant FILMON.TV
9 NETWORKS INC., Defendant HOLOGRAM USA ENTERTAINMENT INC., Defendant
10 HOLOGRAM USA INC. AKA HOLOGRAM USA PRODUCTIONS INC., and
11 Defendant SWISSX LABS AG INC. AKA SWISSX LOUNGE AKA FILMONTV UK
12 LTD.

13
14 Defendant ALKIVIADES DAVID's liability for the rape, sexual assault, sexual
15 harassment, and retaliation have already been established. This case is proceeding to jury
16 trial for the determination of damages, including compensatory damages and punitive
17 damages.

18
19
20 DATED: May 8, 2024

DORDICK LAW CORPORATION

21
22
23 By: 

24 Gary A. Dordick, Esq.
25 Dustin Z. Moaven, Esq.
26 Attorneys for Plaintiff, JANE DOE
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd., Los Angeles, CA 90017.

On May 8, 2024, I served the foregoing documents described as **PLAINTIFF'S STATEMENT OF THE CASE** on all parties in this action as follows.

[SEE ATTACHED SERVICE LIST]

(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL] Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on May 8, 2024, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Edgar Claros

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Document received by the CA 2nd District Court of Appeal.

SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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18 *Attorney for Defendant, ALKIVIADES DAVID*

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

TAB 56

AA0789

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8 **Attorneys for Plaintiff, JANE DOE**

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David W. Slayton,
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By S. Bolden, Deputy Clerk

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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

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13 JANE DOE, an Adult Individual Suing Under
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20 ALKIVIADES DAVID, an Individual, a.k.a.
21 ALKI DAVID; HOLOGRAM USA, INC., a
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28 Corporation, a.k.a. SWISSX LOUNGE and
FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

PLAINTIFF'S WITNESS LIST

Complaint Filed: September 30, 2020

FSC: May 13, 2024

Trial Date: May 28, 2024

TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:

COMES NOW Plaintiff JANE DOE who submits the following witness list. The plaintiff states that depending on the issues developed at trial of this case, and upon the Court's ruling on evidentiary matters, the parties may call additional witnesses in the above-captioned matter.

The plaintiff reserves their right to call impeachment witnesses not identified on this witness list. The plaintiff reserves their right to amend or supplement this witness list up to and including the commencement of trial and to call additional witnesses identified by other parties at trial. The plaintiff also reserves the right to object to the witnesses identified by other parties.


#	Witness Name	Nature of Testimony	Length of DX (Hrs)	Length of CX (Hrs)	Length of Re-X	Total Hours
1	Allred, Gloria	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
2	Barrel, David	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
3	Beavers, Kim	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
4	Bloom, Lisa	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
5	David, Alkiviades	Defendant	3.50 Hours	1.00 Hours	0.50 Hours	5.00 Hours
6	Dawson, Carl	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
7	Doe, Jane (Margerita Nicolas)	Plaintiff	3.00 Hours	1.00 Hours	0.50 Hours	4.50 Hours
8	ECONMONIST	Plaintiff's Expert	2.00 Hours	1.00 Hours	0.50 Hours	3.50 Hours
9	Foster, Shamir	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours

#	Witness Name	Nature of Testimony	Length of DX (Hrs)	Length of CX (Hrs)	Length of Re-X	Total Hours
10	Gerlach, Matthew	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
11	Goldberg, Nathan	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
12	Jones, Chastity	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
13	Kahn, Mahim	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
14	Makonie, Mark	Percipient Witness	1.50 Hours	1.00 Hours	0.50 Hours	3.00 Hours
15	Mitra, Vivien	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
16	Nassis, Lorraine	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
17	Nussbaum, David	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
18	Randa, Anthony	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
19	Reeves, Lauren	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
20	Rosenberg, James E., M.D	Plaintiff's Expert	2.00 Hours	1.00 Hours	0.50 Hours	3.50 Hours
21	Taylor, Elizabeth	Percipient Witness	1.00 Hours	1.00 Hours	0.50 Hours	2.50 Hours
22		TOTAL:	28.00 Hours	21.00 Hours	10.50 Hours	59.50 Hours

1 DATED: May 8, 2024

DORDICK LAW CORPORATION

2
3
4 By:


5 Gary A. Dordick, Esq.
6 Dustin Z. Moaven, Esq.
7 Attorneys for Plaintiff, JANE DOE
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DORDICK LAW CORPORATION

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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd., Los Angeles, CA 90017.

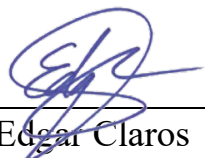
On May 8, 2024, I served the foregoing documents described as **PLAINTIFF'S WITNESS LIST** on all parties in this action as follows.

[SEE ATTACHED SERVICE LIST]

(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL] Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on May 8, 2024, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Edgar Claros

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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18 *Attorney for Defendant, ALKIVIADES DAVID*

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TAB 57

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8 **Attorneys for Plaintiff, JANE DOE**

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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

13 JANE DOE, an Adult Individual Suing Under
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18 vs.

19 ALKIVIADES DAVID, an Individual, a.k.a.
20 ALKI DAVID; HOLOGRAM USA, INC., a
21 California Corporation, a.k.a. HOLOGRAM
22 USA PRODUCTIONS, INC., HOLOGRAM
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26 INC.; SWISSX LABS AG, INC. a California
27 Corporation, a.k.a. SWISSX LOUNGE and
28 FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**PLAINTIFF’S LIST JURY
INSTRUCTIONS**

Complaint Filed: September 30, 2020
FSC: May 15, 2024
Trial Date: May 28, 2024

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:

Pursuant to Section 607a of the Code of Civil Procedure and Rule 2.1055 of the California Rules of Court, the parties request that the Court give the jury the following CACI jury instructions together with other and further special instructions as may be requested.

Attached as Exhibit “1” are the jointly requested CACI Jury Instructions agreed to by all parties.

CACI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn
	PRETRIAL					
100	Preliminary Admonitions	π, Δ				
101	Overview of Trial	π, Δ				
102	Taking Notes During the Trial	π, Δ				
103	Multiple Parties	π, Δ				
104	Nonperson Party	π, Δ				
105	Insurance	π, Δ				
106	Evidence	π, Δ				
107	Witnesses	π, Δ				
111	Instruction to Alternate Jurors	π, Δ				
112	Questions from Jurors	π, Δ				
113	Bias	π, Δ				

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CA NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn
114	Bench Conferences and Conferences in Chambers	π, Δ				
116	Why Electronic Communications and Research are Prohibited	π, Δ				
	EVIDENCE					
200	Obligation to Prove – More Likely True Than Not True	π, Δ				
201	Highly Probable – Clear and Convincing Proof	π, Δ				
202	Direct and Indirect Evidence	π, Δ				
203	Party Having Power to Produce Better Evidence	π, Δ				
204	Willful Suppression of Evidence	π, Δ				
205	Failure to Explain or Deny Evidence	π, Δ				
206	Evidence Admitted for Limited Purpose	π, Δ				
207	Evidence Applicable to One Party	π, Δ				
208	Deposition as Substantive Evidence	π, Δ				
209	Use of Interrogatories of a Party	π, Δ				
210	Requests for Admissions	π, Δ				
212	Statements of a Party Opponent	π, Δ				
215	Exercise of a Communication Privilege	π, Δ				

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CACI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn
218	Statements Made to Physician (Previously Existing Condition)	π, Δ				
219	Expert Witness Testimony	π, Δ				
220	Experts – Questions Containing Assumed Facts	π, Δ				
221	Conflicting Expert Testimony	π, Δ				
	DAMAGES					
3901	Introduction to Tort Damages – Liability Established	π, Δ				
3902	Economic and Noneconomic Damages	π, Δ				
3905	Items of Noneconomic Damage	π, Δ				
3905 A	Physical Pain, Mental Suffering, and Emotional Distress (Noneconomic Damage)	π, Δ				
3925	Arguments of Counsel Not Evidence of Damages	π, Δ				
3932	Life Expectancy	π, Δ				
3933	Damages from Multiple Defendants	π, Δ				
3934	Damages on Multiple Legal Theories	π, Δ				
3949	Punitive Damages – Individual and Corporate Defendants (Corporate Liability Based on Acts of Named Individual) –	π, Δ				

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CACI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn																					
	Bifurcated Trial (Second Phase)																										
3964	Jurors Not to Consider Attorney Fees and Court Costs	π, Δ																									
	CONCLUDING INSTRUCTIONS																										
5000	Duties of the Judge and Jury	π, Δ																									
5001	Insurance	π, Δ																									
5002	Evidence	π, Δ																									
5003	Witnesses	π, Δ																									
5005	Multiple Parties	π, Δ																									
5006	Non-Person Party	π, Δ																									
5007	Removal of Claims or Parties and Remaining Claims and Parties	π, Δ																									
5009	Pre-deliberation Instructions	π, Δ																									
5010	Taking Notes During the Trial	π, Δ																									
5011	Reading Back of Trial Testimony in Jury Room	π, Δ																									
5012	Introduction to Special Verdict Form	π, Δ																									
5013	Deadlocked Jury Admonition	π, Δ																									
5014	Substitution of Alternative Juror	π, Δ																									

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CAI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn
5015	Instruction to Alternate Jurors on Submission of Case to Jury	π, Δ				
5016	Judge's Commenting on Evidence	π, Δ				
5017	Polling the Jury	π, Δ				
5018	Video or Audio Recording and Transcript	π, Δ				
5019	Questions from Jurors	π, Δ				
5020	Demonstrative Evidence	π, Δ				
5021	Electronic Evidence	π, Δ				
5090	Final Instruction on Discharge of Jury	π, Δ				

DATED: May 9, 2024

DORDICK LAW CORPORATION

By:

 Gary A. Dordick, Esq.
 Dustin Z. Moaven, Esq.
 Attorneys for Plaintiff, JANE DOE

Exhibit 1

AA0803

Document received by the CA 2nd District Court of Appeal.

100 PRELIMINARY ADMONITIONS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You have now been sworn as jurors in this case. I want to impress on you the seriousness and importance of serving on a jury. Trial by jury is a fundamental right in California. The parties have a right to a jury that is selected fairly, that comes to the case without bias, and that will attempt to reach a verdict based on the evidence presented. Before we begin, I need to explain how you must conduct yourselves during the trial.

Do not allow anything that happens outside this courtroom to affect your decision. During the trial do not talk about this case or the people involved in it with anyone, including family and persons living in your household, friends and coworkers, spiritual leaders, advisors, or therapists. You may say you are on a jury and how long the trial may take, but that is all. You must not even talk about the case with the other jurors until after I tell you that it is time for you to decide the case.

This prohibition is not limited to face-to-face conversations. It also extends to all forms of electronic communications. Do not use any electronic device or media, such as a cell phone or smart phone, PDA, computer, the Internet, any Internet service, any text or instant-messaging service, any Internet chat room, blog, or website, including social networking websites or online diaries, to send or receive any information to or from anyone about this case or your experience as a juror until after you have been discharged from your jury duty.

During the trial you must not listen to anyone else talk about the case or the people

Document received by the CA 2nd District Court of Appeal.

involved in the case. You must avoid any contact with the parties, the lawyers, the witnesses, and anyone else who may have a connection to the case. If anyone tries to talk to you about this case, tell that person that you cannot discuss it because you are a juror. If that person keeps talking to you, simply walk away and report the incident to the court bailiff as soon as you can.

After the trial is over and I have released you from jury duty, you may discuss the case with anyone, but you are not required to do so.

During the trial, do not read, listen to, or watch any news reports about this case. I have no information that there will be news reports concerning this case. This prohibition extends to the use of the Internet in any way, including reading any blog about the case or about anyone involved with it. If you receive any information about this case from any source outside of the courtroom, promptly report it to the court bailiff. It is important that all jurors see and hear the same evidence at the same time.

Do not do any research on your own or as a group. Do not use dictionaries, the Internet, or other reference materials. Do not investigate the case or conduct any experiments. Do not contact anyone to assist you, such as a family accountant, doctor, or lawyer. Do not visit or view the scene of any event involved in this case or use any Internet maps or mapping programs or any other program or device to search for or to view any place discussed in the testimony. If you happen to pass by the scene, do not stop or investigate. If you do need to view the scene during the trial, you will be taken there as a group under proper supervision.

If you violate any of these prohibitions on communications and research, including prohibitions on electronic communications and research, you may be held in contempt of court or face other sanctions. That means that you may have to serve time in jail, pay a fine, or face other punishment for that violation.

It is important that you keep an open mind throughout this trial. Evidence can only be presented a piece at a time. Do not form or express an opinion about this case while the trial is going on. You must not decide on a verdict until after you have heard all the evidence and have discussed it thoroughly with your fellow jurors in your deliberations.

Do not concern yourselves with the reasons for the rulings I will make during the course of the trial. Do not guess what I may think your verdict should be from anything I might say or do.

When you begin your deliberations, you may discuss the case only in the jury room and only when all the jurors are present.

You must decide what the facts are in this case. Do not let bias, sympathy, prejudice, or public opinion influence your verdict.

At the end of the trial, I will explain the law that you must follow to reach your verdict. You must follow the law as I explain it to you, even if you do not agree with the law.

101 OVERVIEW OF TRIAL

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

To assist you in your tasks as jurors, I will now explain how the trial will proceed. I will begin by identifying the parties to the case. Jane Doe filed this lawsuit. She is called a plaintiff. She seeks damages from Alkiviades David, FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd., who are called defendants.

This lawsuit arises from the sexual harassment, sexual assault, and rape committed by Defendant ALKIVIADES DAVID against his then-employee, Plaintiff JANE DOE, as well as the wrongful, discriminatory, and retaliatory termination of Plaintiff JANE DOE’s employment by Defendant ALKIVIADES DAVID and his various companies: Defendant FILMON.TV INC., Defendant FILMON.TV LA INC., Defendant FILMON.TV NETWORKS INC., Defendant HOLOGRAM USA ENTERTAINMENT INC., Defendant HOLOGRAM USA INC. AKA HOLOGRAM USA PRODUCTIONS INC., and Defendant SWISSX LABS AG INC. AKA SWISSX LOUNGE AKA FILMONTV UK LTD.

The Defendants’ liability for the rape, sexual assault, sexual harassment, and retaliation have already been established. This case is proceeding to jury trial for you to determine what amount of damages, including compensatory damages and punitive damages, Plaintiff Jane Doe is entitled as a result of the Defendants’ aforementioned conduct.

Document received by the CA 2nd District Court of Appeal.

First, each side may make an opening statement, but neither side is required to do so. An opening statement is not evidence. It is simply an outline to help you understand what that party expects the evidence will show. Also, because it is often difficult to give you the evidence in the order we would prefer, the opening statement allows you to keep an overview of the case in mind during the presentation of the evidence.

Next, the jury will hear the evidence. Jane Doe will present evidence first. When Jane Doe is finished, the Defendants will have an opportunity to present evidence.

Each witness will first be questioned by the side that asked the witness to testify. This is called direct examination. Then the other side is permitted to question the witness. This is called cross-examination.

Documents or objects referred to during the trial are called exhibits. Exhibits are given a letter so that they may be clearly identified. Exhibits are not evidence until I admit them into evidence. During your deliberations, you will be able to look at all exhibits admitted into evidence. There are many rules that govern whether something will be admitted into evidence. As one side presents evidence, the other side has the right to object and to ask me to decide if the evidence is permitted by the rules. Usually, I will decide immediately, but sometimes I may have to hear arguments outside of your presence.

After the evidence has been presented, I will instruct you on the law that applies to the case and the attorneys will make closing arguments. What the parties say in closing argument is not evidence. The arguments are offered to help you understand the evidence and how the law applies to it.

102 TAKING NOTES DURING THE TRIAL

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You have been given notebooks and may take notes during the trial. Do not take the notebooks out of the courtroom or jury room at any time during the trial. You may take your notes into the jury room during deliberations.

You should use your notes only to remind yourself of what happened during the trial. Do not let your note-taking interfere with your ability to listen carefully to all the testimony and to watch the witnesses as they testify. Nor should you allow your impression of a witness or other evidence to be influenced by whether or not other jurors are taking notes. Your independent recollection of the evidence should govern your verdict, and you should not allow yourself to be influenced by the notes of other jurors if those notes differ from what you remember.

The court reporter is making a record of everything that is said. If during deliberations you have a question about what the witness said, you should ask that the court reporter's records be read to you. You must accept the court reporter's record as accurate.

At the end of the trial, your notes will be collected and destroyed.

103 MULTIPLE PARTIES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

There are 7 defendants in this trial. You should decide the case against each defendant separately as if it were a separate lawsuit. Each defendant is entitled to separate consideration of that defendant's own defenses.

Unless I tell you otherwise, all instructions apply to each plaintiff and defendant.

104 NONPERSON PARTY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd., are parties in this lawsuit. FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd. are entitled to the same fair and impartial treatment that you would give to an individual. You must decide this case with the same fairness that you would use if you were deciding the case between individuals.

When I use words like "person" or "he" or "she" in these instructions to refer to a party, those instructions also apply to FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd.

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105 INSURANCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You must not consider whether any of the parties in this case has insurance. The presence or absence of insurance is totally irrelevant. You must decide this case based only on the law and the evidence.

106 EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You must decide what the facts are in this case only from the evidence you see or hear during the trial. Sworn testimony, documents, or anything else may be admitted into evidence. You may not consider as evidence anything that you see or hear when court is not in session, even something done or said by one of the parties, attorneys, or witnesses.

What the attorneys say during the trial is not evidence. In their opening statements and closing arguments, the attorneys will talk to you about the law and the evidence. What the lawyers say may help you understand the law and the evidence, but their statements and arguments are not evidence.

The attorneys' questions are not evidence. Only the witnesses' answers are evidence. You should not think that something is true just because an attorney's question suggests that it is true. However, the attorneys for both sides can agree that certain facts are true. This agreement is called a "stipulation." No other proof is needed and you must accept those facts as true in this trial.

Each side has the right to object to evidence offered by the other side. If I do not agree with the objection, I will say it is overruled. If I overrule an objection, the witness will answer and you may consider the evidence. If I agree with the objection, I will say it is sustained. If I sustain an objection, you must ignore the question. If the witness did not answer, you must not guess what that witness might have said or why I sustained the objection. If the witness has

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already answered, you must ignore the answer.

An attorney may make a motion to strike testimony that you have heard. If I grant the motion, you must totally disregard that testimony. You must treat it as though it did not exist.

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AA0814

107 WITNESSES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

A witness is a person who has knowledge related to this case. You will have to decide whether you believe each witness and how important each witness's testimony is to the case. You may believe all, part, or none of a witness's testimony.

In deciding whether to believe a witness's testimony, you may consider, among other factors, the following:

- (a) How well did the witness see, hear, or otherwise sense what the witness described in court?
- (b) How well did the witness remember and describe what happened?
- (c) How did the witness look, act, and speak while testifying?
- (d) Did the witness have any reason to say something that was not true? For example, did the witness show any bias or prejudice or have a personal relationship with any of the parties involved in the case or have a personal stake in how this case is decided?
- (e) What was the witness's attitude toward this case or about giving testimony?

Sometimes a witness may say something that is not consistent with something else the witness said. Sometimes different witnesses will give different versions of what happened.

People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do not decide that testimony is untrue just because it differs from other testimony.

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However, if you decide that a witness did not tell the truth about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness did not tell the truth about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

Do not make any decision simply because there were more witnesses on one side than on the other. If you believe it is true, the testimony of a single witness is enough to prove a fact.

111 INSTRUCTION TO ALTERNATE JURORS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

As alternate juror, you are bound by the same rules that govern the conduct of the jurors who are sitting on the panel. You will observe the same trial and should pay attention to all of my instructions just as if you were sitting on the panel. Sometimes a juror needs to be excused during a trial for illness or some other reason. If that happens, an alternate will be selected to take that juror's place.

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112 QUESTIONS FROM JURORS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

If, during the trial, you have a question that you believe should be asked of a witness, you may write out the question and send it to me through my courtroom staff. I will share your question with the attorneys and decide whether it may be asked.

Do not feel disappointed if your question is not asked. Your question may not be asked for a variety of reasons. For example, the question may call for an answer that is not allowed for legal reasons. Also, you should not try to guess the reason why a question is not asked or speculate about what the answer might have been. Because the decision whether to allow the question is mine alone, do not hold it against any of the attorneys or their clients if your question is not asked.

Remember that you are not an advocate for one side or the other. Each of you is an impartial judge of the facts. Your questions should be posed in as neutral a fashion as possible. Do not discuss any question asked by any juror with any other juror until after deliberations begin.

113 BIAS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Each one of us has biases about or certain perceptions or stereotypes of other people.

Bias is a tendency to favor or disfavor a person or group of people. We may be aware of some of our biases, though we may not reveal them to others. We may not be fully aware of some of our other biases. We refer to biases that we are not fully aware of as "implicit" or "unconscious." They may be based on stereotypes we would reject if they were brought to our attention. Implicit or unconscious biases can affect how we perceive others and how we make decisions, without our being aware of the effect of these biases on those decisions.

Our biases often affect how we act, favorably or unfavorably, toward someone. Bias can affect our thoughts, how we remember, what we see and hear, and whom we believe or disbelieve. We may favor or be more likely to believe people whom we see as similar to us or with whom we identify. Or we may disfavor or be less likely to believe people whom we see as different from us.

As jurors you are being asked to make very important decisions in this case. You must not let bias, prejudice, or public opinion influence your decision. You must not be biased in favor of or against parties or witnesses because of their race, national origin, ethnicity, disability, gender, gender identity, gender expression, religion, sexual orientation, age, or socioeconomic status.

Your verdict must be based solely on the evidence presented. You must carefully

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evaluate the evidence and resist any urge to reach a verdict that is influenced by bias for or against any party or witness.

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AA0820

114 BENCH CONFERENCES AND CONFERENCES IN CHAMBERS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

From time to time during the trial, it may become necessary for me to talk with the attorneys out of the hearing of the jury, either by having a conference at the bench when the jury is present in the courtroom, or by calling a recess to discuss matters outside of your presence. The purpose of these conferences is not to keep relevant information from you, but to decide how certain evidence is to be treated under the rules of evidence. Do not be concerned about our discussions or try to guess what is being said.

I may not always grant an attorney's request for a conference. Do not consider my granting or denying a request for a conference as any indication of my opinion of the case or the evidence.

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116 WHY ELECTRONIC COMMUNICATIONS AND RESEARCH ARE PROHIBITED

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

I know that many of us are used to communicating and perhaps even learning by electronic communications and research. However, there are good reasons why you must not electronically communicate or do any research on anything having to do with this trial or the parties.

In court, jurors must make important decisions that have consequences for the parties. Those decisions must be based only on the evidence that you hear in this courtroom.

The evidence that is presented in court can be tested; it can be shown to be right or wrong by either side; it can be questioned; and it can be contradicted by other evidence. What you might read or hear on your own could easily be wrong, out of date, or inapplicable to this case.

The parties can receive a fair trial only if the facts and information on which you base your decisions are presented to you as a group, with each juror having the same opportunity to see, hear, and evaluate the evidence.

Also, a trial is a public process that depends on disclosure in the courtroom of facts and evidence. Using information gathered in secret by one or more jurors undermines the public process and violates the rights of the parties.

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200 OBLIGATION TO PROVE - MORE LIKELY TRUE THAN NOT TRUE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

The parties must persuade you, by the evidence presented in court, that what they are required to prove is more likely to be true than not true. This is referred to as "the burden of proof."

After weighing all of the evidence, if you cannot decide that something is more likely to be true than not true, you must conclude that the party did not prove it. You should consider all the evidence, no matter which party produced the evidence.

In criminal trials, the prosecution must prove that the defendant is guilty beyond a reasonable doubt. But in civil trials, such as this one, the party who is required to prove something need prove only that it is more likely to be true than not true.

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201 HIGHLY PROBABLE - CLEAR AND CONVINCING PROOF

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <div style="text-align: right;">Judge</div>			
Withdrawn					

Certain facts must be proved by clear and convincing evidence, which is a higher burden of proof. This means the party must persuade you that it is highly probable that the fact is true. I will tell you specifically which facts must be proved by clear and convincing evidence.

202 DIRECT AND INDIRECT EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Evidence can come in many forms. It can be testimony about what someone saw or heard or smelled. It can be an exhibit admitted into evidence. It can be someone's opinion.

Direct evidence can prove a fact by itself. For example, if a witness testifies she saw a jet plane flying across the sky, that testimony is direct evidence that a plane flew across the sky. Some evidence proves a fact indirectly. For example, a witness testifies that he saw only the white trail that jet planes often leave. This indirect evidence is sometimes referred to as "circumstantial evidence." In either instance, the witness's testimony is evidence that a jet plane flew across the sky.

As far as the law is concerned, it makes no difference whether evidence is direct or indirect. You may choose to believe or disbelieve either kind. Whether it is direct or indirect, you should give every piece of evidence whatever weight you think it deserves.

203 PARTY HAVING POWER TO PRODUCE BETTER EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <div style="text-align: right;">Judge</div>			
Withdrawn					

You may consider the ability of each party to provide evidence. If a party provided weaker evidence when it could have provided stronger evidence, you may distrust the weaker evidence.

204 WILLFUL SUPPRESSION OF EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <div style="text-align: right;">Judge</div>			
Withdrawn					

You may consider whether one party intentionally concealed or destroyed evidence. If you decide that a party did so, you may decide that the evidence would have been unfavorable to that party.

205 FAILURE TO EXPLAIN OR DENY EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

It is up to you to decide the meaning and importance of the failure to explain or deny evidence against the party.

206 EVIDENCE ADMITTED FOR LIMITED PURPOSE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

During the trial, certain evidence was admitted for a limited purpose. You may consider that evidence only for that purpose and for no other.

207 EVIDENCE APPLICABLE TO ONE PARTY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

During the trial, I explained that certain evidence could be considered as to one or more parties but not to every party. You may not consider that evidence as to any other party.

208 DEPOSITION AS SUBSTANTIVE EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

During the trial, you received deposition testimony that was read from the deposition. A deposition is the testimony of a person taken before trial. At a deposition the person is sworn to tell the truth and is questioned by the attorneys. You must consider the deposition testimony that was presented to you in the same way as you consider testimony given in court.

209 USE OF INTERROGATORIES OF A PARTY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Before trial, each party has the right to ask the other parties to answer written questions. These questions are called interrogatories. The answers are also in writing and are given under oath. You must consider the questions and answers that were read to you the same as if the questions and answers had been given in court.

210 REQUESTS FOR ADMISSION

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <p align="right">Judge</p>			
Withdrawn					

Before trial, each party has the right to ask another party to admit in writing that certain matters are true. If the other party admits those matters, you must accept them as true. No further evidence is required to prove them.

However, these matters must be considered true only as they apply to the party who admitted they were true.

212 STATEMENTS OF A PARTY OPPONENT

Requested by Plaintiff	Requested by Defendant	Requested by
Given as Requested	Given as Modified	Given on Court's Motion
Refused	_____ Judge	
Withdrawn		

A party may offer into evidence any oral or written statement made by an opposing party outside the courtroom. When you evaluate evidence of such a statement, you must consider these questions:

1. Do you believe that the party actually made the statement? If you do not believe that the party made the statement, you may not consider the statement at all.
2. If you believe that the statement was made, do you believe it was reported accurately?

You should view testimony about an oral statement made by a party outside the courtroom with caution.

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215 EXERCISE OF A COMMUNICATION PRIVILEGE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Jane Doe has an absolute right not to disclose what she told her attorney in confidence because the law considers this information privileged. Do not consider, for any reason at all, the fact that Jane Doe did not disclose what she told her attorney. Do not discuss that fact during your deliberations or let it influence your decision in any way.

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**218 STATEMENTS MADE TO PHYSICIAN
(PREVIOUSLY EXISTING CONDITION)**

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <div style="text-align: right;">Judge</div>			
Withdrawn					

[* _____*] has testified that Jane Doe made statements to [* _____*] about Jane Doe's medical history. These statements helped [* _____*] diagnose the patient's condition. You can use these statements to help you examine the basis of [* _____*]'s opinion. You cannot use them for any other purpose.

219 EXPERT WITNESS TESTIMONY

Requested by Plaintiff		Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <p align="right">Judge</p>			
Withdrawn					

During the trial you heard testimony from expert witnesses. The law allows an expert to state opinions about matters in the expert's field of expertise even if the expert has not witnessed any of the events involved in the trial.

You do not have to accept an expert's opinion. As with any other witness, it is up to you to decide whether you believe the expert's testimony and choose to use it as a basis for your decision. You may believe all, part, or none of an expert's testimony. In deciding whether to believe an expert's testimony, you should consider:

- a. The expert's training and experience;
- b. The facts the expert relied on; and
- c. The reasons for the expert's opinion.

220 EXPERTS - QUESTIONS CONTAINING ASSUMED FACTS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

The law allows expert witnesses to be asked questions that are based on assumed facts. These are sometimes called "hypothetical questions."

In determining the weight to give to the expert's opinion that is based on the assumed facts, you should consider whether the assumed facts are true.

221 CONFLICTING EXPERT TESTIMONY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

If the expert witnesses disagreed with one another, you should weigh each opinion against the others. You should examine the reasons given for each opinion and the facts or other matters that each witness relied on. You may also compare the experts' qualifications.

3901 INTRODUCTION TO TORT DAMAGES - LIABILITY ESTABLISHED

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

If you decide that Jane Doe was harmed and that the conduct of Alkiviades David, FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd. was a substantial factor in causing the harm, you also must decide how much money will reasonably compensate Jane Doe for the harm. This compensation is called "damages."

The amount of damages must include an award for each item of harm that was caused by the wrongful conduct of Alkiviades David, FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd., even if the particular harm could not have been anticipated.

Jane Doe does not have to prove the exact amount of damages that will provide reasonable compensation for the harm. However, you must not speculate or guess in awarding damages.

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The following are the specific items of damages claimed by Jane Doe:

**PHYSICAL PAIN, MENTAL SUFFERING, AND EMOTIONAL DISTRESS
(NONECONOMIC DAMAGE)**

A. Past and future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress.

No fixed standard exists for deciding the amount of these noneconomic damages. You must use your judgment to decide a reasonable amount based on the evidence and your common sense.

To recover for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, Jane Doe must prove that she is reasonably certain to suffer that harm.

For future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, determine the amount in current dollars paid at the time of judgment that will compensate Jane Doe for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress. This amount of noneconomic damages should not be further reduced to present cash value because that reduction should only be performed with respect to economic damages.

3902 ECONOMIC AND NONECONOMIC DAMAGES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

The damages claimed by Jane Doe for the harm caused by Alkiviades David fall into two categories called economic damages and noneconomic damages. You will be asked on the verdict form to state the two categories of damages separately.

3905 ITEMS OF NONECONOMIC DAMAGE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

The following are the specific items of noneconomic damages claimed by Jane Doe:

**PHYSICAL PAIN, MENTAL SUFFERING, AND EMOTIONAL DISTRESS
(NONECONOMIC DAMAGE)**

physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress.

No fixed standard exists for deciding the amount of these noneconomic damages. You must use your judgment to decide a reasonable amount based on the evidence and your common sense.

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**3905A PHYSICAL PAIN, MENTAL SUFFERING, AND EMOTIONAL
DISTRESS (NONECONOMIC DAMAGE)**

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Past and future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress.

No fixed standard exists for deciding the amount of these noneconomic damages. You must use your judgment to decide a reasonable amount based on the evidence and your common sense.

To recover for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, Jane Doe must prove that she is reasonably certain to suffer that harm.

For future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, determine the amount in current dollars paid at the time of judgment that will compensate Jane Doe for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress. This amount of noneconomic damages should not be further reduced to present cash value because that reduction should only be performed with respect to economic damages.

3925 ARGUMENTS OF COUNSEL NOT EVIDENCE OF DAMAGES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

The arguments of the attorneys are not evidence of damages. Your award must be based on your reasoned judgment applied to the testimony of the witnesses and the other evidence that has been admitted during trial.

3932 LIFE EXPECTANCY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

If you decide Jane Doe has suffered damages that will continue for the rest of her life, you must determine how long she will probably live. According to the Centers for Disease Control and Prevention, a thirty-seven-year-old female is expected to live another forty-three years. This is the average life expectancy. Some people live longer and others die sooner.

This published information is evidence of how long a person is likely to live but is not conclusive. In deciding a person's life expectancy, you should also consider, among other factors, that person's health, habits, activities, lifestyle, and occupation.

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3933 DAMAGES FROM MULTIPLE DEFENDANTS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

In this case, Jane Doe seeks damages from more than one defendant. You must determine the liability of each defendant to Jane Doe separately.

If you determine that more than one defendant is liable to Jane Doe for damages, you will be asked to find Jane Doe's total damages and the comparative fault of .

In deciding on the amount of damages, consider only Jane Doe's claimed losses. Do not attempt to divide the damages between the defendants. The allocation of responsibility for payment of damages among multiple defendants is to be done by the court after you reach your verdict.

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3934 DAMAGES ON MULTIPLE LEGAL THEORIES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Jane Doe seeks damages from Alkiviades David under more than one legal theory. However, each item of damages may be awarded only once, regardless of the number of legal theories alleged.

You will be asked to decide whether Alkiviades David is liable to Jane Doe under the following legal theories:

**3949 PUNITIVE DAMAGES - INDIVIDUAL AND CORPORATE
DEFENDANTS (CORPORATE LIABILITY BASED ON ACTS OF NAMED
INDIVIDUAL) - BIFURCATED TRIAL (SECOND PHASE)**

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You must now decide the amount, if any, that you should award Jane Doe in punitive damages. The purposes of punitive damages are to punish a wrongdoer for the conduct that harmed the plaintiff and to discourage similar conduct in the future.

There is no fixed formula for determining the amount of punitive damages and you are not required to award any punitive damages. If you decide to award punitive damages, you should consider all of the following factors separately for each defendant in determining the amount:

(a) How reprehensible was the conduct of Defendants Alkiviades David, FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd.? In deciding how reprehensible Defendants' conduct was, you may consider, among other factors:

1. Whether the conduct caused physical harm;
2. Whether Defendants disregarded the health or safety of others;
3. Whether Jane Doe was financially weak or vulnerable and Defendants knew Jane Doe was financially weak or vulnerable and took advantage of her;

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4. Whether Defendants' conduct involved a pattern or practice; and
 5. Whether Defendants acted with trickery or deceit.
- (b) Is there a reasonable relationship between the amount of punitive damages and Jane Doe's harm or between the amount of punitive damages and potential harm to Jane Doe that Defendants knew was likely to occur because of their conduct?
- (c) In view of Defendants' financial condition, what amount is necessary to punish them and discourage future wrongful conduct? You may not increase the punitive award above an amount that is otherwise appropriate merely because Defendants have substantial financial resources.

3964 JURORS NOT TO CONSIDER ATTORNEY FEES AND COURT COSTS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You must not consider, or include as part of any award, attorney fees or expenses that the parties incurred in bringing or defending this lawsuit.

5000 DUTIES OF THE JUDGE AND JURY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Members of the jury, you have now heard all the evidence. The attorneys will have one last chance to talk to you in closing argument. But before they do, it is my duty to instruct you on the law that applies to this case. You must follow these instructions. You will have a copy of my instructions with you when you go to the jury room to deliberate. I have provided each of you with your own copy of the instructions.

You must decide what the facts are. You must consider all the evidence and then decide what you think happened. You must decide the facts based on the evidence admitted in this trial.

Do not allow anything that happens outside this courtroom to affect your decision. Do not talk about this case or the people involved in it with anyone, including family and persons living in your household, friends and coworkers, spiritual leaders, advisors, or therapists. Do not do any research on your own or as a group. Do not use dictionaries or other reference materials.

These prohibitions on communications and research extend to all forms of electronic communications. Do not use any electronic devices or media, such as a cell phone or smart phone, PDA, computer, tablet device, the Internet, any Internet service, any text or instant-messaging service, any Internet chat room, blog, or website, including social networking websites or online diaries, to send or receive any information to or from anyone about this case or your experience as a juror until after you have been discharged from your jury duty.

Do not investigate the case or conduct any experiments. Do not contact anyone to assist

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you, such as a family accountant, doctor, or lawyer. Do not visit or view the scene of any event involved in this case. If you happen to pass by the scene, do not stop or investigate. All jurors must see or hear the same evidence at the same time. You must not let bias, sympathy, prejudice, or public opinion influence your decision.

If you violate any of these prohibitions on communications and research, including prohibitions on electronic communications and research, you may be held in contempt of court or face other sanctions. That means that you may have to serve time in jail, pay a fine, or face other punishment for that violation.

I will now tell you the law that you must follow to reach your verdict. You must follow the law exactly as I give it to you, even if you disagree with it. If the attorneys say anything different about what the law means, you must follow what I say.

In reaching your verdict, do not guess what I think your verdict should be from something I may have said or done.

Pay careful attention to all the instructions that I give you. All the instructions are important because together they state the law that you will use in this case. You must consider all of the instructions together.

After you have decided what the facts are, you may find that some instructions do not apply. In that case, follow the instructions that do apply and use them together with the facts to reach your verdict.

If I repeat any ideas or rules of law during my instructions, that does not mean that these ideas or rules are more important than the others. In addition, the order in which the instructions are given does not make any difference.

5001. INSURANCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You must not consider whether any of the parties in this case has insurance. The presence or absence of insurance is totally irrelevant. You must decide this case based only on the law and the evidence.

5002 EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You must decide what the facts are in this case only from the evidence you have seen or heard during the trial, including any exhibits that I admit into evidence. Sworn testimony, documents or anything else may be admitted into evidence. You may not consider as evidence anything that you saw or heard when court was not in session, even something done or said by one of the parties, attorneys, or witnesses.

What the attorneys say during the trial is not evidence. In their opening statements and closing arguments, the attorneys talk to you about the law and the evidence. What the lawyers say may help you understand the law and the evidence, but their statements and arguments are not evidence.

The attorneys' questions are not evidence. Only the witnesses' answers are evidence. You should not think that something is true just because an attorney's question suggested that it was true. However, the attorneys for both sides have agreed that certain facts are true. This agreement is called a stipulation. No other proof is needed and you must accept those facts as true in this trial.

Each side had the right to object to evidence offered by the other side. If I sustained an objection to a question, ignore the question and do not guess as to why I sustained the objection. If the witness did not answer, you must not guess what he or she might have said. If the witness already answered, you must ignore the answer.

5003 WITNESSES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

A witness is a person who has knowledge related to this case. You will have to decide whether you believe each witness and how important each witness's testimony is to the case. You may believe all, part, or none of a witness's testimony.

In deciding whether to believe a witness's testimony, you may consider, among other factors, the following:

- (a) How well did the witness see, hear, or otherwise sense what the witness described in court?
- (b) How well did the witness remember and describe what happened?
- (c) How did the witness look, act, and speak while testifying?
- (d) Did the witness have any reason to say something that was not true? For example, did the witness show any bias or prejudice or have a personal relationship with any of the parties involved in the case or have a personal stake in how this case is decided?
- (e) What was the witness's attitude toward this case or about giving testimony?

Sometimes a witness may say something that is not consistent with something else the witness said. Sometimes different witnesses will give different versions of what happened.

People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do

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not decide that testimony is untrue just because it differs from other testimony.

However, if you decide that a witness did not tell the truth about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness did not tell the truth about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

Do not make any decision simply because there were more witnesses on one side than on the other. If you believe it is true, the testimony of a single witness is enough to prove a fact.

You must not be biased in favor of or against any witness because of the witness's disability, gender, race, religion, ethnicity, sexual orientation, age, national origin, or socioeconomic status.

5005 MULTIPLE PARTIES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

There are 2 defendants in this trial. You should decide the case against each defendant separately as if it were a separate lawsuit. Each defendant is entitled to separate consideration of each defendant's own defenses.

Unless I tell you otherwise, all instructions apply to each plaintiff and defendant.

Document received by the CA 2nd District Court of Appeal.

5006 NONPERSON PARTY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd., are parties in this lawsuit. FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd. are entitled to the same fair and impartial treatment that you would give to an individual. You must decide this case with the same fairness that you would use if you were deciding the case between individuals.

When I use words like "person" or "he" or "she" in these instructions to refer to a party, those instructions also apply to FilmOn.TV Inc., FilmOn.TV LA Inc., FilmOn.TV Networks Inc., Hologram USA Entertainment Inc., Hologram USA Inc. Aka Hologram USA Productions Inc., and SwissX Labs AG Inc. Aka SwissX Lounge Aka FilmOnTV UK Ltd.

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5007 REMOVAL OF CLAIMS OR PARTIES AND REMAINING CLAIMS AND PARTIES

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Jane Doe's claims for [* _____*] are no longer an issue in this case.

Do not speculate as to why these claims are no longer involved in this case. You should not consider this during your deliberations.

The following claims remain for you to resolve by your deliberations:

1. Jane Doe's claim against [* _____*] for [* _____*];
2. Jane Doe's claim against [* _____*] for [* _____*];
3. Jane Doe's claim against [* _____*] for [* _____*];

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5009 PREDELIBERATION INSTRUCTIONS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

When you go to the jury room, the first thing you should do is choose a presiding juror. The presiding juror should see to it that your discussions are orderly and that everyone has a fair chance to be heard.

It is your duty to talk with one another in the jury room and to consider the views of all the jurors. Each of you must decide the case for yourself, but only after you have considered the evidence with the other members of the jury. Feel free to change your mind if you are convinced that your position should be different. You should all try to agree. But do not give up your honest beliefs just because the others think differently.

Please do not state your opinions too strongly at the beginning of your deliberations or immediately announce how you plan to vote as it may interfere with an open discussion. Keep an open mind so that you and your fellow jurors can easily share ideas about the case.

You should use your common sense and experience in deciding whether testimony is true and accurate. However, during your deliberations, do not make any statements or provide any information to other jurors based on any special training or unique personal experiences that you may have had related to matters involved in this case. What you may know or have learned through your training or experience is not a part of the evidence received in this case.

Sometimes jurors disagree or have questions about the evidence or about what the witnesses said in their testimony. If that happens, you may ask to have testimony read back to

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you or ask to see any exhibits admitted into evidence that have not already been provided to you. Also, jurors may need further explanation about the laws that apply to the case. If this happens during your discussions, write down your questions and give them to the bailiff. I will talk with the attorneys before I answer so it may take some time. You should continue your deliberations while you wait for my answer. I will do my best to answer them. When you write me a note, do not tell me how you voted on an issue until I ask for this information in open court.

Your decision must be based on your personal evaluation of the evidence presented in the case. Each of you may be asked in open court how you voted on each question.

While I know you would not do this, I am required to advise you that you must not base your decision on chance, such as a flip of a coin. If you decide to award damages, you may not agree in advance to simply add up the amounts each juror thinks is right and then, without further deliberations, make the average your verdict.

You may take breaks, but do not discuss this case with anyone, including each other, until all of you are back in the jury room.

5010 TAKING NOTES DURING THE TRIAL

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

If you have taken notes during the trial, you may take your notebooks with you into the jury room.

You may use your notes only to help you remember what happened during the trial. Your independent recollection of the evidence should govern your verdict. You should not allow yourself to be influenced by the notes of other jurors if those notes differ from what you remember.

At the end of the trial, your notes will be collected and destroyed.

5011 READING BACK OF TRIAL TESTIMONY IN JURY ROOM

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You may request in writing that trial testimony be read to you. I will have the court reporter read the testimony to you. You may request that all or a part of a witness's testimony be read.

Your request should be as specific as possible. It will be helpful if you can state:

1. The name of the witness;
2. The subject of the testimony you would like to have read; and
3. The name of the attorney or attorneys asking the questions when the testimony was given.

The court reporter is not permitted to talk with you when she or he is reading the testimony you have requested.

While the court reporter is reading the testimony, you may not deliberate or discuss the case.

You may not ask the court reporter to read testimony that was not specifically mentioned in a written request. If your notes differ from the testimony, you must accept the court reporter's record as accurate.

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5012 INTRODUCTION TO SPECIAL VERDICT FORM

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

I will give you a verdict form with questions you must answer. I have already instructed you on the law that you are to use in answering these questions. You must follow my instructions and the form carefully. You must consider each question separately. Although you may discuss the evidence and the issues to be decided in any order, you must answer the questions on the verdict form in the order they appear. After you answer a question, the form tells you what to do next.

At least 9 of you must agree on an answer before you can move on to the next question. However, the same 9 or more people do not have to agree on each answer.

All 12 of you must deliberate on and answer each question regardless of how you voted on any earlier question. Unless the verdict form tells all 12 jurors to stop and answer no further questions, every juror must deliberate and vote on all of the remaining questions.

When you have finished filling out the form, your presiding juror must write the date and sign it at the bottom and then notify the bailiff that you are ready to present your verdict in the courtroom.

Document received by the CA 2nd District Court of Appeal.

5013 DEADLOCKED JURY ADMONITION

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

You should reach a verdict if you reasonably can. You have spent time trying to reach a verdict and this case is important to the parties so that they can move on with their lives with this matter resolved.

If you are unable to reach a verdict, the case will have to be tried before another jury selected in the same manner and from the same community from which you were chosen and at additional cost to everyone.

Please carefully consider the opinions of all the jurors, including those with whom you disagree. Keep an open mind and feel free to change your opinion if you become convinced that it is wrong.

You should not, however, surrender your beliefs concerning the truth and the weight of the evidence. Each of you must decide the case for yourself and not merely go along with the conclusions of your fellow jurors.

Document received by the CA 2nd District Court of Appeal.

5014 SUBSTITUTION OF ALTERNATE JUROR

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

One of your fellow jurors has been excused and an alternate juror has been selected to join the jury. Do not consider this substitution for any purpose.

The alternate juror must participate fully in the deliberations that lead to any verdict. The parties have the right to a verdict reached only after full participation of the jurors whose votes determine that verdict. This right will only be assured if you begin your deliberations again, from the beginning. Therefore, you must set aside and disregard all past deliberations and begin your deliberations all over again. Each of you must disregard the earlier deliberations and decide this case as if those earlier deliberations had not taken place.

Now, please return to the jury room and start your deliberations from the beginning.

Document received by the CA 2nd District Court of Appeal.

5015 INSTRUCTION TO ALTERNATE JURORS ON SUBMISSION OF CASE TO JURY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		<hr/> <div style="text-align: right;">Judge</div>			
Withdrawn					

The jury is deliberating, but you are still alternate jurors and are bound by my earlier instructions about your conduct.

Until the jury is discharged, do not talk about the case or about any of the people or any subject involved in it with anyone, not even your family or friends. Do not have any contact with the deliberating jurors. Do not decide how you would vote if you were deliberating. Do not form or express an opinion about the issues in this case, unless you are substituted for one of the deliberating jurors

Document received by the CA 2nd District Court of Appeal.

5016 JUDGE'S COMMENTING ON EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

In this case, I have exercised my right to comment on the evidence. However, you the jury are the exclusive judges of all questions of fact and of the credibility of the witnesses. You are free to completely ignore my comments on the evidence and to reach whatever verdict you believe to be correct, even if it is contrary to any or all of those comments.

Document received by the CA 2nd District Court of Appeal.

5017 POLLING THE JURY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

After your verdict is read in open court, you may be asked individually to indicate whether the verdict expresses your personal vote. This is referred to as "polling" the jury and is done to ensure that at least nine jurors have agreed to each decision.

The verdict form that you will receive asks you to answer several questions. You must vote separately on each question. Although nine or more jurors must agree on each answer, it does not have to be the same nine for each answer. Therefore, it is important for each of you to remember how you have voted on each question so that if the jury is polled, each of you will be able to answer accurately about how you voted.

Each of you will be provided a draft copy of the verdict form for your use in keeping track of your votes.

5018 AUDIO OR VIDEO RECORDING AND TRANSCRIPTION

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

A sound or video recording has been admitted into evidence, and a transcription of the recording has been provided to you. The recording itself, not the transcription, is the evidence. The transcription is not an official court reporter’s transcript. The transcription was prepared by a party only for the purpose of assisting the jury in following the sound/video recording. The transcription may not be completely accurate. It may contain errors, omissions, or notations of inaudible portions of the recording. Therefore, you should use the transcription only as a guide to help you in following along with the recording. If there is a discrepancy between your understanding of the recording and the transcription, your understanding of the recording must prevail.

Portions of the recording have been deleted. You must disregard any deleted portions of the recording or transcription and must not speculate as to why there are deletions or guess what might have been said or done.

For the video depositions of Jane Doe and Alkiviades David, the transcript of the court reporter is the official record that you should consider as evidence.

Document received by the CA 2nd District Court of Appeal.

5019 QUESTIONS FROM JURORS

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

If, during the trial, any of you had a question that you believed should be asked of a witness, you were instructed to write out the question and provide it to me through my courtroom staff. I shared your questions with the attorneys, after which, I decided whether the question could be asked.

If a question was asked and answered, you are to consider the answer as you would any other evidence received in the trial. Do not give the answer any greater or lesser weight because it was initiated by a juror question.

If the question was not asked, do not speculate as to what the answer might have been or why it was not asked. There are many legal reasons why a suggested question cannot be asked of a witness. Give the question no further consideration.

Document received by the CA 2nd District Court of Appeal.

5020 DEMONSTRATIVE EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

During the trial, materials have been shown to you to help explain testimony or other evidence in the case. Some of these materials have been admitted into evidence, and you will be able to review them during your deliberations.

Other materials have also been shown to you during the trial, but they have not been admitted into evidence. You will not be able to review them during your deliberations because they are not themselves evidence or proof of any facts. You may, however, consider the testimony given in connection with those materials.

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5021 ELECTRONIC EVIDENCE

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Some exhibits that have been admitted into evidence will be provided to you electronically. The equipment necessary to view these exhibits will be available to you in the jury room. Do not use the equipment for any purpose other than to view the electronic exhibits. Do not use it to access the Internet or any other source of information. Do not use it for any personal reason whatsoever, including but not limited to reviewing email, entertainment, or engaging in social media.

If you need technical assistance or additional equipment or supplies, you may make a request by sending me a note through the clerk/bailiff/court attendant. Should it become necessary for a technician to enter the jury room, stop your deliberations until the technician has left. Do not discuss with him or her, or with each other, any exhibit or any aspect of the case while the technician is present. Do not say anything to the technician other than to (1) describe the technical problem(s) and/or to (2) request instruction on how to operate the equipment.

You may request a paper copy of an exhibit received in evidence. One will be supplied, if possible.

Document received by the CA 2nd District Court of Appeal.

5090 FINAL INSTRUCTION ON DISCHARGE OF JURY

Requested by Plaintiff	X	Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given on Court's Motion	
Refused		_____ Judge			
Withdrawn					

Members of the jury, this completes your duties in this case. On behalf of the parties and their attorneys, thank you for your time and your service. It can be a great personal sacrifice to serve as a juror, but by doing so you are fulfilling an extremely important role in California's system of justice. Each of us has the right to a trial by jury, but that right would mean little unless citizens such as each of you are willing to serve when called to do so. You have been attentive and conscientious during the trial, and I am grateful for your dedication.

Throughout the trial, I continued to admonish you that you could not discuss the facts of the case with anyone other than your fellow jurors and then only during deliberations when all twelve jurors were present. I am now relieving you from that restriction, but I have another admonition.

You now have the absolute right to discuss or not to discuss your deliberations and verdict with anyone, including members of the media. It is appropriate for the parties, their attorneys or representatives to ask you to discuss the case, but any such discussion may occur only with your consent and only if the discussion is at a reasonable time and place. You should immediately report any unreasonable contact to the court.

If you do choose to discuss the case with anyone, feel free to discuss it from your own perspective, but be respectful of the other jurors and their views and feelings.

Thank you for your time and your service; you are discharged.

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1
2 **PROOF OF SERVICE**

3
4 STATE OF CALIFORNIA)
5) ss.
6 COUNTY OF LOS ANGELES)

7 I am employed in the County of Los Angeles, State of California. I am over the age
8 of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd.,
9 Los Angeles, CA 90017.

10 On May 9, 2024, I served the foregoing documents described as **PLAINTIFF’S**
11 **LIST OF JURY INSTRUCTIONS** on all parties in this action as follows.

12 **[SEE ATTACHED SERVICE LIST]**

13
14 **(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL]** Based on a court
15 order or an agreement of the parties to accept service by e-mail or electronic
16 transmission, I caused the document(s) to be sent from e-mail address
17 Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the
18 Service List. I did not receive, within a reasonable time after the transmission
19 any electronic message or other indication that the transmission was
20 unsuccessful.

21 Executed on May 9, 2024, at Los Angeles, California.

22 I declare under penalty of perjury under the laws of the State of California that the
23 above is true and correct.

24
25
26 _____
27 Edgar Claros
28

DORDICK LAW CORPORATION

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SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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DORDICK LAW CORPORATION

19
20
21
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27
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TAB 58

AA0878

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13 Attorneys for Plaintiff,
14 JANE DOE

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Superior Court of California,
County of Los Angeles
5/14/2024 5:34 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By L. Castillejo, Deputy Clerk

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA
16 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

17 JANE DOE, an Adult Individual Suing Under
18 Anonymity Due to Privacy and Safety,

19 Plaintiff,

20 v.

21 ALKIVIADES DAVID, an Individual, a.k.a. ALKI
22 DAVID; HOLOGRAM USA, INC., a California
23 Corporation, a.k.a. HOLOGRAM USA
24 PRODUCTIONS, INC., HOLOGRAM USA
25 ENTERTAINMENT, INC., FILMON.TV, INC.,
26 FILMON.TV NETWORKS, INC. and FILMON.TV
27 LA, INC.; SWISSX LABS AG, INC. a California
28 Corporation, a.k.a. SWISSX LOUNGE and
FILMONTV UK, LTD; and DOES 1 through 150,
inclusive,

Defendants.

Case No. 20STCV37498

**DECLARATION OF GARY A. DORDICK RE
TRIAL DOCUMENTS**

Assigned to: Hon. Christopher K. Lui,
Dept. 76

Action Filed: September 30, 2020
Trial: May 28, 2024

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DECLARATION OF GARY A. DORDICK

I, Gary A. Dordick, declare and state as follows:

1. I am an attorney licensed to practice before all the courts of the State of California. I am the founding and managing partner of Dordick Law Corporation, attorneys for Plaintiff Jane Doe ("Plaintiff") in this matter. I am over the age of eighteen and have personal knowledge of the facts set forth herein, and, if called as a witness, I could and would testify competently thereto.

2. This declaration is being filed to provide the Court with further context as to why the trial documents were not jointly filed by both parties.

3. On February 9, 2024, the Court granted the Motion to be Relieved as Counsel ("Motion") filed by then-counsel for Defendant Alkiviades David ("Defendant"). In that order and during the hearing on the Motion, Plaintiff's counsel was instructed to direct all future case-related communications to Defendant's Greek Counsel, Themis Sofos at Sofos & Partners, Asklepiou Str. 6-8 GR 10680, Athens, Greece, +302103633322 ("Greek Counsel").

4. Per the Court's aforementioned order and instruction, my office made several unsuccessful attempts to reach Defendant via his Greek Counsel to meet and confer regarding our joint trial documents.

5. Between approximately 4:11 a.m. PST and 7:35 a.m. PST on May 14, 2024, Defendant sent numerous vulgar and threatening text messages (the "Text Messages") to my personal cell phone, in which Defendant identified himself as the sender of the Text Messages, repeatedly insulted me and my family, and threatened to commit sexual violence and other heinous acts against me. In response to these messages from Defendant, I asked Defendant to stop contacting me directly, to stop using such vulgar and threatening language, and to sign the proposed joint trial documents we previously sent to his Greek Counsel. True and correct copies of these Text

Messages are attached hereto as **Exhibit 1**.

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6. The foregoing Text Messages were sent after and in addition to the vulgar and threatening text messages Defendant sent to my personal cell phone on May 6, 2024, true and correct copies of which are attached as **Exhibit 2**.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 14th day of May, 2024 at Beverly Hills, California.



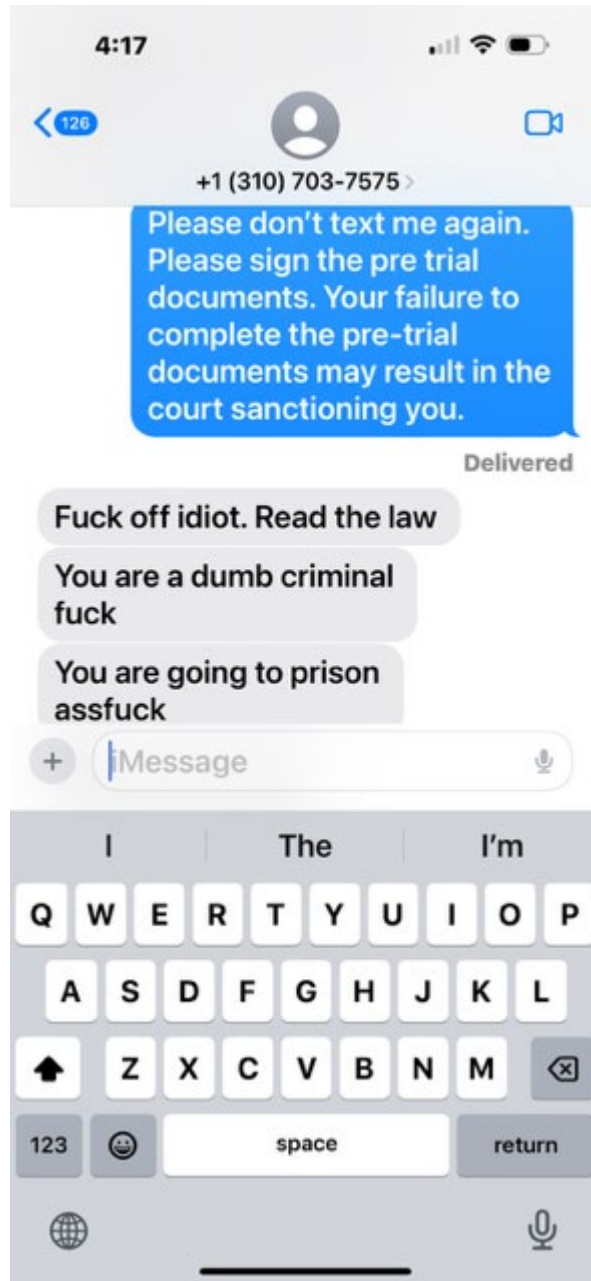
Gary A. Dordick

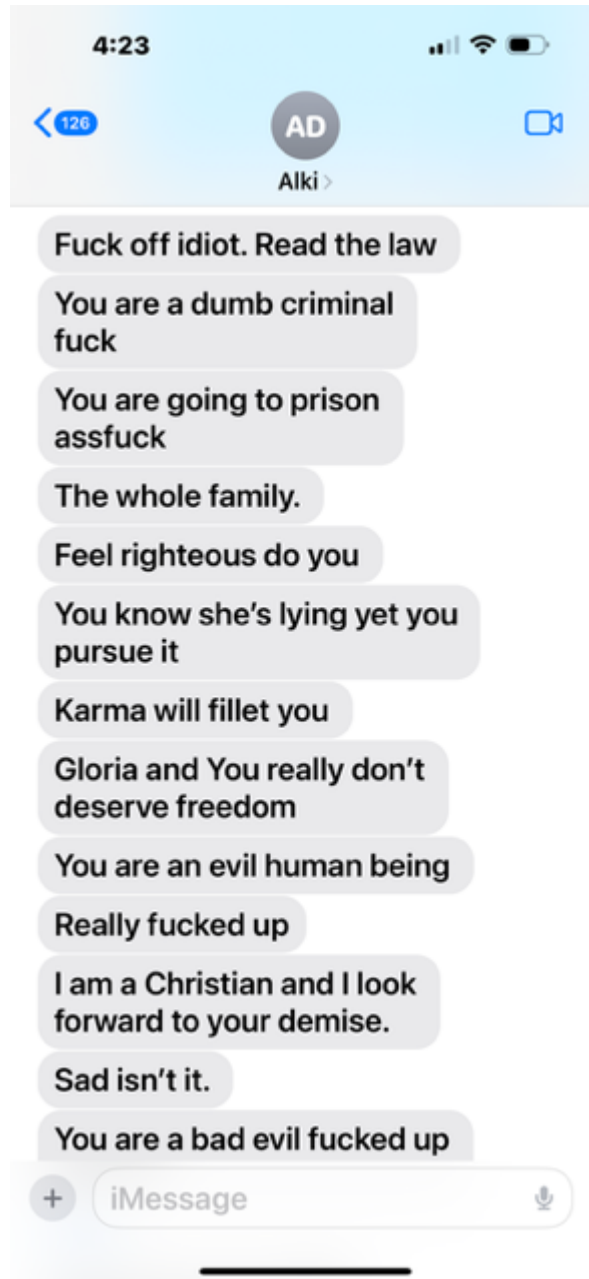
EXHIBIT 1

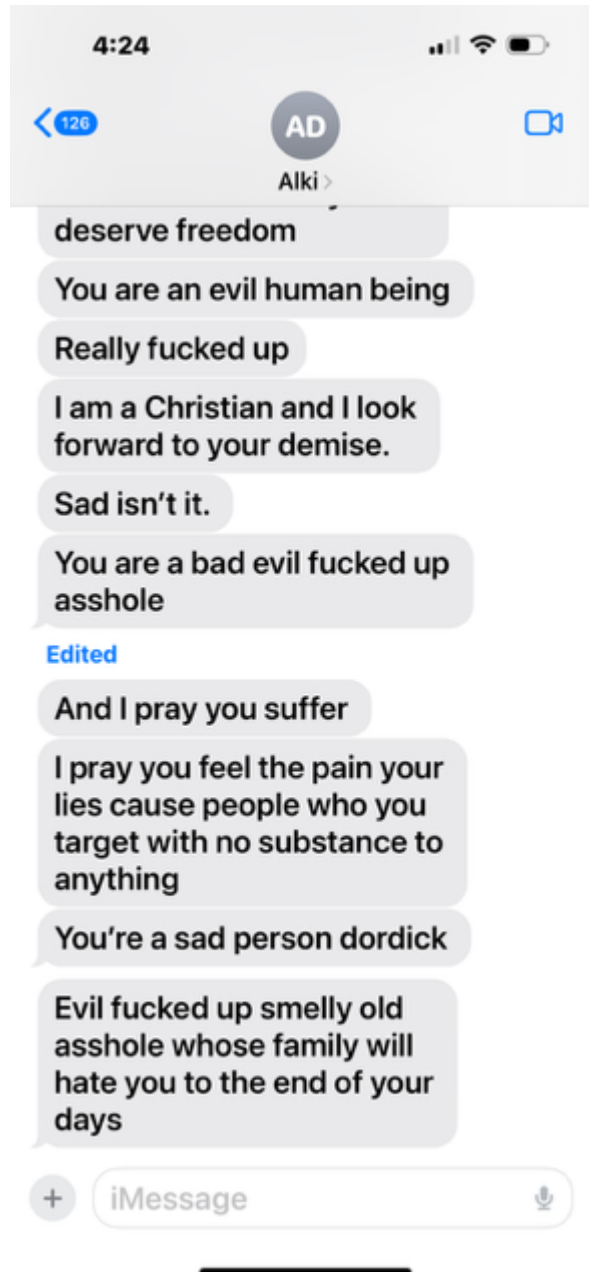
AA0882

Document received by the CA 2nd District Court of Appeal.



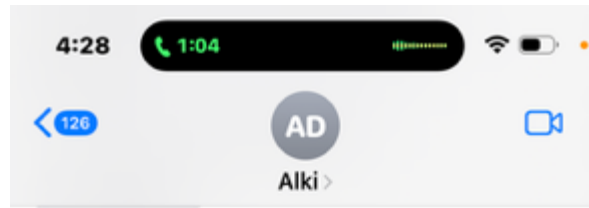












Mr David, I asked you to please stop emailing me directly. Additionally, your language and threats are not acceptable.

Delivered

Eat shit

I'm not emailing you dick fuck

You can block me any time

Your life is over

You will get the full wrath of the law

From multiple countries

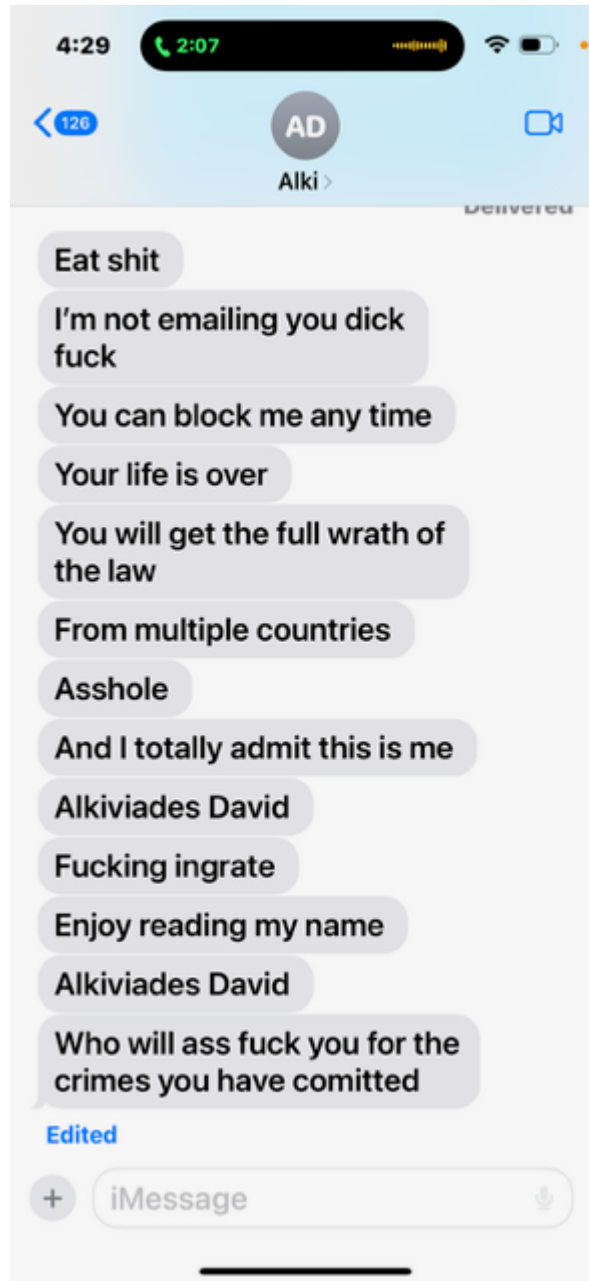
Asshole

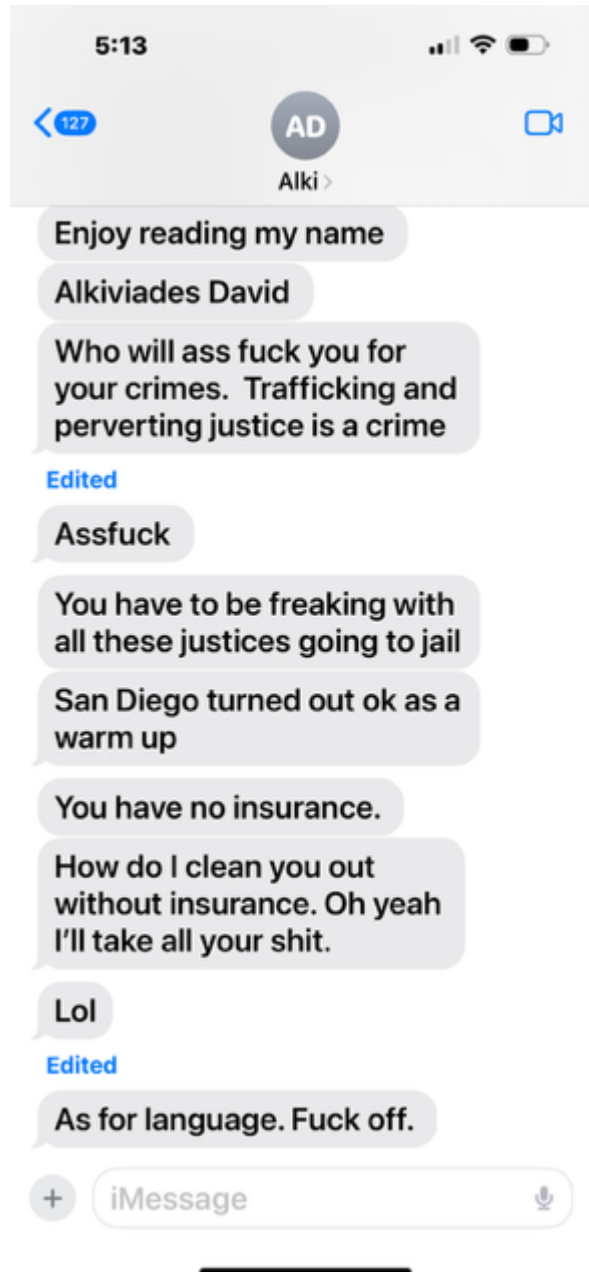
And I totally admit this is me

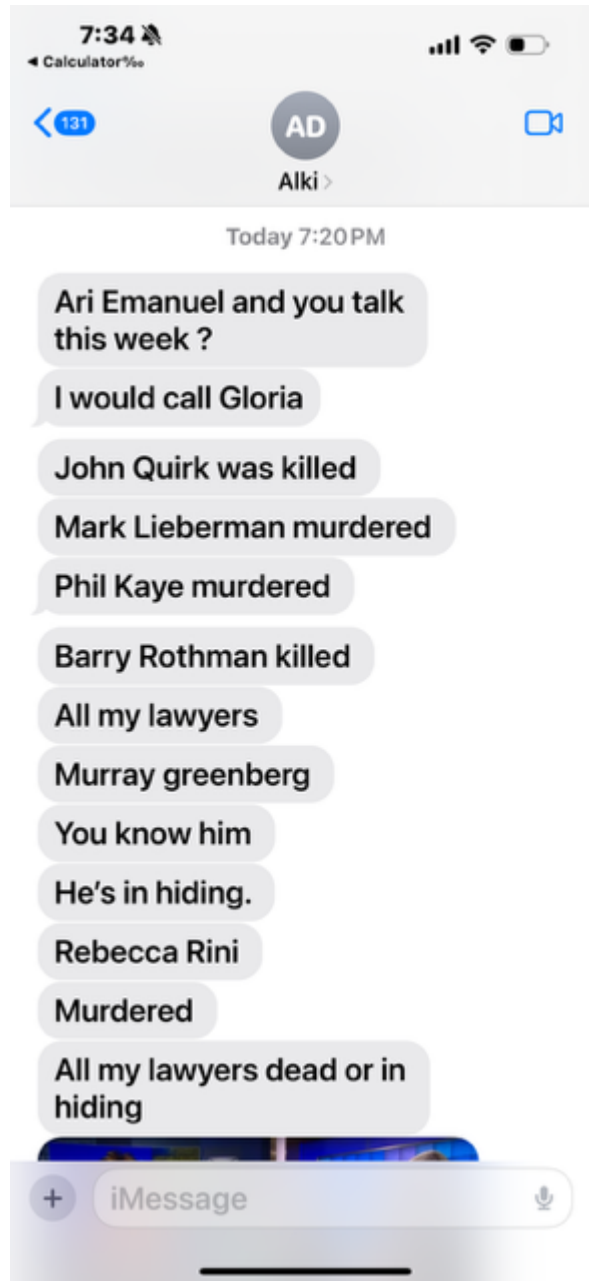
Alkiviades David

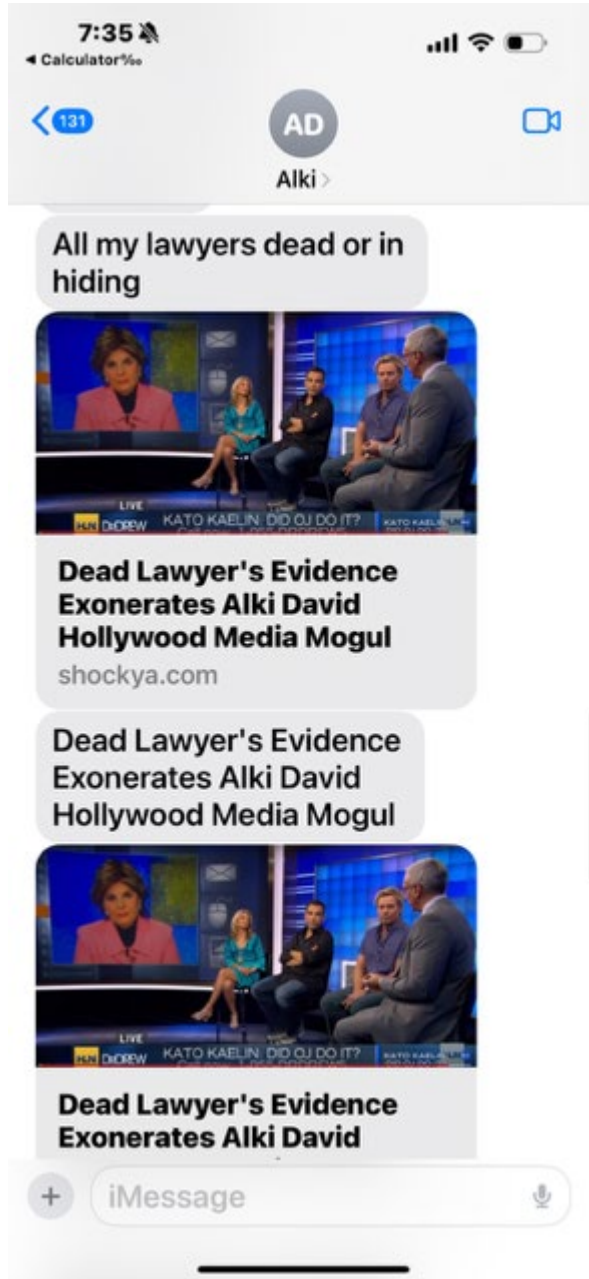
Fucking ingrate

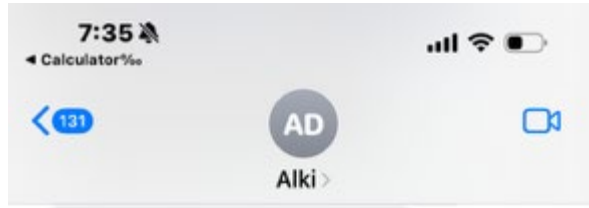
+ iMessage











Dead Lawyer's Evidence
Exonerates Alki David
Hollywood Media Mogul

You're a fucking ingrate



Alki David Vs Los Angeles
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Girardi Cartel
shockya.com

Why do you refuse to
comment on any of this



Document received by the CA 2nd District Court of Appeal.

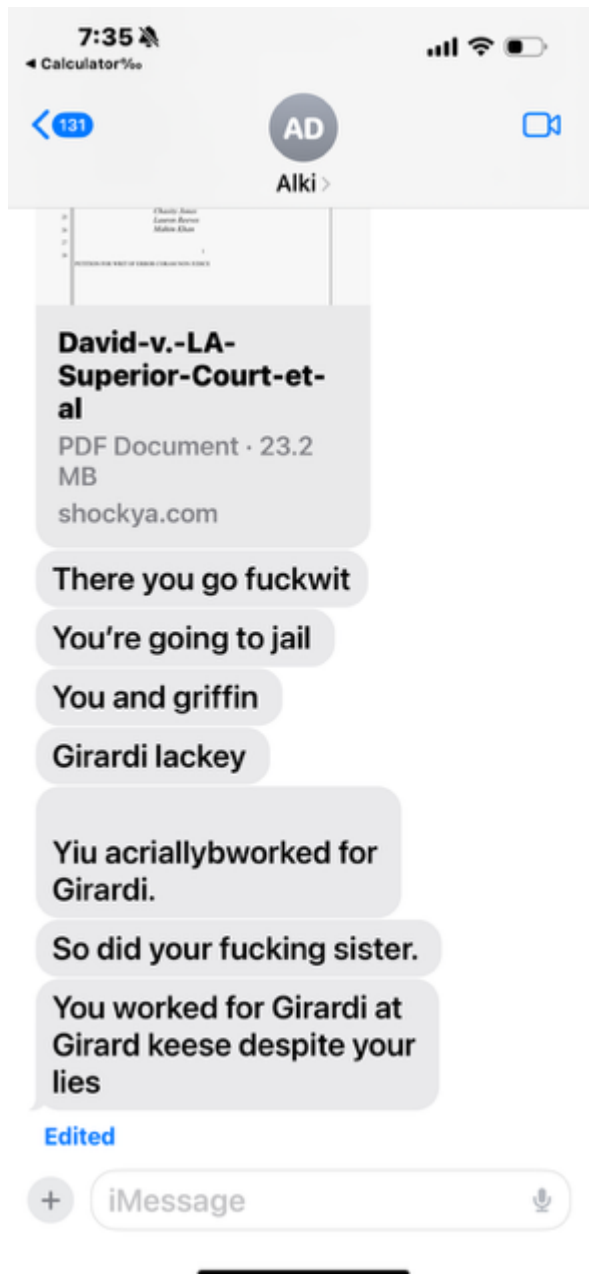
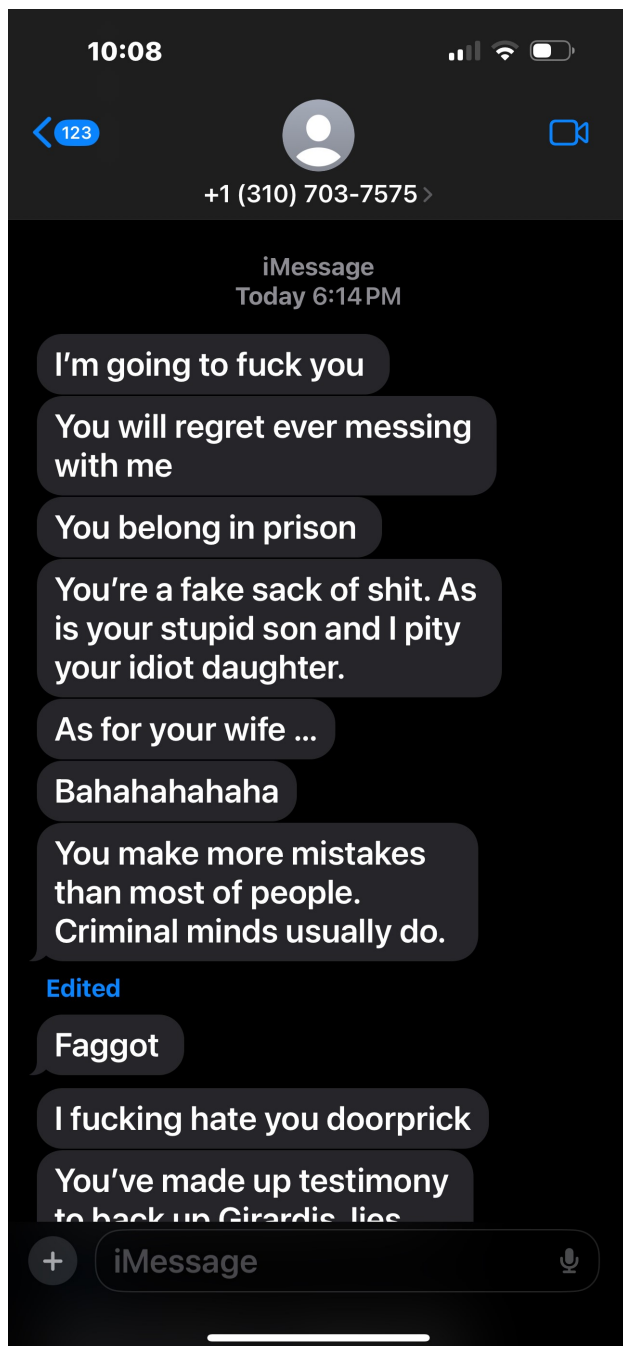


EXHIBIT 2

AA0896

Document received by the CA 2nd District Court of Appeal.



Document received by the CA 2nd District Court of Appeal.



Document received by the CA 2nd District Court of Appeal.

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() **BY PERSONAL SERVICE.** I caused such documents to be delivered personally delivered to the persons addresses listed below.

() For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between normal business hours.

() For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between normal business hours.

() **BY FAX TRANSMISSION.** I caused all of the pages of the above-entitled document to be sent to the recipients noted on the attached service list via electronic transfer (FAX) at the respective FAX numbers pursuant to C.C.P. §1013(e) from DORDICK LAW CORPORATION on the date set forth above. The machine I used complied with California Rules of Court, Rule 2.306(h)(3) and no error was reported by the machine.

(X) **ONLY BY ELECTRONIC SERVICE [E-MAIL]** Only by emailing the document(s) to the persons at the e-mail address(es). No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission. We will provide a physical copy, upon request only, when we return to the office at the conclusion of the national emergency.

Executed on May 14, 2024 at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



SANDRA JIMENEZ

SERVICE LIST

Jane Doe v. David

Case No. 20STCV37498

Ebby S. Bakhtiar, Esq.
LIVINGSTON • BAKHTIAR
3435 Wilshire Boulevard, Suite 1669
Los Angeles, California 90010
Tel: (213) 632-1550
Fax: (213) 632-3100
E-mail: ESB@LivingstonBakhtiar.com

Co-Counsel for Plaintiff, JANE DOE

Themistoklis Sofos, PhD
SOFOS LAW FIRM
Asklepiou Str. 6-8 GR 10680
Athens, Greece
Tel: +302103633322
Fax: +302103636327
E-mail: themis@sofos.com.gr

Attorney for Defendant, ALKIVIADES DAVID

TAB 59

AA0902

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

May 15, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: L. Meguerian

Courtroom Assistant: S. Sato

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Dustin Moaven for Gary A. Dordick (via LACC)

For Defendant(s): No Appearances

Other Appearance Notes: Fred Heather (via LACC)

NATURE OF PROCEEDINGS: Hearing on Motion to Compel Discovery (not "Further Discovery") of Plaintiff, Jane Doe, Mark Makonie's Compliance with Deposition Subpoena; Request for Sanctions [Res. ID# 653708969809]; Final Status Conference

The matters are called for hearing.

The Court has read and considered the moving papers and evidence.

The Court gives its oral tentative ruling and hears argument from counsel.

After consideration of all documents filed and oral argument, the Court adopts the tentative as the order of the Court as follows:

The Motion to Compel Mark Makonie's Compliance with Deposition Subpoena [Res. ID #9809] filed by Jane Doe on 04/09/2024 is Granted.

The Order Granting Plaintiff's Motion to Compel Mark Makonie's Compliance with Deposition Subpoena is signed and filed this date and incorporated herein by reference.

On the Court's own motion, the Final Status Conference scheduled for 05/15/2024 is trailed to 05/24/2024 at 08:30 AM in Department 76 at Stanley Mosk Courthouse.

Plaintiff is to give notice.

TAB 60

AA0904

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

May 24, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: L. Meguerian

Courtroom Assistant: S. Sato

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Brittney Ghadoushi for Gary A. Dordick (via LACC)

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Final Status Conference

The matter is called for hearing.

The Court will be engaged in another trial, therefore, the jury trial is trailed.

On the Court's own motion, the Jury Trial (10 Days) scheduled for 05/28/2024, and Final Status Conference scheduled for 05/24/2024 are trailed to 05/31/2024 at 08:30 AM in Department 76 at Stanley Mosk Courthouse.

Plaintiff is to give notice.

TAB 61

AA0906

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

May 31, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: T. Le

Courtroom Assistant: G. Mack

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Brittney Ghadoushi (via LACC) for Gary A. Dordick

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Final Status Conference; Jury Trial (10 Days)

The matters are called for hearing.

There are no appearances by or for Defendant nor any communication with the Court as to why there are no appearances this date.

The Court informs counsel that this Department is currently engaged in a jury trial.

After conferring with counsel, the court orders as follows:

On the Court's own motion, the Final Status Conference scheduled for 05/31/2024, and Jury Trial (10 Days) scheduled for 05/31/2024 are continued to 06/11/2024 at 08:30 AM in Department 76 at Stanley Mosk Courthouse.

Plaintiff is ordered to give notice.

TAB 62

AA0908

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 11, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: T. Le

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Dustin Moaven (via LACC) for Gary A. Dordick

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Final Status Conference; Jury Trial (10 Days)

The matters are called for hearing.

There are no appearances by or for Defendant nor any communication with the Court as to why there are no appearances this date.

The Court gives counsel an update regarding scheduling on the current trial in this department.

Counsel for plaintiff informs the Court that his client may have to work around a trip that is scheduled for Friday and may be out of town.

On the Court's own motion, the Final Status Conference scheduled for 06/11/2024, and Jury Trial (10 Days) scheduled for 06/11/2024 are continued to 06/13/2024 at 10:00 AM in Department 76 at Stanley Mosk Courthouse.

A panel of prospective jurors is ordered for 06/13/2024.

Plaintiff is ordered to give notice.

TAB 63

AA0910

Document received by the CA 2nd District Court of Appeal.

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B #320939
3 **DORDICK LAW CORPORATION**
4 1122 Wilshire Blvd.
5 Los Angeles, CA 90017
6 Tel: (310) 551-0949 • Fax: 855-299-4444
7 E-Mail: dustin@dordicklaw.com

In Association With

5 Ebby S. Bakhtiar, Esq. S/B# 215032
6 **LIVINGSTON • BAKHTIAR**
7 3435 Wilshire Boulevard, Suite 1669
8 Los Angeles, California 90010
9 Tel: (213) 632-1550 • Fax: (213) 632-3100
10 Attorneys for Plaintiff

Electronically FILED by
Superior Court of California,
County of Los Angeles
6/12/2024 5:27 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By S. Bolden, Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF LOS ANGELES**

10 JANE DOE, an Adult Individual Suing Under
11 Anonymity Due to Privacy and Safety,

12 Plaintiff,

13 vs.

14 ALKIVIADES DAVID, an Individual, a.k.a.
15 ALKI DAVID; HOLOGRAM USA, INC., a
16 California Corporation, a.k.a. HOLOGRAM
17 USA PRODUCTIONS, INC., HOLOGRAM
18 USA ENTERTAINMENT, INC.,
19 FILMON.TV, INC., FILMON.TV
20 NETWORKS, INC. and FILMON.TV LA,
INC.; SWISSX LABS AG, INC. a California
21 Corporation, a.k.a. SWISSX LOUNGE and
22 FILMONTV UK, LTD; and DOES 1 through
23 150, inclusive,

24 Defendants.

Case No.: 20STCV37498

**PLAINTIFF'S NOTICE OF INTENT TO
USE DEPOSITION DESIGNATIONS FOR
TRIAL**

Dept.: 76

Judge: Hon. Christopher L. Lui

Action Filed: September 30, 2020

Trial Date: June 11, 2024

22 TO ALL PARTIES AND COUNSEL OF RECORD: PLEASE TAKE NOTICE that
23 pursuant to California Code of Civil Procedure §2025.260, Plaintiff intends to use trial video
24 excerpts from the videotaped deposition of Defendant ALKIVIADES DAVID, which was taken on
25 March 1, 2024 at 10:08 a.m. Plaintiff hereby designates the following testimony and corresponding
26 video recording of said testimony:

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NAME OF DEPONENT	PAGES/LINES	OBJECTIONS	COUNTER-DESIGNATIONS	RESPONSES	RULING
Alkiviades David	8:4-5				
Alkiviades David	8:7-11				
Alkiviades David	9:22-25				
Alkiviades David	10:1				
Alkiviades David	11:15-19				
Alkiviades David	13:7-14				
Alkiviades David	14:10-12				
Alkiviades David	19:3-25				
Alkiviades David	20:1-2				
Alkiviades David	22:24-25				
Alkiviades David	23:16-19				
Alkiviades David	29:13-15				
Alkiviades David	29:24				
Alkiviades David	32:10-12				
Alkiviades David	32: 15-17				
Alkiviades David	38:5-6				
Alkiviades David	46:12-25				
Alkiviades David	47:1-7				
Alkiviades David	69:5-7				
Alkiviades David	71:23-25				
Alkiviades David	100:14-17				
Alkiviades	105:7-12				


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NAME OF DEPONENT	PAGES/LINES	OBJECTIONS	COUNTER-DESIGNATIONS	RESPONSES	RULING
David					
Alkiviades David	106:16-21				
Alkiviades David	110:14-17				
Alkiviades David	113:6-10				
Alkiviades David	113:15-25				
Alkiviades David	114:1-9				
Alkiviades David	115:22-25				
Alkiviades David	116:1-15				

Dated: June 12, 2024

DORDICK LAW CORPORATION

By: 
GARY A. DORDICK, ESQ.
DUSTIN Z. MOAVEN, ESQ.
Attorneys for Plaintiff

Document received by the CA 2nd District Court of Appeal.

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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1122 WILSHIRE BLVD., LOS ANGELES, CA 90017.

On June 12, 2024 served the foregoing documents described as **PLAINTIFF’S NOTICE OF INTENT TO USE DEPOSITION DESIGNATIONS FOR TRIAL** on all parties in this action as follows.

[SEE ATTACHED SERVICE LIST]

(X) **ONLY BY ELECTRONIC SERVICE [E-MAIL]** Only by emailing the document(s) to the persons at the e-mail address(es). No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission. We will provide a physical copy, upon request only, when we return to the office at the conclusion of the national emergency.

Executed on June 12, 2024 at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



SANDRA JIMENEZ

Document received by the CA 2nd District Court of Appeal.

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SERVICE LIST

Jane Doe v. David

Case No. 20STCV37498

Ebby S. Bakhtiar, Esq.
LIVINGSTON • BAKHTIAR
3435 Wilshire Boulevard, Suite 1669
Los Angeles, California 90010
Tel: (213) 632-1550
Fax: (213) 632-3100
E-mail: ESB@LivingstonBakhtiar.com

Co-Counsel for Plaintiff, JANE DOE

Themistoklis Sofos, PhD
SOFOS LAW FIRM
Asklepiou Str. 6-8 GR 10680
Athens, Greece
Tel: +302103633322
Fax: +302103636327
E-mail: themis@sofos.com.gr

Attorney for Defendant, ALKIVIADES DAVID

Document received by the CA 2nd District Court of Appeal.

TAB 64

AA0916

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 13, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: T. Le

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Gary A. Dordick and Dustin Z. Moaven (via LACC)

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: REDACTED VERSION Final Status Conference; Jury Trial (10 Days)

The matters are called for hearing.

There are no appearances by or for Defendant nor any communication with the Court as to why there are no appearances this date.

The Court and counsel confer regarding the logistics of the case.

Counsel's request to give a mini-opening rather than reading of the statement of the case is granted.

At 11:06 a.m., a panel of 40 prospective jurors enter the courtroom.

The court staff, counsel and parties are introduced.

At 11:13 a.m., a panel of prospective jurors is sworn.

Counsel gives an mini-opening statement.

Questionnaires are given to the prospective jurors.

The Court makes a finding required by the rule of court and orders the questionnaires be sealed until further order of the court (see end of minute order).

The prospective juror are admonished, released for the lunch break and ordered to return at 1:30 P.M.,

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 13, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: T. Le

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

The prospective jurors are directed to fill out the questionnaire and return them to the Courtroom Assistant before going on their lunch break.

All parties and counsel are ordered to return at 1:30 p.m.

Trial resumes from the lunch break with all parties, counsel and prospective jurors present.

OUT OF THE PRESENCE OF THE PROSPECTIVE JURORS:

Counsel's requests to inquire with jurors #8 and #20 regarding language issues is granted.

The Court and counsel confer regarding challenges for cause as to the following jurors: #1, #3, #6, #13, #18, #19, #21, #26, #38, #39 and #40.

Counsel states the basis for the cause challenge as to each juror.

Plaintiff's request to excuse the above-referenced jurors is granted except for juror #3 and juror #13.

Counsel informs the Court that he intends to play video deposition of defendant.

IN THE PRESENCE OF THE PROSPECTIVE JURORS:

Voir dire commences.

The remaining prospective jurors (except for prospective juror #5) are admonished, released for the afternoon break and ordered to return at 3:30 p.m.

OUT OF THE PRESENCE OF THE PROSPECTIVE JURORS:

Counsel makes an inquiry regarding prospective juror #5. After inquiry, prospective juror #5 is ordered to return at 3:30 p.m.

Counsel exercises peremptory challenges as to prospective jurors #3, #7, #8, #13, #16, #27 and #29.

Court makes inquiry with prospective jurors #9 and #22. After inquiry, prospective jurors #9 and #22 are excused..

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 13, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: T. Le

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

All parties and counsel are ordered to return at 3:30 p.m.

Trial resumes from the afternoon break with all parties, counsel and remaining prospective jurors present.

IN THE PRESENCE OF THE PROSPECTIVE JURORS:

Voir resumes.

At 3:53 p.m., By order of the Court, the following prospective jurors are impaneled and acknowledge and agree to try the cause:

PURSUANT TO THE COURT'S ORDER DATED 06/17/2024, ALL JUROR INFORMATION HAS BEEN REDACTED.

The court pre-instructs the jury.

The jurors are admonished, released for the evening and ordered to return on 06/14/2024 at 10:00 A.M.

All parties and counsels are ordered to return on 06/14/2024 at 10:00 A.M.

Pursuant to California Rules of Court, Rule 2.550(e), the Court orders that the written questionnaires completed by the jurors shall be placed under seal and kept sealed until further order of the Court. The Court finds that the following factors support the sealing of the questionnaires:

1. There is an overriding interest in juror privacy that overcomes the right of public access to the records. Specifically, the questionnaires seek background information of the jurors concerning their personal history, or history of family/friends with matters of sexual abuse or sexual assault and mental health, the public disclosure of which would constitute an infringement on privacy rights, including potential HIPAA rights of the jurors.

2. The overriding interest in privacy justifies the sealing of the juror questionnaires, rather than against the sealing. Just as evidentiary privileges (like the attorney-client privilege and physician-patient privilege) promote complete and accurate disclosures through a guarantee of confidentiality, maintaining privacy of the jurors' questionnaires promotes full and accurate

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 13, 2024

8:30 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: T. Le

Courtroom Assistant: S. Sato

CSR: None

ERM: None

Deputy Sheriff: None

disclosure of information that may bear on jurors' ability to serve as fair and impartial jurors in a case that involves allegations of sexual assault.

3. A substantial probability exists that the overriding interest in juror privacy would be prejudiced if the jurors' questionnaires become public, since jurors would be reluctant to make public disclosure of private information concerning sexual and mental health issues.

4. In the context of voir dire, the sealing of questionnaires is as narrowly tailored as practical, since the remaining portions of voir dire are conducted in open court, except for any information as to which jurors may request a sidebar or chambers session.

5. No less restrictive means exists to achieve the overriding interest, as it is impractical and vastly consumptive of the Court's and jurors' time to conduct separate voir dire of each juror regarding their thoughts about, or history with regard to these matters. Moreover, in the absence of a court reporter, any questioning of jurors in chambers would not be memorialized; retaining the questionnaires as sealed documents ensures some degree of preservation of matters relating to jurors' opinions on the sensitive topics.

TAB 65

AA0921

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 14, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: M. Mort

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Gary A. Dordick and Dustin Z. Moaven

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Jury Trial (Day 2)

Out of the presence of the jury:

Court and counsel confer regarding procedural issues.

In the presence of the jury:

Opening statements are made by counsel for plaintiff.

Margarita Nicholas is duly sworn and testifies on behalf of plaintiff.

Craig Snyder is duly sworn and testifies on behalf of plaintiff.

Kevin Cordova is duly sworn and testifies on behalf of plaintiff.

The following exhibits are marked for identification only:

- 35-1) Page 1 of text message chain between defendant and plaintiff's counsel;
- 35-2) Page 2 of text message chain between defendant and plaintiff's counsel;
- 35-4) Page 4 of text message chain between defendant and plaintiff's counsel;
- 35-7) Page 7 of text message chain between defendant and plaintiff's counsel;
- 35-8) Page 8 of text message chain between defendant and plaintiff's counsel;
- 35-10) Page 10 of text message chain between defendant and plaintiff's counsel;
- 35-11) Page 11 of text message chain between defendant and plaintiff's counsel;
- 38-1) Page 1 of Complaint for Damages, case number BC649025;
- 38-4) Page 4 of Complaint for Damages, case number BC649025;
- 38-5) Page 5 of Complaint for Damages, case number BC649025;
- 38-6) Page 6 of Complaint for Damages, case number BC649025;
- 39) 10-page Special Verdict, case number BC649025
- 40) 3-page Special Verdict – Phase II, case number BC649025;
- 41) 17-page Special Verdict, case number BC649025;

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 14, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: M. Mort

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

-
-
- 42) 2-page Special Verdict (Phase II), case number BC649025;
43-1) Page 1 of Complaint for Damages, case number BC643099;
44) 12-page Special Verdict, case number BC643099;
45) 3-page Special Verdict (Phase II), case number BC643099;
46-1) Page 1 of Complaint for Damages, case number BC654017;
47-1) Page 1 of Special Verdict, case number BC654017; and
48) 3-page Special Verdict (Phase II), case number BC654017.

Excerpts of the video recorded deposition of defendant Alkiviades David are played in open court.

Plaintiff rests.

The jury is admonished and ordered to return on 6/17/2024 at 10:00 AM to this department.

Out of the presence of the jury:

Plaintiff's Motion for Directed Verdict as to Causes of Action 1) Sexual Assault and Battery and 10) Intentional Infliction of Emotional Distress is heard.

Based upon the Ruling on the Motion to Deem Admitted Requests for Admission issued on 05/07/2024 and the testimony during trial, the Court grants the Motion for Directed Verdict as to Liability only.

Plaintiff's oral motion to dismiss Causes of Action 2 through 9 of the First Amended Complaint for Damages filed on 10/01/2021 is granted. Causes of Action 2 through 9 only are Dismissed Without Prejudice.

Court and counsel confer regarding the verdict form and jury instructions.

The trial is recessed to 06/17/2024 at 10:00 AM in this department.

TAB 66

AA0924

Document received by the CA 2nd District Court of Appeal.

4:12

1:41

Signal strength icon

Battery icon

124



+1 (310) 703-7575

prison

Don't think you're getting away with this.

Your friends tried to kill me twice. Idiots.

Now what happens ?

It's my turn.

Today 4:11PM

Hi Gary

How's your insurance looking.

I hope you like jail dickhead

Criminal fuck with dumb children

And a whore wife

The sender is not in your contact list.

Report Junk

iMessage

4:17



126



+1 (310) 703-7575 >

Please don't text me again.
Please sign the pre trial documents. Your failure to complete the pre-trial documents may result in the court sanctioning you.

Delivered

Fuck off idiot. Read the law

You are a dumb criminal fuck

You are going to prison assfuck



Message



4:24



< 126



AD

Alki >

deserve freedom

You are an evil human being

Really fucked up

I am a Christian and I look forward to your demise.

Sad isn't it.

You are a bad evil fucked up asshole

Edited

And I pray you suffer

I pray you feel the pain your lies cause people who you target with no substance to anything

You're a sad person dordick

Evil fucked up smelly old asshole whose family will hate you to the end of your days



iMessage



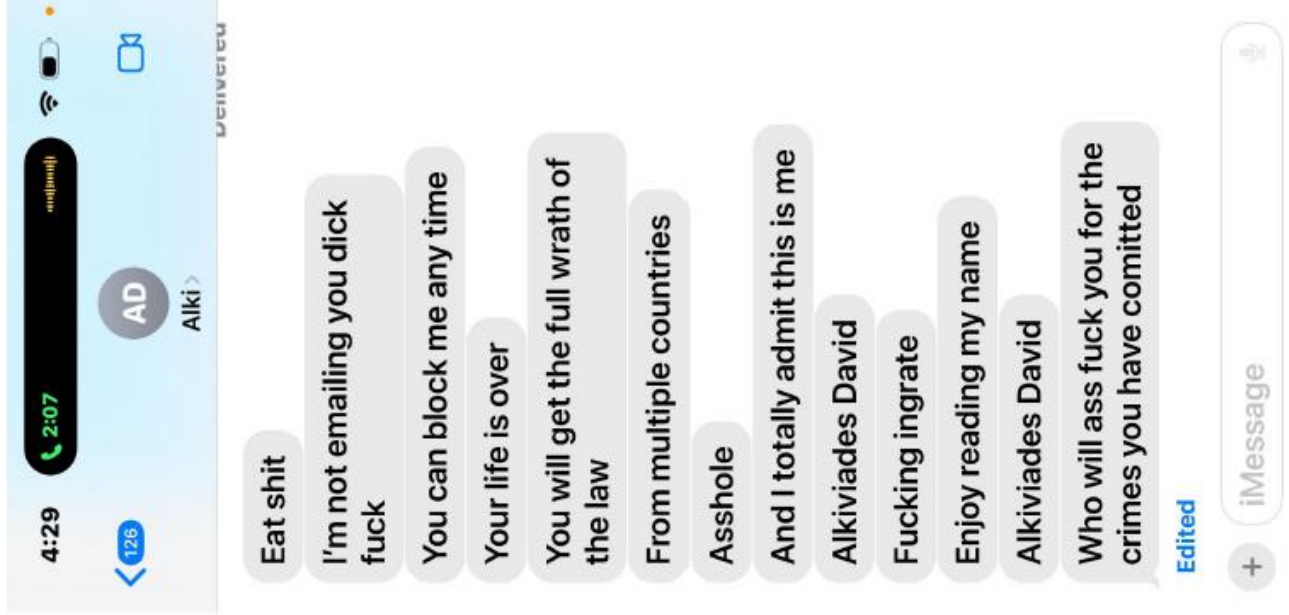


Mr David, I asked you to please stop emailing me directly. Additionally, your language and threats are not acceptable.

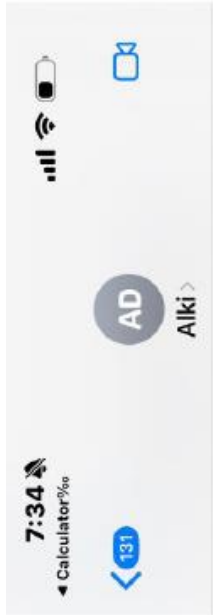
Delivered

- Eat shit
- I'm not emailing you dick fuck
- You can block me any time
- Your life is over
- You will get the full wrath of the law
- From multiple countries
- Asshole
- And I totally admit this is me
- Alkiviades David
- Fucking ingrate

+ iMessage



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Today 7:20 PM

Ari Emanuel and you talk this week ?

I would call Gloria

John Quirk was killed

Mark Lieberman murdered

Phil Kaye murdered

Barry Rothman killed

All my lawyers

Murray greenberg

You know him

He's in hiding.

Rebecca Rini

Murdered

All my lawyers dead or in hiding

+ iMessage

4:58



151

AD



Alki >

Saturday 2:32 AM

If you want to save your ass from criminal prosecution from the UK 🇬🇧 you had better start singing.

Fucking ingrate.

You will probably go to jail in the states. Trump gets back in you will probably be executed.

Assfuck

Your poor dumb daughter and your pathetic son

You do understand that a syndicate includes family members who benefit. I'm sure you understand all the nuances and possible outcomes.

As you understand by now

+ iMessage



ORIGINAL

1 Lisa Bloom, Esq. (SBN 158458)
2 THE BLOOM FIRM
3 20700 Ventura Blvd., Suite 301
4 Woodland Hills, CA 91364
5 Telephone: (818) 914-7319
6 Facsimile: (866) 852-5666
7 Lisa@TheBloomFirm.com
8 Attorneys for Plaintiffs
9 ELIZABETH TAYLOR and CHASITY JONES

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DEPT-73
RAFAEL ONBOKO

FILED
Superior Court of California
County of Los Angeles
FEB 02 2017

Sherri R. Carter, Executive Officer/Clerk
By Judi Lara, Deputy

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF LOS ANGELES, CENTRAL DIVISION

10 ELIZABETH TAYLOR, an individual,
11 CHASITY JONES, an individual,

12 Plaintiffs,

13 v.

14 ALKIVIADES DAVID, an individual,
15 HOLOGRAM USA, INC., a Delaware corp.,
16 HOLOGRAM USA ENTERTAINMENT,
17 INC., a Delaware corp., FILMON MEDIA
18 HOLDINGS, INC., a Delaware corp.,
19 FILMON.TV, INC., a Delaware corp.,
20 FILMON.TV NETWORKS, INC., a Delaware
21 corp., ALKI DAVID PRODUCTIONS, INC.,
22 a Delaware corp., ANAKANDO MEDIA
23 GROUP USA, an unknown business entity,
24 and DOES 1 through 25, inclusive.

25 Defendants.

CASE NO.: **BC 6 49 0 2 5**

COMPLAINT FOR DAMAGES

1. EMPLOYMENT DISCRIMINATION-
SEXUAL HARASSMENT IN
VIOLATION OF FEHA
2. DISCRIMINATION BASED UPON
DISABILITY IN VIOLATION OF FEHA
3. FAILURE TO ACCOMMODATE
DISABILITY IN VIOLATION OF FEHA
4. WRONGFUL TERMINATION IN
VIOLATION OF FEHA
5. WRONGFUL TERMINATION IN
VIOLATION OF PUBLIC POLICY
6. RETALIATION IN VIOLATION OF
FEHA
7. RETALIATION IN VIOLATION OF CA
GOV. CODE § 12653
8. SEXUAL BATTERY IN VIOLATION
OF CA CIV. CODE § 1708.5
9. COMMON LAW BATTERY
10. SEXUAL ASSAULT
11. INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS

DEMAND FOR JURY TRIAL

RECEIPT #: CCHS21872082
DATE PAID: 02/02/17 02:08 PM
PAYMENT: \$435.00
RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
TEND: \$0.00

CIT/CASE: BC649025
LEN/DEF#:

27 Plaintiffs ELIZABETH TAYLOR and CHASITY JONES (collectively, "Plaintiffs")

28 bring the instant action against Defendants ALKIVIADES DAVID, an individual,

COMPLAINT FOR DAMAGES

Document received by the CA 2nd District Court of Appeal.

1 therefore sue said defendants by such fictitious names. When the true names and capacities of
2 said defendants are ascertained, Plaintiffs will seek leave of court to amend this Complaint to
3 allege their true names and capacities. Plaintiffs are informed and believe and thereon allege
4 that each defendant designated herein as a Doe is responsible in some manner for each other
5 defendant's acts, omissions, and for the resulting injuries and damages to Plaintiff, as alleged
6 herein.

7 **VENUE**

8 12. Venue is proper as Defendants conduct business in Los Angeles County. Plaintiffs
9 are informed and believe that Mr. David resides in Los Angeles County.

10 **FACTUAL ALLEGATIONS**

11 **Defendants Created a Hostile Work Environment**

12 13. In January of 2015, Plaintiffs were hired by Defendants as account executives on the
13 company's sales team. Throughout the duration of their employment, they were forced to work
14 in a hostile, misogynistic workplace rife with sexual innuendo and degrading behavior to
15 women, including without limitation the following:

16 14. On various occasions, Mr. David required Plaintiffs and his other employees to
17 watch "Two Girls, One Cup" which he played on the conference room projector and on their
18 computers. "Two Girls, One Cup" is a pornographic video featuring two women in fetishistic
19 intimate relations, including defecating into a cup, taking turns in what appears to be consuming
20 the excrement, and vomiting into each other's mouths. **Exhibit 1.**

21 15. Mr. David required Plaintiffs to follow him on social media where he repeatedly
22 posted disgusting, lewd and sexist photos of himself and other women including, without
23 limitation, the following:

- 24
- 25 • An Instagram photo of Mr. David and a topless woman in a car; Mr. David
 - 26 captioned the post, "Ok haters. #hate! Rip dat bra." **Exhibit 2.**
 - 27 • An Instagram video of Mr. David grabbing his crotch. **Exhibit 3.**
- 28

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- An Instagram meme of Caitlyn Jenner in an unflattering pose that reads, “When you play with your vagina for the first time.” Mr. David captioned the post, “Enough said. #vagina.” **Exhibit 4.**
 - An Instagram photo depicting a woman’s cleavage; Mr. David captioned the post, “Boom! There go my shorts again.” **Exhibit 5.**
 - An Instagram photo of himself wearing just underwear that reads, “Fuck Off.” **Exhibit 6.**
 - An Instagram photo depicting a heavy-set woman with her buttocks exposed. **Exhibit 7.**
 - An Instagram photo of Mr. David at the gym in front of a mirror with an erect penis under his pants. **Exhibit 8.**
 - An Instagram photo depicting a “Two Girls, One Cup” chocolate birthday cake with cake-toppers in the form of two naked women recreating the abhorrent pornographic scene of women eating excrement. **Exhibit 9.**
 - An Instagram photo depicting two naked men having sex. **Exhibit 10.**
 - An Instagram meme depicting various penises atop cupcakes which reads, “tag a mate that loves cupcakes!!!” **Exhibit 11.**
 - An Instagram photo depicting a pig with large testicles. **Exhibit 12.**
 - An Instagram photo depicting Mr. David gripping a woman’s nipple between his thumb and index finger over her clothing. **Exhibit 13.**
 - An Instagram photo depicting Mr. David’s legs while he is sitting in a bathtub. **Exhibit 14.**
 - An Instagram photo depicting Mr. David licking and/or sucking a cat’s genitals. **Exhibit 15.**
 - An Instagram photo depicting Mr. David pointing to his penis. **Exhibit 16.**
- Each of these posts was shocking, disturbing and offensive to Plaintiffs.
16. Mr. David hired a stripper for an office birthday party. The stripper danced nude and gave a lap dance in Defendants’ conference room during business hours. **Exhibit 17.**

Document received by the CA 2nd District Court of Appeal.

1 17. Mr. David arranged a sex-themed party for “battle rappers” in the office. He placed
2 open boxes of condoms and “Super Fun Penis Candy” in the front of the office. **Exhibit 18.**

3 18. Mr. David placed electric shock collars, typically used for helpless, abused dogs, on
4 his employees’ necks. **Exhibit 19.**

5 19. Defendants did not maintain a serious Human Resources department. In fact, an HR
6 department was considered a joke to Defendants who posted a sign on an office door that read,
7 “Her-ASS” followed by, “We Will Give You Just The Tip.” The picture on the sign depicts a
8 man grabbing a woman’s breasts. Immediately below the picture, the sign reads, “HR
9 Headquarters.” **Exhibit 20.**

10 20. The aforementioned conduct and behavior were all shocking, disturbing and
11 offensive to Plaintiffs. The severity and pervasiveness of Mr. David’s sexually harassing acts
12 and behavior prompted multiple other female employees to come forward with sexual
13 harassment allegations against Mr. David. Yet, Mr. David continued to flout the law
14 maliciously. He even bragged to Ms. Jones about his settled lawsuit with employee Mary Rizzo,
15 describing Ms. Rizzo as a “wild, wild girl” as if she was well worth the price of the settlement.

16 **Mr. David Sexually Harasses, Assaults and Imprisons Ms. Taylor**

17 21. On January 21, 2015, Mr. David and Carl Dawson (“Mr. Dawson”), Vice-President
18 of Marketing and Plaintiffs’ direct supervisor, brought Ms. Taylor down to the hologram
19 demonstration room. On the way down, Mr. David held Ms. Taylor’s hand multiple times
20 without first obtaining her consent. In the demonstration room, Mr. David ordered Ms. Taylor to
21 dance on the stage. From Ms. Taylor’s vantage point, she could not see the holograms alongside
22 her. Mr. David was laughing hysterically throughout the “performance.” Ms. Taylor learned that
23 the holograms beside her portrayed two naked women.

24 22. In late January 2015, Mr. David called Ms. Taylor to his office and closed the door.
25 While she was standing, he put his hand on her lower back, crept his hand down to her
26 buttocks and then grabbed her buttocks. She quickly backed up into a chair and sat down.

27 23. In March 2015, Ms. Taylor was sitting in her chair. Mr. David came from behind
28 her, put his arms over her, reached under her upper thighs (she was wearing a short dress) and

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FILED
Superior Court of California
County of Los Angeles

DEC 12 2023

David W. Slayton, Executive Officer/Clerk of Court

By: V. Salas, Deputy

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, POMONA COURTHOUSE SOUTH

ELIZABETH TAYLOR, an individual,

Plaintiff,

v.

ALKIVIADES DAVID, an individual.

Defendant.

Case No: BC649025
Hon. Peter A. Hernandez
Department K

SPECIAL VERDICT

SPECIAL VERDICT

TAYLOR V. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

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We, the jury in the above-entitled action, find the following Special Verdict on the questions submitted to us:

HOSTILE WORK ENVIRONMENT HARASSMENT

1. Was Elizabeth Taylor an employee of one of Alkiviades David's companies?

Yes No

If your answer to question 1 is yes, proceed to question 2. If you answered no, then proceed to question 7.

2. Was Elizabeth Taylor subjected to unwanted harassing conduct by Alkiviades David?

Yes No

If your answer to question 2 is yes, proceed to question 3. If you answered no, then proceed to question 7.

3. Was the harassment severe or pervasive?

Yes No

If your answer to question 3 is yes, proceed to question 4. If you answered no, then proceed to

SPECIAL VERDICT

TAYLOR v. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

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question 7.

4. Would a reasonable person in Elizabeth Taylor's circumstances have considered the work environment to be hostile or abusive?

Yes No

If your answer to question 4 is yes, proceed to question 5. If you answered no, then proceed to question 7.

5. Did Elizabeth Taylor consider the work environment to be hostile or abusive?

Yes No

If your answer to question 5 is yes, proceed to question 6. If you answered no, then proceed to question 7.

6. Was the harassing conduct a substantial factor in causing harm to Elizabeth Taylor?

Yes No

Proceed to question 7 whether you answered yes or no to question 6.

Document received by the CA 2nd District Court of Appeal.

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BATTERY

7. Did Alkiviades David touch Elizabeth Taylor with the intent to harm or offend her?

Yes No

If your answer to question 7 is yes, proceed to question 8. If you answered no, then proceed to question 11.

8. Did Elizabeth Taylor consent to be touched?

Yes No

If your answer to question 8 is no, proceed to question 9. If you answered yes, then proceed to question 11.

9. Was Elizabeth Taylor harmed or offended by Alkiviades David's conduct?

Yes No

If your answer to question 9 is yes, proceed to question 10. If you answered no, then proceed to question 11.

10. Would a reasonable person in Elizabeth Taylor's situation have been offended by the

SPECIAL VERDICT

TAYLOR V. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

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touching?

Yes No

Proceed to question 11 whether you answered yes or no to question 10.

SEXUAL BATTERY

11. Did Alkiviades David intend to cause a harmful or offensive contact with an intimate part of Elizabeth Taylor or did Alkiviades David cause an imminent fear of a harmful or offensive contact with an intimate part of Elizabeth Taylor?

Yes No

If your answer to question 11 is yes, proceed to question 12. If you answered no, then proceed to question 15.

12. Did a sexually offensive contact with Elizabeth Taylor result, directly or indirectly?

Yes No

If your answer to question 12 is yes, proceed to question 13. If you answered no, then proceed to question 15.

SPECIAL VERDICT

TAYLOR v. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

1 13. Did Elizabeth Taylor consent to be touched?

2
3 Yes No

4
5 If your answer to question 13 is no, proceed to question 14. If you answered yes, then proceed
6 to question 15.

7
8 14. Was Elizabeth Taylor harmed or offended by Alkiviades David's conduct?

9
10 Yes No

11
12 Proceed to question 15 whether you answered yes or no to question 14.

13
14
15 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

16 15. Was Alkiviades David's conduct outrageous?

17
18 Yes No

19
20 If your answer to question 15 is yes, proceed to question 16. If you answered no, then proceed
21 to the instructions for question 19.

22
23 16. Did Alkiviades David act with reckless disregard of the probability that Elizabeth Taylor
24 would suffer emotional distress, knowing that Elizabeth Taylor was present when the conduct
25

SPECIAL VERDICT

TAYLOR V. DAVID
CASE NO: BC 649025

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occurred?

Yes No

If your answer to question 16 is yes, proceed to question 17. If you answered no, then proceed to the instructions for question 19.

17. Did Elizabeth Taylor suffer emotional distress?

Yes No

If your answer to question 17 is yes, proceed to question 18. If you answered no, then proceed to the instructions for question 19.

18. Was Alkiviades David's conduct a substantial factor in causing Elizabeth Taylor's severe emotional distress?

Yes No

Instructions for Question 19:

Proceed to question 19 if you answered yes to either question 6, 10, 14, or 18.

SPECIAL VERDICT

TAYLOR v. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

1 If you are not required to answer question 19, stop here, answer no further questions, and have
2 the presiding juror sign and date this form.

3
4 **COMPENSATORY DAMAGES**

5 19. What are Elizabeth Taylor's compensatory damages?
6

7 **a. Past loss including physical pain and mental suffering**

8 Enter an amount below for Alkiviades David to compensate Elizabeth Taylor for past non-
9 economic loss including physical pain and mental suffering

10 \$ 1,504,167
11

12
13 **b. Future loss including physical pain and mental suffering**

14 Enter an amount below for Alkiviades David to compensate Elizabeth Taylor for future non-
15 economic loss including physical pain and mental suffering

16 \$ 1,379,167
17

18 Total Compensatory Damages: \$ 2,883,334
19

20 Proceed to question 20.

21 **PUNITIVE DAMAGES**

22 20. Did Alkiviades David engage in the conduct with either malice or oppression?
23


24 Yes No
25

SPECIAL VERDICT

TAYLOR V. DAVID
CASE NO: BC 649025

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Have the presiding judge sign and date this form and notify the courtroom assistant that you are ready to present your verdict.

Date: 12-12-2023 Signed: 
Presiding Juror

SPECIAL VERDICT

TAYLOR v. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

Document received by the CA 2nd District Court of Appeal.

I certify that this is a true and correct copy of the original on file in or issued from this office, consisting of 27 pages.



DAVID W. SLAYTON, Executive Officer / Clerk of the Superior Court of California, County of Los Angeles.

Date: 6/7/24 By: R. Lovig, Deputy
R. LOVIG

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FILED
Superior Court of California
County of Los Angeles

DEC 13 2023

David W. Slayton, Executive Officer/Clerk of Court

By: V. Salas, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, POMONA COURTHOUSE SOUTH

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ELIZABETH TAYLOR, an individual,

Plaintiff,

v.

ALKIVIADES DAVID, an individual.

Defendant.

Case No: BC649025
Hon. Peter A. Hernandez
Department K

SPECIAL VERDICT - PHASE II

SPECIAL VERDICT - PHASE II

TAYLOR v. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.

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PUNITIVE DAMAGES

We answer the question submitted to us as follows:

1. What amount of punitive damages do you award Elizabeth Taylor?

\$ 5,500,000.00

Have the presiding judge sign and date this form and notify the courtroom assistant that you are ready to present your Phase Two verdict.

Date: 12/13/23 Signed: 
Presiding Juror

SPECIAL VERDICT - PHASE II

TAYLOR V. DAVID
CASE NO: BC 649025

Document received by the CA 2nd District Court of Appeal.



I certify that this is a true and correct copy of the original on file in or issued from this office, consisting of 2 pages.

DAVID W. SLAYTON, Executive Officer / Clerk of the Superior Court of California, County of Los Angeles.

Date: 6/7/24 By: R. Louisa, Deputy
R. LOUISA

Document received by the CA 2nd District Court of Appeal.

RCVD
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FILED
Superior Court of California
County of Los Angeles

APR 26 2019

Sherri R. Carter, Executive Officer/Clerk
By M.V. Carino Deputy
M.V. Carino

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

CHASITY JONES,

Plaintiff,

v.

ALKIVIADES DAVID, an individual,
HOLOGRAM USA, INC., a Delaware corp.,
FILMON.TV, INC., a Delaware corp.,

Defendants.

CASE NO. BC649025

SPECIAL VERDICT

We, the jury in the above-entitled action, find the following Special Verdict on the questions submitted to us:

Hostile Work Environment Harassment (FilmOn.TV, Inc.)

1. Was Chasity Jones an employee of FilmOn.TV, Inc.?

Yes No

If your answer to question 1 is yes, then answer question 2. If you answered no, then proceed to question 16.

Document received by the CA 2nd District Court of Appeal.

05/14/2019

1 2. Was Chasity Jones subjected to unwanted harassing conduct because she was a
2 woman?

3 Yes ___ No

4 If your answer to question 2 is yes, then answer question 3. If you answered no, then
5 proceed to question 9.

6 3. Was the harassment severe or pervasive?

7 Yes ___ No

8 If your answer to question 3 is yes, then answer question 4. If you answered no, then
9 proceed to question 9.

10 4. Would a reasonable woman in Chasity Jones' circumstances have considered the work
11 environment to be hostile or abusive?

12 Yes ___ No

13 If your answer to question 4 is yes, then answer question 5. If you answered no, then
14 proceed to question 9.

15 5. Did Chasity Jones consider the work environment to be hostile or abusive?

16 Yes ___ No

17 If your answer to question 5 is yes, then answer question 6. If you answered no, then
18 proceed to question 9.

19 6. Did FilmOn.TV, Inc. know or should it have known of the harassing conduct?

20 Yes ___ No

21 If your answer to question 6 is yes, then answer question 7. If you answered no, then
22 proceed to question 9.

23 7. Did FilmOn.TV, Inc. fail to take immediate and appropriate corrective action?

24 Yes ___ No

25 If your answer to question 7 is yes, then answer question 8. If you answered no, then
26 proceed to question 9.

27 8. Was the harassing conduct a substantial factor in causing harm to Chasity Jones?

28 Yes ___ No

Proceed to question 9 whether you answered yes or no to question 8.

05/14/2019 9:07:41 AM

Wrongful Discharge in Violation of Public Policy (FilmOn.TV, Inc.)

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9. Was Chasity Jones discharged by FilmOn.TV, Inc.?

Yes ___ No

If your answer to question 9 is yes, then answer question 10. If you answered no, then proceed to question 12.

10. Was Chasity Jones' rebuffing of sexual harassment in the workplace a substantial motivating reason for FilmOn.TV, Inc.'s decision to discharge Chasity Jones?

Yes ___ No

If your answer to question 10 is yes, then answer question 11. If you answered no, then proceed to question 12.

11. Did the discharge cause Chasity Jones' harm?

Yes ___ No

Proceed to question 12 whether you answered yes or no to question 11.

05/14/2019

Document received by the CA 2nd District Court of Appeal.

Retaliation (FilmOn.TV, Inc.)

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12. Did Chasity Jones oppose Alkiviades David's sexually harassing acts?

Yes ___ No

If your answer to question 12 is yes, then answer question 13. If you answered no, then proceed to question 16.

13. Did FilmOn.TV, Inc. discharge Chasity Jones?

Yes ___ No

If your answer to question 13 is yes, then answer question 14. If you answered no, then proceed to question 16.

14. Was Chasity Jones' opposing Alkiviades David's sexually harassing acts a substantial motivating reason for FilmOn.TV, Inc.'s decision to discharge Chasity Jones?

Yes ___ No

If your answer to question 14 is yes, then answer question 15. If you answered no, then proceed to question 16.

15. Was FilmOn.TV, Inc.'s conduct a substantial factor in causing harm to Chasity Jones?

Yes ___ No

Proceed to question 16 whether you answered yes or no to question 15.

05/14/2019

Document received by the CA 2nd District Court of Appeal.

Hostile Work Environment Harassment (Hologram USA, Inc.)

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16. Was Chasity Jones an employee of Hologram USA, Inc.?

Yes No

If your answer to question 16 is yes, then answer question 17. If you answered no, then proceed to question 31.

17. Was Chasity Jones subjected to unwanted harassing conduct because she was a woman?

Yes No

If your answer to question 17 is yes, then answer question 18. If you answered no, then proceed to question 24.

18. Was the harassment severe or pervasive?

Yes No

If your answer to question 18 is yes, then answer question 19. If you answered no, then proceed to question 24.

19. Would a reasonable woman in Chasity Jones' circumstances have considered the work environment to be hostile or abusive?

Yes No

If your answer to question 19 is yes, then answer question 20. If you answered no, then proceed to question 24.

20. Did Chasity Jones consider the work environment to be hostile or abusive?

Yes No

If your answer to question 20 is yes, then answer question 21. If you answered no, then proceed to question 24.

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21. Did Hologram USA, Inc. know or should it have known of the harassing conduct?

Yes ___ No

If your answer to question 21 is yes, then answer question 22. If you answered no, then proceed to question 24.

22. Did Hologram USA, Inc. fail to take immediate and appropriate corrective action?

Yes ___ No

If your answer to question 22 is yes, then answer question 23. If you answered no, then proceed to question 24.

23. Was the harassing conduct a substantial factor in causing harm to Chasity Jones?

Yes ___ No

Proceed to question 24 whether you answered yes or no to question 23.

05/14/2019

Wrongful Discharge in Violation of Public Policy (Hologram USA, Inc.)

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24. Was Chasity Jones discharged by Hologram USA, Inc.?

Yes ___ No

If your answer to question 24 is yes, then answer question 25. If you answered no, then proceed to question 27.

25. Was Chasity Jones' rebuffing of sexual harassment in the workplace a substantial motivating reason for Hologram USA, Inc.'s decision to discharge Chasity Jones?

Yes ___ No

If your answer to question 25 is yes, then answer question 26. If you answered no, then proceed to question 27.

26. Did the discharge cause Chasity Jones' harm?

Yes ___ No

Proceed to question 27 whether you answered yes or no to question 26.

05/14/2019

Retaliation (Hologram USA, Inc.)

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27. Did Chasity Jones oppose Alkiviades David's sexually harassing acts?

Yes ___ No

If your answer to question 27 is yes, then answer question 28. If you answered no, then proceed to question 31.

28. Did Hologram USA, Inc. discharge Chasity Jones?

Yes ___ No

If your answer to question 28 is yes, then answer question 29. If you answered no, then proceed to question 31.

29. Was Chasity Jones' opposing Alkiviades David's sexually harassing acts a substantial motivating reason for Hologram USA, Inc.'s decision to discharge Chasity Jones?

Yes ___ No

If your answer to question 29 is yes, then answer question 30. If you answered no, then proceed to question 31.

30. Was Hologram USA, Inc.'s conduct a substantial factor in causing harm to Chasity Jones?

Yes ___ No

Proceed to question 31 whether you answered yes or no to question 30.

5102/41/50

Hostile Work Environment Harassment (Alkiviades David)

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Only answer question 31 if you answered yes to questions 5 or 20. Otherwise, proceed to question 33.

31. Did Alkiviades David participate in the harassing conduct?

Yes No

If your answer to question 31 is yes, then answer question 32. If you answered no, then proceed to question 33.

32. Was the harassing conduct a substantial factor in causing harm to Chasity Jones?

Yes No

Proceed to question 33 whether you answered yes or no to question 32.

05/14/2019

Document received by the CA 2nd District Court of Appeal.

Battery (Alkiviades David)

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33. Did Alkiviades David touch Chasity Jones with the intent to harm or offend her?

Yes No

If your answer to question 33 is yes, then answer question 34. If you answered no, then proceed to question 37.

34. Did Chasity Jones consent to be touched?

Yes No

If your answer to question 34 is yes, then answer question 35. If you answered no, then proceed to question 37.

35. Was Chasity Jones harmed or offended by Alkiviades David's conduct?

Yes No

If your answer to question 35 is yes, then answer question 36. If you answered no, then proceed to question 37.

36. Would a reasonable person in Chasity Jones' situation have been offended by the touching?

Yes No

Proceed to question 37 whether you answered yes or no to question 36.

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Document received by the CA 2nd District Court of Appeal.

Sexual Battery (Alkiviades David)

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37. Did Alkiviades David intend to cause a harmful or offensive contact with an intimate part of Chasity Jones or did Alkiviades David cause an imminent fear of a harmful or offensive contact with an intimate part of Chasity Jones?

Yes ___ No

If your answer to question 37 is yes, then answer question 38. If you answered no, then proceed to question 41.

38. Did a sexually offensive contact with Chasity Jones result, either directly to indirectly?

Yes ___ No

If your answer to question 38 is yes, then answer question 39. If you answered no, then proceed to question 41.

39. Do you find that Chasity Jones did not consent to the touching?

Yes ___ No

If your answer to question 39 is yes, then answer question 40. If you answered no, then proceed to question 41.

40. Was Chasity Jones harmed or offended by Alkiviades David's conduct?

Yes ___ No

Proceed to question 41 whether you answered yes or no to question 40.

05/14/2019

Document received by the CA 2nd District Court of Appeal.

Gender Violence (Alkiviades David)

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41. Did Alkiviades David commit a physical intrusion or a physical invasion of a sexual nature under coercive conditions on the plaintiff's person?

Yes No

If your answer to question 41 is yes, then answer question 42. If you answered no, then proceed to question 44.

42. Was the defendant's conduct committed at least in part based on the plaintiff's gender?

Yes No

If your answer to question 42 is yes, then answer question 43. If you answered no, then proceed to question 44.

43. Did the defendant's conduct cause plaintiff to suffer injury, damage, loss, or harm?

Yes No

Proceed to question 44 whether you answered yes or no to question 43.

05/14/2018

Assault (Alkiviades David)

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44. Did Alkiviades David act, intending to cause a harmful or an offensive contact with Chasity Jones or intending to place her in fear of a harmful or an offensive contact?

Yes No

If your answer to question 44 is yes, then answer question 45. If you answered no, then proceed to question 48.

45. Did Chasity Jones reasonably believe that she was about to be touched in a harmful or an offensive manner?

Yes No

If your answer to question 45 is yes, then answer question 46. If you answered no, then proceed to question 48.

46. Did Chasity Jones consent to Alkiviades David's conduct?

Yes No

If your answer to question 46 is yes, then answer question 47. If you answered no, then proceed to question 48.

47. Was Alkiviades David's conduct a substantial factor in causing harm to Chasity Jones?

Yes No

Proceed to question 48 whether you answered yes or no to question 47.

05/14/2019 6:02:41/50

Intentional Infliction of Emotional Distress (Alkiviades David)

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48. Was Alkiviades David's conduct outrageous?

Yes ___ No

If your answer to question 48 is yes, then answer question 49. If you answered no, then proceed to question 52.

49. Did Alkiviades David act with reckless disregard of the probability that Chasity Jones would suffer emotional distress, knowing that Chasity Jones was present when the conduct occurred?

Yes ___ No

If your answer to question 49 is yes, then answer question 50. If you answered no, then proceed to question 52.

50. Did Chasity Jones suffer severe emotional distress?

Yes ___ No

If your answer to question 50 is yes, then answer question 51. If you answered no, then proceed to question 52.

51. Was Alkiviades David's conduct a substantial factor in causing Chasity Jones' severe emotional distress?

Yes ___ No

Proceed to question 52 whether you answered yes or no to question 51.

05/14/2019

Document received by the CA 2nd District Court of Appeal.

Damages

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Only answer question 52 if you answered yes to questions 8, 11, 15, 23, 26, 30, 32, 36, 40, 43, 47, or 51. If you are not required to answer Question 52, stop here, answer no further questions, and have the presiding juror sign and date this form.

52. What are Chasity Jones' damages?

a. Economic damages: Past lost wages.

Enter the amount below if you find that FilmOn.TV, Inc. and/or Hologram USA, Inc. is liable to Chasity Jones under the claims of wrongful termination and/or retaliation:

\$ 140,000

b. Economic damages: Past medical expenses.

Enter the amount below if you find that FilmOn.TV, Inc. and/or Hologram USA, Inc. is liable to Chasity Jones under the claims of wrongful termination and/or retaliation.

\$ 1300.00

c. Economic damages: Future lost wages.

Enter the amount below if you find that FilmOn.TV, Inc. and/or Hologram USA, Inc. is liable to Chasity Jones under the claims of wrongful termination and/or retaliation.

\$ 350,000

d. Economic damages: Future medical expenses.

Enter the amount below if you find that FilmOn.TV, Inc. and/or Hologram USA, Inc. is liable to Chasity Jones under the claims of wrongful termination and/or retaliation.

\$ 100,000

Continue to next page.

05/14/2013

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e. Past noneconomic loss including physical pain/mental suffering.

Enter the amount below if you find that Alkiviades David, FilmOn.TV, Inc. and/or Hologram USA, Inc. is liable to Chasity Jones under the claims of sexual harassment, wrongful termination, retaliation, battery, sexual battery, assault, intentional infliction of emotional distress, and/or gender violence.

\$ ~~3 million~~ 1.5 MIL MM

f. Future noneconomic loss including physical pain/mental suffering.

Enter the amount below if you find that Alkiviades David, FilmOn.TV, Inc. and/or Hologram USA, Inc. is liable to Chasity Jones under the claims of sexual harassment, wrongful termination, retaliation, battery, sexual battery, assault, intentional infliction of emotional distress, and/or gender violence.

\$ 1 MILLION

TOTAL DAMAGES: \$ ~~5,222,800~~
4,591,300

Proceed to question 53. 3.091.300 MM

05/14/2015 6:07:41 PM

Punitive Damages

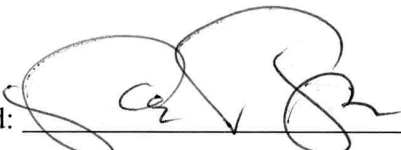
Only answer question 53 if you awarded damages in question 52. If you did not award damages in question 52, stop here, answer no further questions, and have the presiding juror sign and date this form.

53. Did Alkiviades David engage in the conduct with malice, oppression, or fraud?

Yes No

Have the presiding juror sign and date this form.

Date: APRIL 25, 2019

Signed: 
Presiding Juror

Print Name: Mavlane Meyer

After this verdict form has been signed, notify the courtroom assistant that you are ready to present your verdict in the courtroom.

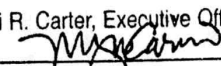
05/14/2019

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FILED
Superior Court of California
County of Los Angeles

APR 26 2019

Sherri R. Carter, Executive Officer/Clerk
By  Deputy
M.V. Carino

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

CHASITY JONES,

Plaintiff,

v.

ALKIVIADES DAVID, an individual,
HOLOGRAM USA, INC., a Delaware corp.,
FILMON.TV, INC., a Delaware corp.,

Defendants.

CASE NO. BC649025

SPECIAL VERDICT (PHASE II)

05/21/2019

Document received by the CA 2nd District Court of Appeal.

1 We, the jury in the above-entitled action, find the following Special Verdict on the
2 questions submitted to us:

3 1. What amount of punitive damages, if any, do you award Chasity Jones?

4
5 \$ 8 M.U.

Alkiviades David

6 \$ _____

FilmOn.TV, Inc.

7 \$ _____

Hologram USA, Inc.

8
9 **Have the presiding juror sign and date this form.**

10
11
12 Date: Apr 26, 2019

Signed: 

Presiding Juror

14
15 Print Name: Marlane Meyer

16
17 **After this verdict form has been signed, notify the courtroom assistant that you are**
18 **ready to present your verdict in the courtroom.**

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

DEC 07 2016

Sherri R. Carter, Executive Officer/Clerk
By SB, Deputy
Shaunya Bolden

1 GLORIA R. ALLRED, STATE BAR #065033
2 DOLORES Y. LEAL, STATE BAR #134176
3 RENEE MOCHKATEL, STATE BAR # 106049
4 LAW OFFICES
5 **ALLRED, MAROKO & GOLDBERG**
6 SUITE 1500
7 6300 WILSHIRE BOULEVARD
8 LOS ANGELES, CALIFORNIA 90048-5217
9 Telephone No. (323) 653-6530
10 Fax No. (323) 653-1660

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white

7 Attorneys for Plaintiff, LAUREN REEVES

By Fax

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES

BC 6 4 3 0 9 9

12 LAUREN REEVES,)
13)
14 Plaintiff,)
15)
16 vs.)
17)
18 HOLOGRAM USA, INC.,)
19 ALKI DAVID PRODUCTIONS, INC.,)
20 ALKIVIADES DAVID, an individual and)
21 DOES 1 through 25, inclusive,)
22)
23 Defendants.)
24)
25)
26)
27)
28)

CASE NO:
COMPLAINT FOR DAMAGES
1. EMPLOYMENT
DISCRIMINATION-
SEX HARASSMENT
(Violation of Gov't Code §12940 *et seq.*)
2. VIOLATION OF THE
CALIFORNIA RALPH ACT -
FREEDOM FROM VIOLENCE OR
INTIMIDATION (Civ. Code 51.7)
3. CONSTRUCTIVE TERMINATION
(Violation of Gov't Code §12940 *et seq.*)
4. SEXUAL BATTERY
5. BATTERY
6. WRONGFUL CONSTRUCTIVE
TERMINATION IN VIOLATION
OF PUBLIC POLICY
JURY TRIAL DEMAND

ORIGINAL
12/07/2016

CIT/CASE: BC643099
LEA/DEF#: CCH465980142
RECEIVED: 12/07/16 04:00 PM
DATE PAID: 12/07/16 04:00 PM
PAYMENT: \$435.00
\$435.00
\$0.00
\$0.00
\$0.00

Document received by the CA 2nd District Court of Appeal.

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FILED
Superior Court of California
County of Los Angeles

OCT 11 2019

Sherril R. Carter, Executive Officer/Clerk
By [Signature] Deputy
Sherril R. Carter

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LAUREN REEVES,

Plaintiff,

vs.

HOLOGRAM USA, INC.,
ALKI DAVID PRODUCTIONS, INC.,
ALKIVIADES DAVID, an individual and
DOES 1 through 25, inclusive,

Defendants.

CASE NO: BC 643099
Hon. Terry A. Green - Dept. 14

SPECIAL VERDICT

WE, THE JURY IN THE ABOVE-ENTITLED MATTER, FIND AS FOLLOWS:

As soon as nine or more jurors have agreed upon each answer, mark down the answer.

Document received by the CA 2nd District Court of Appeal.

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Battery

Question No. 1:

Did Alki David touch Lauren Reeves with the intent to harm or offend her?

Yes No

If your answer to Question 1 is Yes, then answer Question 2. If you answered No, then proceed to Question 5.

Question No. 2:

Did Lauren Reeves consent to be touched?

Yes No

If your answer to Question 2 is No, then proceed to Question 3. If you answered Yes, then proceed to Question 5.

Question No. 3:

Was Lauren Reeves harmed or offended by Alki David's conduct?

Yes No

If your answer to Question 3 is Yes, then proceed to Question 4. If you answered No, then proceed to Question 5.

Question No. 4:

Would a reasonable person in Ms. Reeves' situation have been offended by the touching?

Yes No

Proceed to Question No. 5

1 Sexual Battery

2 **Question No. 5:**

3 Did Alki David intend to cause a harmful or offensive contact with Lauren Reeves by use
4 of his groin?

5 Yes No

6 If your answer to Question 5 is Yes, then answer Question 6. If you answered No, then proceed to
7 Question 9.

8
9 **Question No. 6:**

10 Did the contact with Mr. David's groin result in a sexually offensive contact either directly
11 or indirectly?

12 Yes No

13 If your answer to Question 6 is Yes, then answer Question 7. If you answered No, then proceed to
14 Question 9.

15
16 **Question No. 7:**

17 Did Lauren Reeves consent to the touching?

18 Yes No

19 If your answer to Question 7 is No, then proceed to Question 8. If you answered Yes, then proceed
20 to Question 9.

21
22 **Question No. 8:**

23 Was Lauren Reeves harmed or offended by Alki David's conduct?

24 Yes No

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26
27 Proceed to Question No. 9

28

1 Sexual Harassment - Hostile Work Environment
2 (Hologram USA, Inc.)

3 **Question No. 9:**

4 Was Lauren Reeves a person providing services for Hologram USA, Inc.?

5 Yes ___ No

6 If your answer to Question 9 is Yes, then proceed to Question 10. If you answered No, then
7 proceed to Question 16.

8
9 **Question No. 10:**

10 Was Lauren Reeves subjected to unwanted harassing conduct because she is a women?

11 Yes ___ No

12 If your answer to Question 10 is Yes, then proceed to Question 11. If you answered No, then
13 proceed to Question 16.

14
15 **Question No. 11:**

16 Was the harassment severe or pervasive?

17 Yes ___ No

18 If your answer to Question 11 is Yes, then proceed to Question 12. If you answered No, then
19 proceed to Question 16.

20
21 **Question No. 12:**

22 Would a reasonable woman in Lauren Reeves' circumstances have considered the work
23 environment to be hostile, intimidating, offensive or abusive?

24 Yes ___ No

25 If your answer to Question 12 is Yes, then answer Question 13. If you answered No, then proceed
26 to Question 16.

1 **Question No. 13:**

2 Did Lauren Reeves consider the work environment to be hostile, intimidating, offensive,
3 oppressive, or abusive?

4 Yes No

5 If your answer to Question 13 is Yes, then answer Question 14. If you answered No, then proceed
6 to Question 16.

7
8 **Question No. 14:**

9 Did a supervisor engage in the harassing conduct?

10 Yes No

11 If your answer to Question 14 is Yes, then answer Question 15. If you answered No, then proceed
12 to Question 16.

13
14 **Question No. 15:**

15 Was the harassing conduct a substantial factor in causing harm to Lauren Reeves?

16 Yes No

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21 Proceed to Question No. 16

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1 (Alki David Productions, Inc.)

2 **Question No. 16:**

3 Was Lauren Reeves a person providing services for Alki David Productions, Inc.?

4 Yes No

5 If your answer to Question 16 is Yes, then proceed to Question 17. If you answered No, then
6 proceed to Question 23.

7
8 **Question No. 17:**

9 Was Lauren Reeves subjected to unwanted harassing conduct because she is a women?

10 Yes No

11 If your answer to Question 17 is Yes, then proceed to Question 18. If you answered No, then
12 proceed to Question 23.

13
14 **Question No. 18:**

15 Was the harassment severe or pervasive?

16 Yes No

17 If your answer to Question 18 is Yes, then proceed to Question 19. If you answered No, then
18 proceed to Question 23.

19
20 **Question No. 19:**

21 Would a reasonable woman in Lauren Reeves' circumstances have considered the work
22 environment to be hostile, intimidating, offensive or abusive?

23 Yes No

24 If your answer to Question 19 is Yes, then answer Question 20. If you answered No, then proceed
25 to Question 23.

1 **Question No. 20:**

2 Did Lauren Reeves consider the work environment to be hostile, intimidating, offensive,
3 oppressive, or abusive?

4 Yes No

5 If your answer to Question 20 is Yes, then answer Question 21. If you answered No, then proceed
6 to Question 23.

7
8 **Question No. 21:**

9 Did a supervisor engage in the harassing conduct?

10 Yes No

11 If your answer to Question 21 is Yes, then answer Question 22. If you answered No, then proceed
12 to Question 23.

13
14 **Question No. 22:**

15 Was the harassing conduct a substantial factor in causing harm to Lauren Reeves?

16 Yes No

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21 Proceed to Question No. 23 and only answer Question No. 23 if you answered Yes to

22 Question No. 13 or 20

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(Alkiviades David)

Question No. 23:

Did Alki David engage in the harassing conduct?

Yes No

If your answer to Question 23 is Yes, then answer Question 24. If you answered No, then proceed to Question 25.

Question No. 24:

Was the harassing conduct a substantial factor in causing harm to Lauren Reeves?

Yes No

Proceed to Question No. 25

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Damages

Only answer Question 25, if you answered "Yes" to any of the following Questions:
4, 8, 15, 22, or 24.

If you are not required to answer Question 25, stop here, answer no further questions and have the presiding Juror sign and date this form. Otherwise, proceed to answer Question 25.

Question No. 25:

What are Lauren Reeves damages?

A. Past non-economic loss, including physical pain/mental suffering.

Enter the amount below if you find that Hologram USA, Inc., and/or Alki David Productions, Inc., and/or Alkiviades David is/are liable to Lauren Reeves for one or more of her claims.

\$ 300,000.00

B. Future non-economic loss, including physical pain/mental suffering

Enter the amount below if you find that Hologram USA, Inc., and/or Alki David Productions, Inc., and/or Alkiviades David is/are liable to Lauren Reeves for one or more of her claims.

\$ 250,000.00

Document received by the CA 2nd District Court of Appeal.

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C. Economic damages: (Past medical expenses)

Enter the amount below if you find that Defendants Hologram USA, Inc., and/or Alki David Productions, Inc and/or Alkiviades David is/are liable to Lauren Reeves under any of her claims.

\$ 20,000.00

D. Economic damages: (Future medical expenses)

Enter the amount below if you find that Defendants Hologram USA, Inc., and/or Alki David Productions, Inc and/or Alkiviades David is/are liable to Lauren Reeves under any of her claims.

\$ 80,000.00

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Punitive Damages

Only answer question 26 below if you awarded damages in question 25. If you did not award damages in question 25, stop here, answer no further questions, and have the presiding Juror sign and date this form.

Otherwise, proceed to answer Question no. 26.

Question No. 26:

Did Ms. Reeves prove by clear and convincing evidence that Mr. David engaged in harassing conduct with malice, oppression, or fraud?

Yes No

Have the Presiding Juror sign and date this form.

THE ABOVE IS THE VERDICT OF THIS JURY IN THIS CASE.

Please have your foreperson sign and date this special verdict form.

Signed: *Diane M. Oles*
PRESIDING JUROR

Dated: 10/11/19

*Juror # 6
Presiding*

Document received by the CA 2nd District Court of Appeal.

Document received by the CA 2nd District Court of Appeal.

I certify that this is a true and correct copy of the original on file in or issued from this office, consisting of 11 pages.



DAVID W. SLAYTON, Executive Officer / Clerk of the Superior Court of California, County of Los Angeles.

Date 6/17/24 By R. Louig, Deputy

R. LOUIG

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FILED
Superior Court of California
County of Los Angeles

OCT 15 2019

Sherril R. Carter, Executive Officer/Clerk
By: Mansa Ventura Deputy
Mansa Ventura

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LAUREN REEVES,

Plaintiff,

vs.

HOLOGRAM USA, INC.,
ALKI DAVID PRODUCTIONS, INC.,
ALKIVIADES ("ALKI") DAVID.

Defendants.

CASE NO: BC 643099

Hon. Terry A. Green - Dept. 14

SPECIAL VERDICT (PHASE II)

**WE, THE JURY IN THE ABOVE-ENTITLED MATTER, FIND THE
FOLLOWING SPECIAL VERDICT ON THE QUESTION PRESENTED TO US:**

Document received by the CA 2nd District Court of Appeal.

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1. What amount of punitive damages, if any, do you award Lauren Reeves against Alkiviades David?

\$ 4,350,000.00

Have the Presiding Juror sign and date this form.

Signed: Irene M Ochoa
PRESIDING JUROR

Dated: 10/15/19

Print Name: Irene M Ochoa

After this verdict form has been signed, notify the courtroom assistant that you are ready to present your verdict in the courtroom.



I certify that this is a true and correct copy of the original on file in or issued from this office, consisting of 2 pages.

DAVID W. SLAYTON, Executive Officer / Clerk of the Superior Court of California, County of Los Angeles.

Date: 6/7/24 By: R. Loug, Deputy
R. LOUG

Document received by the CA 2nd District Court of Appeal.

Alred
as 210

1 GLORIA R. ALLRED, State Bar #65033
2 DOLORES Y. LEAL, State Bar #134176
3 RENEE MOCHKATEL, State Bar#106049
4 LAW OFFICES
5 **ALLRED, MAROKO & GOLDBERG**
6 6300 Wilshire Boulevard, Suite 1500
7 Los Angeles, California 90048
8 Telephone No: (323) 653-6530
9 Fax No: (323)-653-1660

FILED
Superior Court of California
County of Los Angeles

MAR 14 2017

Sherri R. Carter, Executive Officer/Clerk
By *[Signature]* Deputy
Nancy Alvarez

7 Attorneys for Plaintiff, MAHIM KHAN

D-14 Teresa - Sanchez Cardenas

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

12 MAHIM KHAN,
13
14 Plaintiff,
15
16 vs.

17 HOLOGRAM USA, INC.; ALKI DAVID
18 PRODUCTIONS, INC.; FILMON TV, INC.;
19 ALKIVIADES ("ALKI") DAVID, an
20 individual and DOES 1 through 25,
21 inclusive,

22 Defendants.

- 23) CASE NO: **BC 654 017**
- 24) **COMPLAINT FOR DAMAGES**
- 25) 1. EMPLOYMENT DISCRIMINATION-
- 26) SEX HARASSMENT
- 27) (Violation of Gov't Code §12940 et seq.)
- 28) 2. VIOLATION OF THE CALIFORNIA
-) RALPH ACT – FREEDOM FROM
-) VIOLENCE OR INTIMIDATION
-) (Civ. Code 51.7)
-) 3. CONSTRUCTIVE TERMINATION
-) (Violation of Gov't Code §12940 et seq.)
-) 4. SEXUAL BATTERY
-) 5. BATTERY
-) 6. WRONGFUL CONSTRUCTION OF
-) TERMINATION IN VIOLATION OF
-) PUBLIC POLICY

By Fax

JURY TRIAL DEMANDED

RECEIVED # : CCH451233004
 DATE PAID: 03/16/17 09:21 AM
 PAYEE: \$435.00
 RECEIVED: 310
 CHECK: \$435.00
 ASH: \$0.00
 CHANGE: \$0.00
 FUND: \$0.00

ORIGINAL

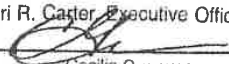
COMPLAINT FOR DAMAGES

Document received by the CA 2nd District Court of Appeal.

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FILED
Superior Court of California
County of Los Angeles

NOV 23 2019

Sherri R. Caster, Executive Officer/Clerk
By  Deputy
Cecilia Guerrero

es

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MAHIM KHAN,

Plaintiff,

vs.

HOLOGRAM USA, INC.,
ALKI DAVID PRODUCTIONS, INC.,
FILMON TV, INC.; and ALKIVIADES
("ALKI") DAVID.

Defendants.

CASE NO: BC 654017
Hon. Michelle Williams Court - Dept. 74

SPECIAL VERDICT

WE, THE JURY IN THE ABOVE-ENTITLED MATTER, FIND AS FOLLOWS:

As soon as nine or more jurors have agreed upon each answer, mark down the answer.

Document received by the CA 2nd District Court of Appeal.

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What amount of punitive damages, if any, do you award Mahim Khan against Alkiviades David?

\$ 50,000,000

Have the Presiding Juror sign and date this form.

Signed:  Dated: 12/2/19
PRESIDING JUROR

Print Named: STEVEN KONANT

After this verdict form has been signed, notify the courtroom assistant that you are ready to present your verdict in the courtroom.

Document received by the CA 2nd District Court of Appeal.



I certify that this is a true and correct copy of the original on file in or issued from this office, consisting of 2 pages.

DAVID W. SLAYTON, Executive Officer / Clerk of the Superior Court of California, County of Los Angeles.

Date: JUN 07 2024 By:  Deputy

J. HIDALGO

Document received by the CA 2nd District Court of Appeal.

TAB 67

AA0989

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	Reserved for Clerk's File Stamp FILED Superior Court of California County of Los Angeles 06/14/2024 David W. Slayton, Executive Officer / Clerk of Court By: <u> M. Mart </u> Deputy
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012	
PLAINTIFF(S): Jane Doe	
DEFENDANT(S): Alkiviades David, et al.	
ORDER OF DISMISSAL	CASE NUMBER: 20STCV37498

On the motion of the Court, pursuant to an oral request made by Counsel for Plaintiff _____, and
 ___ pursuant to the provisions of section _____ of the Civil Code of Procedures,
 ___ pursuant to Local Policy and / or Local Rules,
 it is hereby ordered that the within action is dismissed
 ___ with prejudice as to without prejudice as to
 ___ entire action complaint only
 ___ cross complaint of _____
 other Causes of Action 2 through 9

It is further ordered that _____
 to recover costs as provided by law
 ___ in the sum of \$ _____
 ___ per filing memorandum of costs (1033 CCP et. Seq.)



 Christopher K. Lui / Judge
 Judicial Officer

Dated: 06/14/2024

ORDER OF DISMISSAL

Document received by the CA 2nd District Court of Appeal.

TAB 68

AA0992

Document received by the CA 2nd District Court of Appeal.

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B# 320939
3 DORDICK LAW CORPORATION
4 509 South Beverly Drive
5 Beverly Hills, California 90212
6 Tel: (310) 551-0949 • Fax: (855) 299-4444
7 E-Mail: DZMeservice@dordicklaw.com
8 **Attorneys for Plaintiff, JANE DOE**

Electronically FILED by
Superior Court of California,
County of Los Angeles
6/14/2024 9:09 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By S. Bolden, Deputy Clerk

9
10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

13
14
15 JANE DOE, an Adult Individual Suing Under
16 Anonymity Due to Privacy and Safety,

17 Plaintiff,

18 vs.

19 ALKIVIADES DAVID, an Individual, a.k.a.
20 ALKI DAVID; HOLOGRAM USA, INC., a
21 California Corporation, a.k.a. HOLOGRAM
22 USA PRODUCTIONS, INC., HOLOGRAM
23 USA ENTERTAINMENT, INC.,
24 FILMON.TV, INC., FILMON.TV
25 NETWORKS, INC. and FILMON.TV LA,
26 INC.; SWISSX LABS AG, INC. a California
27 Corporation, a.k.a. SWISSX LOUNGE and
28 FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**PLAINTIFF'S FIRST AMENDED
LIST OF EXHIBITS**

Complaint Filed: September 30, 2020
FSC: May 15, 2024
Trial Date: May 28, 2024

**TO THE HONORABLE COURT, ALL PARTIES AND THEIR
RESPECTIVE COUNSEL, AND THE JURY HEREIN:**

Plaintiffs respectfully submit their Exhibit List as follows:

GROUND(S) FOR OBJECTION:

1. No Objection; Admissibility Stipulated	6. Insufficient Foundation (§403) (Relevancy, Personal Knowledge, Authenticity) (§1400, Identity)
2. Irrelevant (§210)	7. Unduly Time Consuming, Prejudicial,
3. Hearsay (§1200)	8. Confusing or Misleading (§352)
4. Best Evidence (§1500)	9. Subsequent Repair (§1151)
5. Inadmissible Opinion (§800)	10. Other (specify)

Exh. No.	Description	Offered by	Ground(s) for Objection	Auth. Stip. to	Admis. Stip. to	Date ID'ed	Date Admitted
1.	WhatsApp messages between Defendant and Plaintiff 8.29.2016-11.18.2019	Plaintiff					
2.	Defendant's Texts to Plaintiff 5.16.2018-11.17.2019	Plaintiff					
3.	Transaction Ltr - Mana Wynnwood 6.5.2019	Plaintiff					
4.	Defendant's Texts to Plaintiff 6.20.2019	Plaintiff					
5.	Video from Defendant's Instagram 9.12.2019	Plaintiff					
6.	Video from Defendant to	Plaintiff					

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

Exh. No.	Description	Offered by	Ground(s) for Objection	Auth. Stip. to	Admis. Stip. to	Date ID'ed	Date Admitted
	Plaintiff 11.19.2019						
7.	WhatsApp Video from Defendant to Plaintiff 6.7.2022	Plaintiff					
8.	WhatsApp Video from Defendant to Plaintiff 2 - 6.7.2022	Plaintiff					
9.	WhatsApp messages from Defendant to Plaintiff 6.7.2022-6.9.2022	Plaintiff					
10.	WhatsApp messages from Defendant to Plaintiff 6.9.2022	Plaintiff					
11.	WhatsApp messages from Defendant to Plaintiff 6.12.2022-6.27.2022	Plaintiff					
12.	Alki David - Wikipedia	Plaintiff					
13.	Alki David to pay \$8.4 million in sexual assault case - Los Angeles Times	Plaintiff					
14.	FOTV Employee Handbook	Plaintiff					
15.	Cake Photos	Plaintiff					
16.	Close up of Rita's birthday cake 1	Plaintiff					

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Exh. No.	Description	Offered by	Ground(s) for Objection	Auth. Stip. to	Admis. Stip. to	Date ID'ed	Date Admitted
17.	Rita Text Screenshot I Miss You	Plaintiff					
18.	Rita Text Screenshot	Plaintiff					
19.	iCloud Messages 6.30.2023	Plaintiff					
20.	Rita-Alki Texts – Summary and Conversation	Plaintiff					
21.	Film On TV Commission Breakdown	Plaintiff					
22.	Film On TV PR	Plaintiff					
23.	Defendant's Instagram Video re Plaintiff's Counsel	Plaintiff					
24.	Disgraced 'Billionaire' Alki David Says He Faked His Way Onto the Rich Lists	Plaintiff					
25.	Payments by FilmOn TV to Plaintiff	Plaintiff					
26.	Payments by FilmOn TV to Plaintiff (2)	Plaintiff					
27.	ShockYa Article published September 24, 2023 re Plaintiff's Counsel	Plaintiff					
28.	TVMix About Page	Plaintiff					
29.	TVMix article - The Corruption of the LA Sheriff and	Plaintiff					

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Exh. No.	Description	Offered by	Ground(s) for Objection	Auth. Stip. to	Admis. Stip. to	Date ID'ed	Date Admitted
	the CA SB by T. Girardi, Allred & Bloom [6.6.22] (1)						
30.	TVMix Article published June 6, 2022	Plaintiff					
31.	TVMix Article published June 8, 2022	Plaintiff					
32.	Video from Defendant's YouTube page - Shocking Legal Abuse Syndrome of Disabled Billionaire	Plaintiff					
33.	DFEH Complaint	Plaintiff					
34.	Plaintiff's Requests for Admissions Set 2 to Defendant	Plaintiff					
35.	PowerPoint- Text Messages from Defendant to Plaintiff's Counsel	Plaintiff					
36.	PowerPoint- Portions of Alkiviades David Video Deposition	Plaintiff					
37.	Highlighted Excerpts of Alkiviades David Deposition Transcript	Plaintiff					
38.	Complaint Filed by Elizabeth Taylor and Chastity Jones	Plaintiff					

Exh. No.	Description	Offered by	Ground(s) for Objection	Auth. Stip. to	Admis. Stip. to	Date ID'ed	Date Admitted
39.	Special Verdict for Elizabeth Taylor	Plaintiff					
40.	Special Verdict (Phase II) for Elizabeth Taylor	Plaintiff					
41.	Special Verdict for Chastity Jones	Plaintiff					
42.	Special Verdict (Phase II) for Chastity Jones	Plaintiff					
43.	Complaint Filed by Lauren Reeves	Plaintiff					
44.	Special Verdict for Lauren Reeves	Plaintiff					
45.	Special Verdict (Phase II) for Lauren Reeves	Plaintiff					
46.	Complaint Filed by Mahim Kahn	Plaintiff					
47.	Special Verdict for Mahim Kahn	Plaintiff					
48.	Special Verdict (Phase II) for Mahim Kahn	Plaintiff					
49.	Photo of Dogs	Plaintiff					
50.	Photos of Defendant	Plaintiff					
51.		Plaintiff					
52.		Plaintiff					
53.		Plaintiff					
54.		Plaintiff					
55.		Plaintiff					

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DATED: June 14, 2024

DORDICK LAW CORPORATION



By:

Gary A. Dordick, Esq.
Dustin Z. Moaven, Esq.
Attorneys for Plaintiff, JANE DOE

1
2 **PROOF OF SERVICE**

3
4 STATE OF CALIFORNIA)
5) ss.
6 COUNTY OF LOS ANGELES)

7 I am employed in the County of Los Angeles, State of California. I am over the age
8 of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd., Los
9 Angeles, CA 90017.

10 On June 14, 2024, I served the foregoing documents described as **PLAINTIFF'S**
11 **FIRST AMENDED LIST OF EXHIBITS** on all parties in this action as follows.

12 **[SEE ATTACHED SERVICE LIST]**

13
14 **(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL]** Based on a court
15 order or an agreement of the parties to accept service by e-mail or electronic
16 transmission, I caused the document(s) to be sent from e-mail address
17 Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the
18 Service List. I did not receive, within a reasonable time after the transmission
19 any electronic message or other indication that the transmission was
20 unsuccessful.

21 Executed on June 14, 2024, at Los Angeles, California.

22 I declare under penalty of perjury under the laws of the State of California that the
23 above is true and correct.

24
25 
26 _____
27 Joshua Alvarez
28

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

1
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3
4 Ebbby S. Bakhtiar, Esq.
5 LIVINGSTON • BAKHTIAR
6 3435 Wilshire Boulevard, Suite 1669
7 Los Angeles, California 90010
8 Tel: (213) 632-1550
9 Fax: (213) 632-3100
E-mail: ESB@LivingstonBakhtiar.com

10 ***Co-Counsel for Plaintiff, JANE DOE***

11 Themistoklis Sofos, PhD
12 SOFOS LAW FIRM
13 Asklipou Str. 6-8
14 106 79, Athens
15 Tel: +302103633322
16 Fax: +302103636327
E-mail: themis@sofos.com.gr

17 ***Attorney for Defendant, ALKIVIADES DAVID***

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DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

TAB 69

AA1002

Document received by the CA 2nd District Court of Appeal.

Electronically FILED by
Superior Court of California,
County of Los Angeles
6/14/2024 6:16 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By J. Abraham, Deputy Clerk

1 Gary A. Dordick, Esq. S/B# 128008
2 Keith D. Griffin, Esq. S/B# 204388
3 Dylan J. Dordick, Esq. S/B# 316352
4 **DORDICK LAW CORPORATION**
5 509 South Beverly Drive
6 Beverly Hills, California 90212
7 Tel: (310) 551-0949 • Fax: (855) 299-4444
8 **In Association With:**
9 Bradley H. Spear, Esq. S/B# 133371
10 SPEAR LAW FIRM
11 20945 Devonshire Street, Suite 208
12 Chatsworth, California 91311
13 Tel:(818) 344-5100 | Fax: (818) 337-7134
14 Attorneys for Plaintiff

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA
16
17 FOR THE COUNTY OF LOS ANGELES

18 JANE DOE, an Adult Individual Suing
19 Under Anonymity Due to Privacy and
20 Safety,

21 Plaintiff,
22
23 vs.

24 ALKIVIADES DAVID, an Individual, a.k.a.
25 ALKI DAVID; HOLOGRAM USA, INC., a
26 California Corporation, a.k.a. HOLOGRAM
27 USA PRODUCTIONS, INC., HOLOGRAM
28 USA ENTERTAINMENT, INC.,
FILMON.TV, INC., FILMON.TV
NETWORKS, INC. and FILMON.TV LA,
INC.; SWISSX LABS AG, INC. a California
Corporation, a.k.a. SWISSX LOUNGE and
FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498
(Assigned for all purposes to the
Honorable Christopher L. Lui in Dept. 76)

**PLAINTIFF’S NOTICE OF LODGING
NOTICE TO APPEAR AT TRIAL**

Complaint Filed: September 30, 2020
Trial Date: June 13, 2024

Document received by the CA 2nd District Court of Appeal.

1 **TO THE COURT AND ALL INTERESTED PARTIES HEREIN:**

2 PLEASE TAKE NOTICE that Plaintiff JANE DOE, hereby lodges the following
3 Notice to Appear at Trial with the Court for this matter which is identified as Exhibit A:
4

5 1. **NOTICE TO DEFENDANT ALKIVIADES DAVID IN LIEU OF SUBPOENA**
6 **TO ATTEND TRIAL AND REQUEST FOR PRODUCTION OF DOCUMENTS.**

7
8 DATED: June 14, 2024

DORDICK LAW CORPORATION


9
10
11 By: 
12 Gary A. Dordick, Esq.
13 Dustin Z. Moaven, Esq.
14 Attorneys for Plaintiff
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EXHIBIT "A"

AA1005

Document received by the CA 2nd District Court of Appeal.

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B #320939
3 **DORDICK LAW CORPORATION**
4 1122 Wilshire Blvd.
5 Los Angeles, CA 90017
6 Tel: (310) 551-0949 • Fax: 855-299-4444
7 E-Mail: dustin@dordicklaw.com

8 **In Association With**
9 Ebbly S. Bakhtiar, Esq. S/B# 215032
10 LIVINGSTON • BAKHTIAR
11 3435 Wilshire Boulevard, Suite 1669
12 Los Angeles, California 90010
13 Tel: (213) 632-1550 • Fax: (213) 632-3100

14 Attorneys for Plaintiff,
15 JANE DOE

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

JANE DOE, an Adult Individual Suing
Under Anonymity Due to Privacy and
Safety,

Plaintiff,

vs.

ALKIVIADES DAVID, an Individual, a.k.a.
ALKI DAVID; HOLOGRAM USA, INC., a
California Corporation, a.k.a. HOLOGRAM
USA PRODUCTIONS, INC., HOLOGRAM
USA ENTERTAINMENT, INC.,
FILMON.TV, INC., FILMON.TV
NETWORKS, INC. and FILMON.TV LA,
INC.; SWISSX LABS AG, INC. a California
Corporation, a.k.a. SWISSX LOUNGE and
FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

[Assigned for all purposes to the
Honorable Christopher L. Lui in Dept. 76]

**NOTICE TO DEFENDANT ALKIVIADES
DAVID IN LIEU OF SUBPOENA TO
ATTEND TRIAL AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

Code of Civil Procedure §1987,
Civil Code §3295(c)]

TRIAL: May 28, 2024
TIME: 8:30 a.m.
DEPT.: 76

1 or representation, including letters, words, pictures, sounds, or symbols, or combinations
2 thereof, and any record thereby created, regardless of the manner in which the record
3 has been stored as well as any other definition attributed thereto by California Evidence
4 Code §250) referring to or reflecting the address(es) of each and every parcel of real
5 property that is currently owned by YOU in any location.

6
7 **REQUEST NO. 5:**

8 Any and all DOCUMENTS identifying, referring to or reflecting information as to
9 whether any parcel of real property currently owned by YOU is encumbered with any form
10 of a mortgage.

11
12 **REQUEST NO. 6:**

13 All statements for any and all mortgage payments YOU currently pay every month.

14
15 **REQUEST NO. 7:**

16 Any and all DOCUMENTS identifying, referring to or reflecting YOUR real property
17 in which YOU have had an ownership interest from the years 2018 to present.

18
19 **REQUEST NO. 8:**

20 Any and all DOCUMENTS identifying, referring to or reflecting schedules or lists
21 of real estate, listing all properties YOU currently own in full or in part.

22
23 **REQUEST NO. 9:**

24 Any and all DOCUMENTS identifying, referring to or reflecting any and all
25 insurance policies currently covering real estate YOU currently own in full or in part.

26 //

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28 //

1 **REQUEST NO. 10:**

2 Any and all DOCUMENTS identifying, referring to or reflecting schedules or lists
3 of personal property, listing all assets YOU currently own in part or in full.

4
5 **REQUEST NO. 11:**

6 Any and all DOCUMENTS identifying, referring to or reflecting any and all
7 insurance policies currently covering assets YOU own in part or in full.

8
9 **REQUEST NO. 12:**

10 Any and all DOCUMENTS identifying, referring to or reflecting YOUR personal
11 property statements for the years 2014 to present.

12
13 **REQUEST NO. 13:**

14 Any and all DOCUMENTS identifying, referring to or reflecting YOUR credit reports
15 for the years 2014 to present.

16
17 **REQUEST NO. 14:**

18 Any and all DOCUMENTS identifying, referring to or reflecting YOUR loan and/or
19 credit applications for the years 2014 to present.

20
21 **REQUEST NO. 15:**

22 Any and all DOCUMENTS identifying, referring to or reflecting YOUR current
23 outstanding loans.

24
25 **REQUEST NO. 16:**

26 Any and all DOCUMENTS identifying, referring to or reflecting YOUR current
27 outstanding lines of credit.

28 //

1 **REQUEST NO. 17:**

2 Any and all DOCUMENTS identifying, referring to or reflecting YOUR current
3 outstanding home equity lines.

4
5 **REQUESTNO. 18:**

6 Any and all DOCUMENTS identifying, referring to or reflecting the name, telephone
7 number and address of each and every business entity currently owned by YOU either in
8 whole or in part.

9
10 **REQUESTNO. 19:**

11 Any and all DOCUMENTS identifying, referring to or reflecting any and all
12 monetary income received by YOU at any time from 2018 through the present, from each
13 and every business currently owned by YOU in whole or in part.

14
15 **REQUEST NO. 20:**

16 Any and all DOCUMENTS identifying, referring to or reflecting each and every
17 source of monetary income received by YOU from the years 2014 to present.

18
19 **REQUEST NO. 21:**

20 Any and all DOCUMENTS identifying, referring to or reflecting each and every
21 share of stock YOU currently own in any company or companies.

22
23 **REQUEST NO. 22:**

24 Any and all DOCUMENTS identifying, referring to or reflecting the name, address
25 and telephone number of each and every person and/or entity that has the most
26 knowledge regarding YOUR FINANCES ("FINANCES" as used herein shall refer to,
27 mean and include any source or sources of monetary income and/or ASSETS as well as
28 any information relating to the management of the source or sources of monetary income

1 and/or ASSETS; "ASSETS" as used herein shall refer to, mean and include any fungible
2 thing owned that has a monetary exchange value) for the years 2014 to present.

3
4 **REQUEST NO. 23:**

5 Any and all DOCUMENTS identifying, referring to or reflecting the name, address
6 and telephone number of each and every person and/or entity that has the most
7 knowledge regarding YOUR ASSETS for the years 2018 to present.

8
9 **REQUEST NO. 24:**

10 Any and all DOCUMENTS evidencing any gift(s), with a worth or cost over \$200.00
11 USD, that YOU gave to any person or entity from 2018 to the present.

12
13 **REQUEST NO. 25:**

14 Any and all credit card statements for which YOU currently owe any balance.

15
16 **REQUEST NO. 26:**

17 Any and all credit card statements reflecting any purchases YOU made during the
18 last two years.

19
20 **REQUEST NO. 27:**

21 Any and all debit card statements reflecting any purchases made by YOU from
22 2018 to present.

23
24 **REQUEST NO. 28:**

25 Any and all checking account statements reflecting balances in YOUR checking
26 account(s) for the years 2014 to present.

27 //

28 //

1 **REQUEST NO. 29:**

2 Any and all savings account statements reflecting balances in YOUR savings
3 account(s) for the years 2014 to present.

4
5 **REQUEST NO. 30:**

6 Any and all DOCUMENTS identifying each vehicle YOU currently own.

7
8 **REQUEST NO. 31:**

9 Any and all statements for any and all vehicle payments YOU currently pay every
10 month.

11
12 **REQUEST NO. 32:**

13 Any and all statements reflecting the amounts YOU paid to either own or lease any
14 vehicles from 2014 through the present.

15
16 **REQUEST NO. 33:**

17 Any and all of YOUR paycheck stubs for the years 2014 to present.

18
19 **REQUEST NO. 34:**

20 Any and all bank statements for any and all bank accounts YOU have for the years
21 2014 to present.

22
23 **REQUEST NO. 35:**

24 Any and all DOCUMENTS identifying any and all stocks, bonds, dividends or other
25 assets YOU have owned in whole or in part for the years 2014 to present.

26 //

27 //

28 //

1 **REQUEST NO. 36:**

2 Any and all DOCUMENTS identifying any and all individual retirement accounts,
3 401(k) accounts, or other retirement accounts YOU have for the years 2014 to present.

4
5 **REQUEST NO. 37:**

6 Any and all DOCUMENTS identifying, referring to or reflecting YOUR NET
7 WORTH ("NET WORTH" as used herein shall mean the difference between the assets
8 and liabilities of a person or company) for the years 2014 to present.

9
10 **REQUEST NO. 38:**

11 Any and all DOCUMENTS identifying, referring to or reflecting YOUR total
12 ASSETS during the years 2014 to present.

13
14 **REQUEST NO. 39:**

15 Any and all DOCUMENTS identifying, referring to or reflecting YOUR total debts
16 for the years 2014 to present.

17
18 **REQUEST NO. 40:**

19 Any and all DOCUMENTS identifying, referring to or reflecting any and all artwork
20 owned by YOU during the years 2014 to present.

21
22 **REQUEST NO. 41:**

23 Any and all DOCUMENTS identifying, referring to or reflecting any jewelry owned
24 by YOU during the years 2014 to present.

25
26 **REQUEST NO. 42:**

27 Any and all DOCUMENTS identifying, referring to or reflecting any and all furniture
28 owned by YOU during the years 2014 to present.

1 **REQUEST NO. 43:**

2 Any and all DOCUMENTS identifying, referring to or reflecting any and all home
3 electronics owned by YOU during the years 2014 to present.

4
5 **REQUEST NO. 44:**

6 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
7 account receivables during the years 2014 to present.

8
9 **REQUEST NO. 45:**

10 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
11 audits and reviews for the years 2014 to present.

12
13 **REQUEST NO. 46:**

14 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
15 balance sheet reports for the years 2014 to present.

16
17 **REQUEST NO. 47:**

18 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
19 income statement records for the years 2014 to present.

20
21 **REQUEST NO. 48:**

22 Any and all DOCUMENTS identifying, referring to or reflecting any and all amounts
23 YOU spent renting real property for the years 2014 to present.

24
25 **REQUEST NO. 49:**

26 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
27 payable reports for the years 2014 to present.

28 //

1 **REQUEST NO. 50:**

2 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
3 cash disbursement reports for the years 2014 to present.

4
5 **REQUEST NO. 51:**

6 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
7 cash receipts reports for the years 2014 to present.

8
9 **REQUEST NO. 52:**

10 Any and all DOCUMENTS identifying, referring to or reflecting YOUR business
11 cash flow reports for the years 2014 to present.

12
13 **REQUEST NO. 53:**

14 Any and all DOCUMENTS identifying, referring to or reflecting YOUR partnership
15 agreements for the years 2014 to present.

16
17 **REQUEST NO. 54:**

18 Any and all DOCUMENTS concerning the transfer of any real estate holdings in
19 YOUR name, or held in trust for YOUR benefit, from April 1, 2014 through the present.

20
21 **REQUEST NO.55:**

22 Please review YOUR responses to all production demands previously served on
23 YOU in this action and, if for any reason any response or production is no longer correct
24 and/or complete, or if YOU possess any later acquired information, documents, papers,
25 records, or other evidence bearing on any answer previously made or any response
26 previously made, please identify the response and produce whatever information is
27 necessary to make it correct and complete as of the date of YOUR response to this
28 demand.

1 **REQUEST NO. 56:**

2 All *sub rosa* materials of Plaintiff, including but not limited to video, photographs,
3 and recordings of any type.

4
5 **REQUEST NO. 57:**

6 All billing related to any *sub rosa* of the Plaintiff.

7
8 **REQUEST NO. 58:**

9 All documents identifying any individual who conducted or performed *sub rosa* of
10 the Plaintiff.

11
12 **REQUEST NO. 59:**

13 All statements that were written, provided, or recorded by YOU about the subject
14 incident, and how it occurred.

15
16 **REQUEST NO. 60:**

17 All statements provided by YOU that explain how or what caused the subject
18 incident.

19
20 **REQUEST NO. 61:**

21 Any and all unredacted DOCUMENTS concerning the subject incident between
22 JANE DOE and ALKIVIADES DAVID.

23
24 **REQUEST NO. 62:**

25 Any and all unredacted DOCUMENTS concerning the April 21, 2019, incident
26 between JANE DOE and ALKIVIADES DAVID that is the subject of this lawsuit.

27 //

28 //

1 **REQUEST NO. 63:**

2 Any and all DOCUMENTS evidencing YOUR ability to pay monetary obligations
3 from 2014 through the present.

4
5
6 DATED: May 7, 2024

DORDICK LAW CORPORATION

7
8 By:



9 _____
10 Gary A. Dordick, Esq.
11 Dustin Z. Moaven, Esq.
12 Attorneys for Plaintiff
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PROOF OF SERVICE

1
2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES) ss.

4 I am employed in the County of Los Angeles, State of California. I am over the
5 age of 18 and not a party to the within action; my business address is: 1122 WILSHIRE
6 BLVD., LOS ANGELES, CA 90017.

7 On May 8, 2024 served the foregoing documents described as **NOTICE TO**
8 **DEFENDANT ALKIVIADES DAVID CUSTODIAN OF RECORDS IN LIEU OF**
9 **SUBPOENA TO ATTEND TRIAL AND REQUEST FOR PRODUCTION OF**
10 **DOCUMENTS** on all parties in this action by placing a true copy thereof enclosed in
11 sealed envelopes addressed as follows.

12 **[SEE ATTACHED SERVICE LIST]**

13 () **BY UNITED STATES MAIL.** I enclosed the documents in a sealed
14 envelope or package addressed to the persons at the addresses listed
15 below and

16 () deposited the sealed envelope with the United States Postal
17 Service with postage fully prepaid.

18 () placed the envelope for collection and mailing, following our
19 ordinary business practices. I am readily familiar with this
20 business's practice for collecting and processing correspondence
21 for mailing. On the same day that correspondence is placed for
22 collection and mailing, it is deposited in the ordinary course of
23 business with the United States Postal Service, in a sealed
24 envelope with postage fully prepaid.

25 I am employed in the county where the mailing occurred. The envelope or
26 package was placed in the mail at Los Angeles, California.

27 () **BY OVERNIGHT DELIVERY.** I enclosed the documents in an
28 envelope or package provided by an overnight delivery carrier and
addressed to the persons listed in the attached service list. I placed the
envelope or package for collection and overnight delivery at an office or a
regularly utilized drop box of the overnight delivery carrier.

() **BY MESSENGER SERVICE.** I placed the documents in an envelope
or package addressed to the persons at the addresses listed in the
attached service list and providing them to a messenger service for
service.

1 () **BY PERSONAL SERVICE.** I caused such documents to be
2 personally delivered to the persons addresses listed below.

3 () For a party represented by an attorney, delivery was made to the
4 attorney or at the attorney's office by leaving the documents, in an
5 envelope or package clearly labeled to identify the attorney being
6 served, with a receptionist or an individual in charge of the office,
7 between normal business hours.

8 () For a party, delivery was made to the party or by leaving the
9 documents at the party's residence with some person not younger
10 than 18 years of age between normal business hours.

11 () **BY FAX TRANSMISSION.** I caused all of the pages of the above
12 entitled document to be sent to the recipients noted on the attached
13 service list via electronic transfer (FAX) at the respective FAX numbers
14 pursuant to C.C.P. §1013(e) from DORDICK LAW CORPORATION on the
15 date set forth above. The machine I used complied with California Rules
16 of Court, Rule 2.306(h)(3) and no error was reported by the machine.

17 (XX) **ONLY BY ELECTRONIC SERVICE [E-MAIL]** No electronic message or
18 other indication that the transmission was unsuccessful was received
19 within a reasonable time after the transmission. We will provide a physical
20 copy, upon request only, when we return to the office at the conclusion of
21 the national emergency.

22 Executed on May 8, 2024 at Los Angeles, California.

23 I declare under penalty of perjury under the laws of the State of California that
24 the above is true and correct.

25 
26 SANDRA JIMENEZ

1 **SERVICE LIST**

2 **Jane Doe v. David**

3 **Case No. 20STCV37498**

4
5 Ebby S. Bakhtiar, Esq.
6 LIVINGSTON • BAKHTIAR
7 3435 Wilshire Boulevard, Suite 1669
8 Los Angeles, California 90010
9 Tel: (213) 632-1550
10 Fax: (213) 632-3100
11 E-mail: ESB@LivingstonBakhtiar.com

12 ***Co-Counsel for Plaintiff, JANE DOE***

13 Themistoklis Sofos, PhD
14 SOFOS LAW FIRM
15 Asklepiou Str. 6-8 GR 10680
16 Athens, Greece
17 Tel: +302103633322
18 Fax: +302103636327
19 E-mail: themis@sofos.com.gr

20 ***Attorney for Defendant, ALKIVIADES DAVID***

1 **PROOF OF SERVICE**

2
3 STATE OF CALIFORNIA)
4) ss.
5 COUNTY OF LOS ANGELES)

6 I am employed in the County of Los Angeles, State of California. I am over the
7 age of 18 and not a party to the within action; my business address is: 509 SOUTH
8 BEVERLY DRIVE, BEVERLY HILLS, CALIFORNIA 90212.

9 On June 14, 2024, I served the foregoing documents described as
10 **PLAINTIFF'S NOTICE OF LODGING NOTICE TO APPEAR AT TRIAL**
11 on all parties in this action by placing a true copy thereof enclosed in sealed envelopes
12 addressed as follows.

13 **[SEE ATTACHED SERVICE LIST]**

14 () **BY UNITED STATES MAIL.** I enclosed the documents in a sealed
15 envelope or package addressed to the persons at the addresses listed
16 below and

17 () deposited the sealed envelope with the United States Postal
18 Service with postage fully prepaid.

19 () placed the envelope for collection and mailing, following our
20 ordinary business practices. I am readily familiar with this
21 business's practice for collecting and processing correspondence
22 for mailing. On the same day that correspondence is placed for
23 collection and mailing, it is deposited in the ordinary course of
24 business with the United States Postal Service, in a sealed
25 envelope with postage fully prepaid.

26 I am employed in the county where the mailing occurred. The envelope or
27 package was placed in the mail at Beverly Hills, California.

28 () **BY OVERNIGHT DELIVERY.** I enclosed the documents in an
envelope or package provided by an overnight delivery carrier and
addressed to the persons listed in the attached service list. I placed the
envelope or package for collection and overnight delivery at an office or a
regularly utilized drop box of the overnight delivery carrier.

1 () **BY MESSENGER SERVICE.** I placed the documents in an envelope
2 or package addressed to the persons at the addresses listed in the
3 attached service list and providing them to a messenger service for
service.

4 () **BY PERSONAL SERVICE.** I caused such documents to be
5 delivered personally delivered to the persons addresses listed below.

6 () For a party represented by an attorney, delivery was made to the
7 attorney or at the attorney's office by leaving the documents, in an
8 envelope or package clearly labeled to identify the attorney being
9 served, with a receptionist or an individual in charge of the office,
between normal business hours.

10 () For a party, delivery was made to the party or by leaving the
11 documents at the party's residence with some person not younger
12 than 18 years of age between normal business hours.

13 () **BY FAX TRANSMISSION.** I caused all of the pages of the above entitled
14 document to be sent to the recipients noted on the attached service list via
15 electronic transfer (FAX) at the respective FAX numbers pursuant to
16 C.C.P. §1013(e) from DORDICK LAW CORPORATION on the date set
17 forth above. The machine I used complied with California Rules of Court,
Rule 2.306(h)(3) and no error was reported by the machine.

18 (XX) **ONLY BY ELECTRONIC SERVICE [E-MAIL]** No electronic message or
19 other indication that the transmission was unsuccessful was received
20 within a reasonable time after the transmission. We will provide a physical
21 copy, upon request only, when we return to the office at the conclusion of
the national emergency.

22 Executed on June 14, 2024, at Beverly Hills, California.

23 I declare under penalty of perjury under the laws of the State of California that
24 the above is true and correct.

25 
26 _____
27 SANDRA JIMENEZ
28

1 **Jane Doe v. David**

2 **Case No. 20STCV37498**

3
4 Ebby S. Bakhtiar, Esq.
5 LIVINGSTON • BAKHTIAR
6 3435 Wilshire Boulevard, Suite 1669
7 Los Angeles, California 90010
8 Tel: (213) 632-1550
9 Fax: (213) 632-3100
10 E-mail: ESB@LivingstonBakhtiar.com

11 ***Co-Counsel for Plaintiff, JANE DOE***

12 Themistoklis Sofos, PhD
13 SOFOS LAW FIRM
14 Asklepiou Str. 6-8 GR 10680
15 Athens, Greece
16 Tel: +302103633322
17 Fax: +302103636327
18 E-mail: themis@sofos.com.gr

19 ***Attorney for Defendant, ALKIVIADES DAVID***

TAB 70

AA1024

Document received by the CA 2nd District Court of Appeal.

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B# 320939
3 DORDICK LAW CORPORATION
4 509 South Beverly Drive
5 Beverly Hills, California 90212
6 Tel: (310) 551-0949 • Fax: (855) 299-4444
7 E-Mail: DZMeservice@dordicklaw.com
8 **Attorneys for Plaintiff, JANE DOE**

Electronically FILED by
Superior Court of California,
County of Los Angeles
6/14/2024 9:09 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By S. Bolden, Deputy Clerk

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

13 JANE DOE, an Adult Individual Suing Under
14 Anonymity Due to Privacy and Safety,

15 Plaintiff,

16 vs.

17 ALKIVIADES DAVID, an Individual, a.k.a.
18 ALKI DAVID; HOLOGRAM USA, INC., a
19 California Corporation, a.k.a. HOLOGRAM
20 USA PRODUCTIONS, INC., HOLOGRAM
21 USA ENTERTAINMENT, INC.,
22 FILMON.TV, INC., FILMON.TV
23 NETWORKS, INC. and FILMON.TV LA,
24 INC.; SWISSX LABS AG, INC. a California
25 Corporation, a.k.a. SWISSX LOUNGE and
26 FILMONTV UK, LTD; and DOES 1 through
27 150, inclusive,

28 Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**PLAINTIFF'S SECOND AMENDED
WITNESS LIST**

Complaint Filed: September 30, 2020
Trial Date: June 13, 2024

1 **TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:**

2 COMES NOW Plaintiff JANE DOE who submits the following witness list. The
3 plaintiff states that depending on the issues developed at trial of this case, and upon the
4 Court's ruling on evidentiary matters, the parties may call additional witnesses in the above-
5 captioned matter.

6 The plaintiff reserves their right to call impeachment witnesses not identified on this
7 witness list. The plaintiff reserves their right to amend or supplement this witness list up to
8 and including the commencement of trial and to call additional witnesses identified by
9 other parties at trial. The plaintiff also reserves the right to object to the witnesses identified
10 by other parties.

#	Witness Name	Nature of Testimony	Length of DX (Hrs)	Length of CX (Hrs)	Length of Re-X	Total Hours
1	Cordova, Kevin	Percipient Witness	0.50	0.00	0.00	0.50
2	Doe, Jane (Margerita Nicolas)	Plaintiff	1.00	0.00	0.00	1.00
3	Feghali, Lara	Percipient Witness	0.50	0.00	0.00	0.50
4	Gerlach, Matthew	Percipient Witness	0.50	0.00	0.00	0.50
5	Nassis, Lorraine	Percipient Witness	0.50	0.00	0.00	0.50
6	Nussbaum, David	Percipient Witness	0.50	0.00	0.00	0.50
7	Synder, Craig	Treating Physician	1.00	0.00	0.00	1.00
8		TOTAL:	4.50 Hours	0.00 Hours	0.00 Hours	4.50 Hours

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1 DATED: June 14, 2024

DORDICK LAW CORPORATION

2
3
4 By: 

5 Gary A. Dordick, Esq.
6 Dustin Z. Moaven, Esq.
7 Attorneys for Plaintiff, JANE DOE
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DORDICK LAW CORPORATION

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd., Los Angeles, CA 90017.

On June 14, 2024, I served the foregoing documents described as **PLAINTIFF'S SECOND AMENDED WITNESS LIST** on all parties in this action as follows.

[SEE ATTACHED SERVICE LIST]

(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL] Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on June 14, 2024, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Joshua Alvarez

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

1
2
3
4 Ebbby S. Bakhtiar, Esq.
5 LIVINGSTON • BAKHTIAR
6 3435 Wilshire Boulevard, Suite 1669
7 Los Angeles, California 90010
8 Tel: (213) 632-1550
9 Fax: (213) 632-3100
E-mail: ESB@LivingstonBakhtiar.com

10 *Co-Counsel for Plaintiff, JANE DOE*

11
12 Themistoklis Sofos, PhD
13 SOFOS LAW FIRM
14 Asklipou Str. 6-8
15 106 79, Athens
16 Tel: +302103633322
17 Fax: +302103636327
E-mail: themis@sofos.com.gr

18 *Attorney for Defendant, ALKIVIADES DAVID*

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

TAB 71

AA1030

Document received by the CA 2nd District Court of Appeal.

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B #320939
3 **DORDICK LAW CORPORATION**
4 1122 Wilshire Blvd.
5 Los Angeles, CA 90017
6 Tel: (310) 551-0949 • Fax: 855-299-4444
7 E-Mail: dustin@dordicklaw.com
8 **In Association With**
9 Ebby S. Bakhtiar, Esq. S/B# 215032
10 **LIVINGSTON • BAKHTIAR**
11 3435 Wilshire Boulevard, Suite 1669
12 Los Angeles, California 90010
13 Tel: (213) 632-1550 • Fax: (213) 632-3100
14 Attorneys for Plaintiff

Electronically FILED by
Superior Court of California,
County of Los Angeles
6/14/2024 6:47 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By S. Bolden, Deputy Clerk

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 JANE DOE, an Adult Individual Suing
12 Under Anonymity Due to Privacy and
13 Safety,

14 Plaintiff,

15 vs.

16 ALKIVIADES DAVID, an Individual,
17 a.k.a. ALKI DAVID; HOLOGRAM
18 USA, INC., a California Corporation,
19 a.k.a. HOLOGRAM USA
20 PRODUCTIONS, INC., HOLOGRAM
21 USA ENTERTAINMENT, INC.,
22 FILMON.TV, INC., FILMON.TV
23 NETWORKS, INC. and FILMON.TV
24 LA, INC.; SWISSX LABS AG, INC. a
25 California Corporation, a.k.a. SWISSX
26 LOUNGE and FILMONTV UK, LTD;
27 and DOES 1 through 150, inclusive,

28 Defendants.

Case No.: 20STCV37498

**PLAINTIFF'S AMENDED
NOTICE OF INTENT TO USE
DEPOSITION DESIGNATIONS
FOR TRIAL**

Dept.: 76

Judge: Hon. Christopher L. Lui

Action Filed: September 30, 2020

Trial Date: June 13, 2024


23 TO ALL PARTIES AND COUNSEL OF RECORD: PLEASE TAKE
24 NOTICE that, pursuant to California Code of Civil Procedure §2025.260, Plaintiff
25 intends to use trial video excerpts from the videotaped deposition of Defendant
26 ALKIVIADES DAVID, which was taken on March 1, 2024 at 10:08 a.m. Plaintiff
27 hereby designates the following testimony and corresponding video recording of said
28 testimony (highlighted excerpts of which are attached hereto as Exhibit A):

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NAME OF DEPONENT	PAGES/LINES	OBJECTION S	COUNTER-DESIGNATIONS	RESPONSE S	RULING
Alkiviades David	13:5-14				
Alkiviades David	22:17 – 23:3				
Alkiviades David	46:12-21				
Alkiviades David	69:2-7				
Alkiviades David	71:16 – 72:5				
Alkiviades David	104:20 – 106:21				
Alkiviades David	114:19 – 116:17				

Dated: June 14, 2024

DORDICK LAW CORPORATION

Bv: 
 GARY A. DORDICK, ESQ.
 DUSTIN Z. MOAVEN, ESQ.
 Attorneys for Plaintiff

Document received by the CA 2nd District Court of Appeal.

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EXHIBIT A

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JANE DOE, an Adult Individual)
Suing Under Anonymity Due to)
Privacy and Safety,)

Plaintiff,)

vs)

CASE NO.: 20STCV37498

ALKIVIADES DAVID, an individual,)
a.k.a. ALKI DAVID; HOLOGRAM USA,)
INC., a California Corporation,)
a.k.a. HOLOGRAM USA PRODUCTIONS,)
INC., HOLOGRAM USA ENTERTAINMENT,)
INC., FILMON.TV, INC., FILMON.TV)
NETWORKS, INC., and FILMON.TV LA,)
INC.; SWISSX LABS AG, INC., a)
California Corporation, a.k.a.)
SWISSX LOUNGE and FILMON.TV UK,)
LTD; and DOES 1 through 150,)
inclusive,)

Defendants,)

REMOTE VIDEOTAPED DEPOSITION OF

ALKIVIADES DAVID

FRIDAY, MARCH 1, 2024, 10:08 A.M.

ORANGE, CALIFORNIA

REPORTED BY: KATHRYN MARIE ADAMS, CSR No. 8391
Job No. 121665

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JANE DOE, an Adult Individual)
Suing Under Anonymity Due to)
Privacy and Safety,)

Plaintiff,)

vs)

ALKIVIADES DAVID, an individual,)
a.k.a. ALKI DAVID; HOLOGRAM USA,)
INC., a California Corporation,)
a.k.a. HOLOGRAM USA PRODUCTIONS,)
INC., HOLOGRAM USA ENTERTAINMENT,)
INC., FILMON.TV, INC., FILMON.TV)
NETWORKS, INC., and FILMON.TV LA,)
INC.; SWISSX LABS AG, INC., a)
California Corporation, a.k.a.)
SWISSX LOUNGE and FILMON.TV UK,)
LTD; and DOES 1 through 150,)
inclusive,)

Defendants,)

CASE NO.: 20STCV37498

REMOTE VIDEOTAPED DEPOSITION OF ALKIVIADES DAVID,
taken on behalf of the Plaintiff, in Orange,
California, commencing at 10:08 a.m., and concluding
at 12:24 p.m. on Friday, March 1, 2024,
reported by Kathryn Marie Adams, CSR No. 8391, a
Certified Shorthand Reporter in and for
the State of California, pursuant to notice.

Document received by the CA 2nd District Court of Appeal.

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APPEARANCES:

For Plaintiff:

DORDICK LAW CORPORATION
BY: DYLAN DORDICK, ESQ.
ATTORNEY AT LAW
509 SOUTH BEVERLY DRIVE
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For Defendants:

SOFOS & PARTNERS
BY: THEMIS SOFOS, ESQ.
ATTORNEY AT LAW
ASKLEPIOU STR. 6-8, 106 79
ATHENS, GREECE
210-3633322
themis@sofos.com.gr

ALSO PRESENT: RUPERTO GARCIA, VIDEOGRAPHER

1 A I have taken many depositions.

2 Q Okay. And --

3 A And many with a knowledge of my brain injury.
4 So go ahead, ask your question.

5 Q In those depositions, who is the one,
6 typically, that it suppose to be asking the questions?

7 A Go fuck yourself, you idiot. Please, don't
8 pander me. Because if -- you're just going to get
9 abused right back. And I have a -- you know, and you
10 and your fucking father are a disgrace to humanity. You
11 really are. You are fucking pathetic. You should be --
12 you should be taken out and shot for what you do.
13 Because what you do is like you hurt people in
14 wholesale, you criminal fucking douchebags. Goddamn.

15 Q All right. You have a website called Shockya.
16 Is that correct?

17 A I don't. My corporations that I am involved
18 with own and control that and many other websites, yes.

19 Q And you write a -- content on that under the
20 name, Grady Owen?

21 A Sometimes, sure.

22 Q And there was an article there in which you
23 mentioned that this -- this legal cabal had been
24 bringing shame to the David name.

25 Do you recall that?

1 else was indicted along with Tom Girardi for the whole
2 Chicago scam? Keith fucking Griffin, your partner, a
3 partner that you don't advertise. A partner that is
4 your partner in your fucking law firm. A partner that
5 has zero jurisdiction over me.

6 MR. SOFOS: Alki --

7 THE WITNESS: Zero jurisdiction --

8 MR. SOFOS: Alki --

9 THE WITNESS: -- and hear you are, in my -- in
10 all this --

11 MR. SOFOS: Alki --

12 THE WITNESS: -- sitting there in your corrupt
13 little asshole -- in your asshole self dictating --

14 MR. SOFOS: That's enough.

15 THE WITNESS: -- so go fuck yourself.

16 MR. SOFOS: Next question.

17 THE WITNESS: Can you please shut up and let
18 me finish? Shut the fuck up and let me fucking finish.
19 All right? I have my voice quailed by this corrupt
20 system. This is my opportunity to express my anger, so
21 suck my dick.

22 MR. DORDICK: Okay. Mr. Sofos has been
23 nothing but polite and professional and --

24 THE WITNESS: Just shut your fucking face, you
25 insolent cunt and get on with it.

1 MR. SOFOS: Alki --

2 THE WITNESS: Shut up. Get on with the
3 question.

4 BY MR. DORDICK:

5 Q Was the Plaintiff an employee of FilmOn.TV at
6 the time you had sex with her?

7 A No.

8 Q Who was she an employee of at that time?

9 A She was not an employee. She was hustling for
10 a job all the time, trying to be a Hostet. It was a
11 made up fucking job by herself, a Hostet. Things that
12 never happened. And she was completely out of her
13 fucking mind. The day that she accused me of raping her
14 is the day that she also accused her husband and her
15 best friend of raping her.

16 And she put me in her medical records, right,
17 that you have been sanctioned over, her medical records,
18 you fucking idiot that she lied about all of this. And
19 she has recanted twice.

20 And here you are, Mr. Dordick, supporting
21 Mr. Tom Girardi's records for what, exactly for how much
22 do you think? How much do you think you're going to get
23 from me? Zero because you are going to prison.

24 Next question.

25 Q All right. Who -- what of your companies did

1 I've only been -- I only do long term relationships. I
2 don't date, and I only do long term relationships.
3 That's is who I am.

4 Q And --

5 A I don't sleep around. Listen.

6 Q And --

7 A Listen, I don't sleep around. I don't fuck
8 around. I like monogamy. I like it. I love it. I
9 love -- I love deep monogamous relationships. It's my
10 thing. And all of my wives will tell you that.

11 Okay. Next question.

12 Q What are the names of all your wives?

13 A Fuck you. Next question.

14 Q Well, I --

15 A Listen -- listen -- listen -- listen, listen,
16 you come close to any of my family, I will beat your
17 fucking face and that is not a fucking threat; that's a
18 fact. I will find you, and I will beat the living shit
19 out of you. Do you feel me?

20 MR. SOFOS: Alki, this is enough.

21 THE WITNESS: No. No. Shut up. Shut up.

22 That is a fucking threat that is real because I'm
23 talking to a criminal who has killed multiple people in
24 my life and attempted murder of me twice.

25 Okay?

1 fucking people --

2 MR. DORDICK: You should be respectful and he
3 deserves your respect because he is --

4 MR. SOFOS: Alki --

5 THE WITNESS: Oh, shut up you insolent little
6 brat, shut your fucking month. You are going to go to
7 prison, you piece of shit.

8 MR. DORDICK: Mr. David --

9 THE WITNESS: Listen. Listen. For the
10 lady -- for the lady court reporter, and only for the
11 lady court reporter, I am going to -- you know, I'm
12 going to be patient for at least a couple of minutes
13 while she relaxes and we can talk.

14 So if the lady -- we are now off the record
15 and -- and the lady court reporter may relax and when
16 she is ready to come back, she can let us know when she
17 is ready to come back.

18 MR. DORDICK: We'll take a five-minute break.

19 THE WITNESS: Up until that point, I will very
20 happily berate you.

21 Is that okay?

22 THE VIDEOGRAPHER: Okay. We're off the
23 record. The time is 11:20 a.m. pacific time.

24 (A short recess was taken.)

25 THE VIDEOGRAPHER: We're on the record. The

1 MR. DORDICK: All right. I'm going to -- I'm
2 going to attach as Exhibit 1 to the deposition -- this
3 is a -- a video. Give me one second here.

4 (Whereupon Exhibit No. 1 was marked
5 for identification.)

6 BY MR. DORDICK:

7 Q Uh, do you have the ability to -- to view
8 videos? I'm going to share my screen here and let me
9 know if you're -- if you're able to see it, okay?

10 Okay. I'm -- I'm going to play this video and
11 if you can just listen to it.

12 THE VIDEO RECORDING: "Yeah. You should
13 see -- you should see upstairs. Upstairs is like a real
14 rape room. Yeah. The real -- the real deal."

15 BY MR. DORDICK:

16 Q What did you mean by you -- you have the -- a
17 real deal rape room upstairs?

18 A Uh-huh, that was a joke. And that was not an
19 office; that was a house. That was a private residence
20 -- that was a private residence and that was a joke.
21 I -- and last time I -- last time I heard we were --
22 lived in a nation of first amendment rights to be able
23 to say all kinds of jokes. And even -- and even say --
24 even say things like, I'm going to crucify those Jew
25 bastards who are extorting me. I can say things like

1 that. Did you know that?

2 Q Do you harbor --

3 A By law -- under law, it is my right to be able
4 to freely speak my mind and my feelings and my thoughts
5 in any situation, actually. Even -- even to coerce
6 something, such as a right. It is still my right to say
7 whatever I want out of my mouth.

8 Q All right. So to be clear, you -- you do not
9 have a real rape room?

10 A Of course not. How ridiculous a question is
11 that?

12 Q I -- I don't know. So that was a joke?

13 A Obviously, it was a joke. And anybody who
14 knows me knows very well that I'm a jokester. And
15 everybody that knows me very well knows that I am a
16 gentle decent loving man who has plenty of loving
17 relationships with kind decent people that I like to
18 surround myself with.

19 But then when I'm in the den of inequity and
20 with -- and in front of douchebags like you, fuck you.
21 How about that?

22 Q Were you also joking when you called me a Jew
23 bastard?

24 A Listen, I have many Jewish friends. My sister
25 married an Israeli. I have -- I have many, many Jewish

1 great addition to -- to the family of people that
2 work -- and he -- and the reason why I met him was
3 because, um, he was representing a Hologram technology
4 that I then licensed from him and his partner, who is
5 the inventor. And that is how I met Johnny Fratto; that
6 was your question earlier.

7 And how I met Margarita Nichols was Johnny
8 Fratto brought her to the studio one day and said, can
9 you give her a job. And I said, sure, I can help out.

10 Q Did you review her resume?

11 A Yeah. She didn't have much of a resume so she
12 started as a runner. Um, and, no, I didn't really
13 review her resume, to tell you the truth. She seemed
14 like a nice girl and there was -- you know we had room
15 to support -- so five years later, she is still there so
16 that is indicative of the kind of person that I am.

17 Q Was she --

18 A My employees -- listen. My employees -- I
19 have employees who I have had employed for decade for 40
20 plus years who stayed in my employ. I have employed
21 thousands and thousands of models, men and women, all
22 over the world. I have done tons of shows, not a single
23 fucking complaint from anybody except from your little
24 group of syndicated assholes.

25 Q How many of your --

1 A How about that?

2 Q How many of your employees --

3 A And if you ask all of the articles that I have
4 written about your dad and the collusion with all -- and
5 all of these people, how many complaints over the years
6 over you knowingly said about Shockya, how many
7 complaints do you think I have had? How many do you
8 think I have ever had? Not one. Not one fucking
9 complaint you criminal little cunt.

10 Q How many of your employees --

11 A You murderous -- you murderous little villain
12 who will end up in prison. You hear me?

13 Q How many of your --

14 A You fucking hear me? You are --

15 MR. SOFOS: Alki, you --

16 THE WITNESS: -- going to jail.

17 MR. SOFOS: Alki, you don't need --

18 THE WITNESS: No.

19 MR. SOFOS: Thank you.

20 THE WITNESS: I fucking need to tell this guy
21 what is going to happen to him because --

22 MR. SOFOS: Alki --

23 THE WITNESS: -- I'm sitting here doing what I
24 am doing --

25 MR. SOFOS: Alki --

1 THE WITNESS: -- is why.

2 MR. SOFOS: It's going well. Please.

3 THE WITNESS: Because you're a dumb little
4 fuck.

5 MR. SOFOS: Alki --

6 BY MR. DORDICK:

7 Q How --

8 MR. SOFOS: -- please.

9 BY MR. DORDICK:

10 Q How many -- what is in your hand there?

11 A What?

12 Q What is in your hand?

13 A A hammer.

14 Q You know, you don't intend to hurt yourself
15 around us, do you?

16 A No. I intend to break your fucking knees when
17 I see you. How about that?

18 Q Uh --

19 A And that is a fucking threat that you can
20 print on any fucking T-shirt and take it to any fucking
21 jury you want. Suck my dick, you piece of shit.

22 MR. SOFOS: Alki --

23 THE WITNESS: Fuck you, Themis. I told you
24 Themis. I told you -- I fucking told you these people
25 do this deposition after this woman refuses to do her

1 THE WITNESS: -- right behind. You are the
2 afterbirth scum.

3 MR. SOFOS: Alki -- next question.

4 THE WITNESS: And you're fucking dumbass
5 daughter -- sister, fucking doctorate --

6 MR. SOFOS: Alki --

7 THE WITNESS: -- you are all a bunch of
8 fucking rapists. You fucking idiot, you're the
9 fucking -- you know what, the accusers normally --

10 MR. SOFOS: Alki --

11 THE WITNESS: -- No. 1, aren't they?

12 MR. SOFOS: Alki -- Alki --

13 MR. DORDICK: Okay. Mr. Alki, I think it's
14 clear that any further questioning of you is not going
15 to be productive so --

16 THE WITNESS: Go fuck yourself, you rotten
17 sack of shit.

18 MR. SOFOS: Alki, please.

19 MR. DORDICK: I think we will conclude today's
20 deposition unless there is something else you would like
21 to tell me that --

22 THE WITNESS: No. Today's deposition is the
23 last time I'm saying good-bye to you now. And you --
24 the next time I speak to you will either be to laugh at
25 you, all right, or for you to -- to watch me remotely

1 connect with you because you're in prison.

2 MR. DORDICK: All right.

3 THE WITNESS: And you will see some video file
4 of me laughing at you.

5 MR. DORDICK: Well, perhaps --

6 THE WITNESS: Because of some fucking
7 mini-series has been made about the fucking -- fucking
8 disgustingness of the fucking L.A. Superior Courthouse.

9 MR. DORDICK: So --

10 THE WITNESS: You are a fucking sham and a
11 disgrace and you belong in prison and that's where you
12 are going. You fucking disgust me. Go fuck yourself,
13 your stupid ass sister and more importantly --

14 MR. SOFOS: Alki --

15 THE WITNESS: -- your corrupt criminal fucking
16 father who ahs born bullshits like you.

17 MR. SOFOS: Alki, please. All right.

18 THE WITNESS: Fuck you, Sofos. Give me a
19 break. Don't fucking please me.

20 MR. SOFOS: Mr. Dordick, thank you for
21 having --

22 THE WITNESS: Fuck you, Dordick. Go fuck
23 yourself. Dordick, suck my dick, you piece of shit.
24 You will be in jail.

25 MR. SOFOS: Thank you, Madam --

1 THE WITNESS: You know, in other countries
2 they shoot you. In China, they fucking shoot you.

3 MR. SOFOS: Alki --

4 THE WITNESS: In Russia, they fucking shoot
5 you.

6 MR. SOFOS: Alki --

7 THE WITNESS: They fucking rape you. They
8 fucking bury you and throw away the key.

9 MR. DORDICK: I'm not hard to find.

10 THE WITNESS: You fucking lying sack of shit.

11 MR. DORDICK: I'm not hard to find.

12 THE WITNESS: You disgust me. Your father is
13 a criminal sack of shit who is going to burn.

14 MR. SOFOS: Give it a break.

15 THE WITNESS: Fucking awful people.

16 MR. DORDICK: Thank you. We can go off the
17 record.

18 THE VIDEOGRAPHER: Okay. This concludes the
19 deposition of Alkiviades David. We're going off the
20 record. The time is 12:24 p.m. pacific time.

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24 (Whereupon the deposition concluded at 12:24 p.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) SS
COUNTY OF ORANGE)

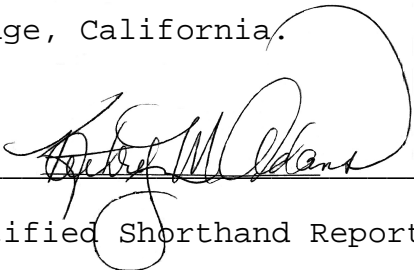
I, KATHRYN MARIE ADAMS, Certified Shorthand Reporter No. 8391, authorized to administer oaths pursuant to the California Code of Civil Procedure, Section 2093(b), do hereby certify:

That, prior to being examined, the witness named in the foregoing deposition, was by me duly sworn to testify the truth, the whole truth, and nothing but the truth.

That the deposition of the witness in this proceeding was taken down by me in stenotype at the time and place therein named and thereafter reduced to typewriting by computer-aided transcription under my direction.

I further certify that I am not interested in the event of the action.

WITNESS my hand this 15 day of March, 2024, at Orange, California.



Certified Shorthand Reporter
State of California

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SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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Attorney for Defendant, ALKIVIADES DAVID

Document received by the CA 2nd District Court of Appeal.

TAB 72

AA1054

Document received by the CA 2nd District Court of Appeal.

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FILED
Superior Court of California
County of Los Angeles

JUN 17 2024

David W. Stayton, Executive Officer/Clerk of Court
By: A. Danelian, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

JANE DOE, An Adult Individual Suing
Under Anonymity Due to Privacy and
Safety,

Plaintiff,

v.

ALKIVIADES DAVID, an Individual,
a.k.a. ALKI DAVID,

Defendant.

Case No: 20STCV37498

(Assigned to the Hon. Christopher L. Liu,
Dept. 76)

**AMENDED SPECIAL VERDICT
FORM**

07/01/2024

Document received by the CA 2nd District Court of Appeal

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We answer the questions submitted to us as follows:

COMPENSATORY DAMAGES

Question No. 1: What are Plaintiff Margerita Nicolas' total non-economic damages caused by the sexual battery and intentional infliction of emotional distress committed by Defendant ALKIVIADES DAVID?

Past and future Non-Economic Loss, including physical pain, mental suffering, loss of enjoyment of life, inconvenience, grief, anxiety, humiliation, and emotional distress:

\$ 100 million

Proceed to Question No. 2.

07/01/2024

PUNITIVE DAMAGES

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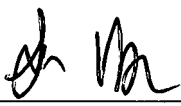
Question No. 2: Did Defendant ALKIVIADES DAVID engage in conduct with malice, oppression, or fraud?

Yes No

If you answered yes to question 2, then answer question 3. If you answered no to question 2, stop here, answer no further questions, and have the presiding juror sign and date this form.

Question No. 3: What amount of punitive damages, if any, do you award in favor of Plaintiff Margerita Nicolas and against Defendant ALKIVIADES DAVID?

\$ 800 million

Signed: 
Presiding Juror

Dated: 6/17/2024

After this verdict form has been signed, notify the clerk/bailiff that you are ready to present your verdict in the courtroom.

07/01/2024

Document received by the CA 2nd District Court of Appeal.

TAB 73

AA1058

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 17, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: A. Danelian

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Gary A. Dordick and Dustin Z. Moaven

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Jury Trial (Day 3)

Jury Trial resumes from 06/14/2024, with jurors, counsel, and parties present as heretofore.

OUTSIDE THE PRESENCE OF THE JURY AND OFF THE RECORD:

Court and counsel confer regarding the verdict form and jury instructions.

Counsel are ordered to lodge a copy of the deposition transcripts.

Plaintiff's counsel's oral motion to amend Jane Doe's name to Margarita Nicolas is heard and GRANTED.

The complaint is amended to reflect plaintiff's Jane Doe's true and correct name as Margarita Nicolas. The Court's electronic case file is amended to reflect the same.

IN THE PRESENCE OF THE JURY:

Final instructions are given to the jury.

Closing arguments are made by the plaintiff.

The Court continues to instruct the jury.

The Courtroom Assistant is sworn in to take charge of the jury and alternate juror at 11:59 a.m.

The jury is admonished and excused for the lunch recess.

Jury Trial resumes from the lunch recess, with jurors, counsel, and parties present as heretofore.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 17, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: A. Danelian

Courtroom Assistant: S. Sato

CSR: None

ERM: None

Deputy Sheriff: None

At 1:35 p.m., the jury retires into the jury room and deliberations commence.

At 2:02 p.m., the jury buzzes once with questions.

OUTSIDE THE PRESENCE OF THE JURY AND OFF THE RECORD:

At 2:17 p.m., the Court and counsel confer regarding juror questions. After conferring with counsel, the Court issues its response to the juror question as follows:

1. The names of jurors in civil cases are not published, but may be available in some circumstances. The Court will order that information concerning the names of jurors in this case will be sealed, and that any party seeking that information must file a motion to unseal the record. Affected jurors will be notified if any motion to unseal the record is made.
2. The testimony during trial about the previous awards is the only information available to you. No further evidence or information can be provided once the case has been submitted to the jury for deliberations.
3. There was no evidence at trial on this issue, and you should not consider it during your deliberations.
4. Arguments of counsel are not evidence of damages. Instruction no. 3940 provides you with the instruction on how to decide whether to award punitive damages, and if so, how much to determine the amount.

The Court orders the minute order dated 06/13/2024 sealed. A redacted version of the minute order dated 06/13/2024, minus the jury information, is available on the court's docket.

At 2:52 p.m., the jury buzzes once with a request to take a break.

At 2:53 p.m., they jury exits the courtroom for a break.

At 3:06 p.m., the jury returns to the courtroom and retires to the jury room to resume deliberation.

At 3:08 p.m., the Court responds to the jury question, sends a written response to the jury.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 17, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: A. Danelian

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

At 3:43 p.m., the jury buzz with a verdict.

At 3:44 p.m., the attorneys are notified that a verdict has been reached.

At 3:46 p.m., the attorneys enter the courtroom.

IN THE PRESENCE OF THE JURY:

At 3:48 p.m. the jury are returned into the courtroom and the following verdict is read:

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

JANE DOE, An Adult Individual Suing Under Anonymity Due to Privacy and Safety,

Plaintiff,

v.

ALKIVIADES DAVID, an Individual, a.k.a. ALKI DAVID,

Defendant. Case No: 20STCV37498

AMENDED SPECIAL VERDICT FORM

We answer the questions submitted to us as follows:

COMPENSATORY DAMAGES

Question No. 1: What are Plaintiff Margerita Nicolas' total non-economic damages caused by the sexual battery and intentional infliction of emotional distress committed by Defendant ALKIVIADES DAVID?

Past and future Non-Economic Loss, including physical pain, mental suffering, loss of enjoyment of life, inconvenience, grief, anxiety, humiliation, and emotional distress:

\$ _____ 100 million _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 17, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: A. Danelian

ERM: None

Courtroom Assistant: S. Sato

Deputy Sheriff: None

Proceed to Question No. 2.

PUNITIVE DAMAGES

Question No. 2: Did Defendant ALKIVIADES DAVID engage in conduct with malice, oppression, or fraud?

Yes No

If you answered yes to question 2, then answer question 3. If you answered no to question 2, stop here, answer no further questions, and have the presiding juror sign and date this form.

Question No. 3: What amount of punitive damages, if any, do you award in favor of Plaintiff Margerita Nicolas and against Defendant ALKIVIADES DAVID?

\$ 800 Million

Signed: _____ Presiding Juror _____ Dated: 06/17/2024
Presiding Juror

After this verdict form has been signed, notify the clerk/bailiff that you are ready to present your verdict in the courtroom.

The verdict is ordered recorded.

The reading of the verdict is waived.

Counsel waives polling the jury.

The jury is thanked, excused, and discharged.

Plaintiff agrees to waive notice of entry of judgment.

Order to Show Cause Re: Entry of Judgment is scheduled for 07/15/2024 at 08:30 AM in Department 76 at Stanley Mosk Courthouse.

Counsel for plaintiff is to give notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

June 17, 2024

10:00 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: A. Danelian

Courtroom Assistant: S. Sato

CSR: None

ERM: None

Deputy Sheriff: None



TAB 74

AA1064

Document received by the CA 2nd District Court of Appeal.

1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B# 320939
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7 E-Mail: Dustin@dordicklaw.com
8 **Attorneys for Plaintiff, JANE DOE**

9
10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

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15 JANE DOE, an Adult Individual Suing Under
16 Anonymity Due to Privacy and Safety,

17 Plaintiff,

18 vs.

19 ALKIVIADES DAVID, an Individual, a.k.a.
20 ALKI DAVID; HOLOGRAM USA, INC., a
21 California Corporation, a.k.a. HOLOGRAM
22 USA PRODUCTIONS, INC., HOLOGRAM
23 USA ENTERTAINMENT, INC.,
24 FILMON.TV, INC., FILMON.TV
25 NETWORKS, INC. and FILMON.TV LA,
26 INC.; SWISSX LABS AG, INC. a California
27 Corporation, a.k.a. SWISSX LOUNGE and
28 FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**PLAINTIFF’S FIRST AMENDED
LIST JURY INSTRUCTIONS**

Complaint Filed: September 30, 2020
FSC: May 15, 2024
Trial Date: May 28, 2024

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:

Pursuant to Section 607a of the Code of Civil Procedure and Rule 2.1055 of the California Rules of Court, the parties request that the Court give the jury the following CACI jury instructions together with other and further special instructions as may be requested.

Attached as Exhibit “1” are plaintiff’s requested CACI Jury Instructions.

Attached as Exhibit “2” is plaintiff’s requested Special Jury Instructions.

CACI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn
	PRETRIAL					
100	Preliminary Admonitions	π				
101	Overview of Trial	π				
102	Taking Notes During the Trial	π				
105	Insurance	π				
106	Evidence	π				
107	Witnesses	π				
109	Removal of Claims	π				
111	Instruction to Alternate Jurors	π				
112	Questions from Jurors	π				
113	Bias	π				
114	Bench Conferences and Conferences in Chambers	π				


1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
CACI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn																					
116	Why Electronic Communications and Research are Prohibited	π																									
	EVIDENCE																										
200	Obligation to Prove – More Likely True Than Not True	π																									
201	Highly Probable – Clear and Convincing Proof	π																									
202	Direct and Indirect Evidence	π																									
208	Deposition as Substantive Evidence	π																									
209	Use of Interrogatories of a Party	π																									
210	Requests for Admissions	π																									
212	Statements of a Party Opponent	π																									
219	Expert Witness Testimony	π																									
	DAMAGES																										
3901	Introduction to Tort Damages – Liability Established	π																									
3925	Arguments of Counsel Not Evidence of Damages	π																									
3932	Life Expectancy	π																									
3934	Damages on Multiple Legal Theories	π																									
3940	Punitive Damages – Individual Defendant – Trial Not Bifurcated	π																									

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CACI NO.	Title	Offered By	Given As Proposed	Given As Modified	Refused	Withdrawn																					
3964	Jurors Not to Consider Attorney Fees and Court Costs	π																									
	CONCLUDING INSTRUCTIONS																										
5000	Duties of the Judge and Jury	π																									
5001	Insurance	π																									
5002	Evidence	π																									
5003	Witnesses	π																									
5009	Pre-deliberation Instructions	π																									
5010	Taking Notes During the Trial	π																									
5012	Introduction to Special Verdict Form	π																									
5013	Deadlocked Jury Admonition	π																									
5014	Substitution of Alternative Juror	π																									
5015	Instruction to Alternate Jurors on Submission of Case to Jury	π																									
5017	Polling the Jury	π																									
5019	Questions from Jurors	π																									
5020	Demonstrative Evidence	π																									
5021	Electronic Evidence	π																									

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9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32
5090	Final Instruction on Discharge of Jury	π					
	SPECIAL JURY INSTRUCTIONS						
1	Established Evidence	π					
2	Sexual Battery	π					
3	Intentional Infliction of Emotional Distress	π					

DATED: June 15, 2024

DORDICK LAW CORPORATION

By: 
 Gary A. Dordick, Esq.
 Dustin Z. Moaven, Esq.
 Attorneys for Plaintiff, JANE DOE

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EXHIBIT 1

100 PRELIMINARY ADMONITIONS

You have now been sworn as jurors in this case. I want to impress on you the seriousness and importance of serving on a jury. Trial by jury is a fundamental right in California. The parties have a right to a jury that is selected fairly, that comes to the case without bias, and that will attempt to reach a verdict based on the evidence presented. Before we begin, I need to explain how you must conduct yourselves during the trial.

Do not allow anything that happens outside this courtroom to affect your decision. During the trial do not talk about this case or the people involved in it with anyone, including family and persons living in your household, friends and coworkers, spiritual leaders, advisors, or therapists. You may say you are on a jury and how long the trial may take, but that is all. You must not even talk about the case with the other jurors until after I tell you that it is time for you to decide the case.

This prohibition is not limited to face-to-face conversations. It also extends to all forms of electronic communications. Do not use any electronic device or media, such as a cell phone or smart phone, PDA, computer, the Internet, any Internet service, any text or instant-messaging service, any Internet chat room, blog, or website, including social networking websites or online diaries, to send or receive any information to or from anyone about this case or your experience as a juror until after you have been discharged from your jury duty.

During the trial you must not listen to anyone else talk about the case or the people involved in the case. You must avoid any contact with the parties, the lawyers, the witnesses, and anyone else who may have a connection to the case. If anyone tries to talk to you about this case, tell that person that you cannot discuss it because you are a juror. If that person keeps talking to you, simply walk away and report the incident to the court bailiff as soon as you can.

After the trial is over and I have released you from jury duty, you may discuss the case with anyone, but you are not required to do so.

During the trial, do not read, listen to, or watch any news reports about this case. I have no information that there will be news reports concerning this case. This prohibition extends to the use of the Internet in any way, including reading any blog about the case or about anyone involved with it. If you receive any information about this case from any source outside of the courtroom, promptly report it to the court bailiff. It is important that all jurors see and hear the same evidence at the same time.

Do not do any research on your own or as a group. Do not use dictionaries, the Internet, or other reference materials. Do not investigate the case or conduct any experiments. Do not contact anyone to assist you, such as a family accountant, doctor, or lawyer. Do not visit or view the scene of any event involved in this case or use any Internet maps or mapping programs or any other program or device to search for or to view any place discussed in the testimony. If you happen to pass by the scene, do not stop or investigate. If you do need to view the scene during the trial, you will be taken there as a group under proper supervision.

If you violate any of these prohibitions on communications and research, including prohibitions on electronic communications and research, you may be held in contempt of court or face other sanctions. That means that you may have to serve time in jail, pay a fine, or face other punishment for that violation.

It is important that you keep an open mind throughout this trial. Evidence can only be presented a piece at a time. Do not form or express an opinion about this case while the trial is going on. You must not decide on a verdict until after you have heard all the evidence and have discussed it thoroughly with your fellow jurors in your deliberations.

Do not concern yourselves with the reasons for the rulings I will make during the course of the trial. Do not guess what I may think your verdict should be from anything I might say or do.

When you begin your deliberations, you may discuss the case only in the jury room and only when all the jurors are present.

You must decide what the facts are in this case. Do not let bias, sympathy, prejudice, or public opinion influence your verdict.

At the end of the trial, I will explain the law that you must follow to reach your verdict. You must follow the law as I explain it to you, even if you do not agree with the law.

101 OVERVIEW OF TRIAL

To assist you in your tasks as jurors, I will now explain how the trial will proceed. I will begin by identifying the parties to the case. Jane Doe filed this lawsuit. She is called a plaintiff. She seeks damages from Alkiviades David, who is called a defendant.

This lawsuit arises from the sexual harassment, sexual assault, and rape committed by Defendant ALKIVIADES DAVID against his then-employee, Plaintiff JANE DOE, as well as the wrongful, discriminatory, and retaliatory termination of Plaintiff JANE DOE's employment by Defendant ALKIVIADES DAVID and his various companies.

The Defendants' liability for the rape, sexual assault, sexual harassment, and retaliation have already been established. This case is proceeding to jury trial for you to determine what amount of damages, including compensatory damages and punitive damages, Plaintiff Jane Doe is entitled as a result of the Defendants' aforementioned conduct.

First, each side may make an opening statement, but neither side is required to do so. An opening statement is not evidence. It is simply an outline to help you understand what that party expects the evidence will show. Also, because it is often difficult to give you the evidence in the order we would prefer, the opening statement allows you to keep an overview of the case in mind during the presentation of the evidence.

Next, the jury will hear the evidence. Jane Doe will present evidence first. When Jane Doe is finished, the Defendant, if present in court, will have an opportunity to present evidence.

Each witness will first be questioned by the side that asked the witness to testify. This is called direct examination. Then the other side is permitted to question the witness. This is called cross-examination.

Documents or objects referred to during the trial are called exhibits. Exhibits are given a

letter so that they may be clearly identified. Exhibits are not evidence until I admit them into evidence. During your deliberations, you will be able to look at all exhibits admitted into evidence. There are many rules that govern whether something will be admitted into evidence. As one side presents evidence, the other side has the right to object and to ask me to decide if the evidence is permitted by the rules. Usually, I will decide immediately, but sometimes I may have to hear arguments outside of your presence.

After the evidence has been presented, I will instruct you on the law that applies to the case and the attorneys will make closing arguments. What the parties say in closing argument is not evidence. The arguments are offered to help you understand the evidence and how the law applies to it.

102 TAKING NOTES DURING THE TRIAL

You have been given notebooks and may take notes during the trial. Do not take the notebooks out of the courtroom or jury room at any time during the trial. You may take your notes into the jury room during deliberations.

You should use your notes only to remind yourself of what happened during the trial. Do not let your note-taking interfere with your ability to listen carefully to all the testimony and to watch the witnesses as they testify. Nor should you allow your impression of a witness or other evidence to be influenced by whether or not other jurors are taking notes. Your independent recollection of the evidence should govern your verdict, and you should not allow yourself to be influenced by the notes of other jurors if those notes differ from what you remember.

At the end of the trial, your notes will be collected and destroyed.

105 INSURANCE

You must not consider whether any of the parties in this case has insurance. The presence or absence of insurance is totally irrelevant. You must decide this case based only on the law and the evidence.

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106 EVIDENCE

You must decide what the facts are in this case only from the evidence you see or hear during the trial. Sworn testimony, documents, or anything else may be admitted into evidence. You may not consider as evidence anything that you see or hear when court is not in session, even something done or said by one of the parties, attorneys, or witnesses.

What the attorneys say during the trial is not evidence. In their opening statements and closing arguments, the attorneys will talk to you about the law and the evidence. What the lawyers say may help you understand the law and the evidence, but their statements and arguments are not evidence.

The attorneys' questions are not evidence. Only the witnesses' answers are evidence. You should not think that something is true just because an attorney's question suggests that it is true. However, the attorneys for both sides can agree that certain facts are true. This agreement is called a "stipulation." No other proof is needed and you must accept those facts as true in this trial.

Each side has the right to object to evidence offered by the other side. If I do not agree with the objection, I will say it is overruled. If I overrule an objection, the witness will answer and you may consider the evidence. If I agree with the objection, I will say it is sustained. If I sustain an objection, you must ignore the question. If the witness did not answer, you must not guess what that witness might have said or why I sustained the objection. If the witness has already answered, you must ignore the answer.

An attorney may make a motion to strike testimony that you have heard. If I grant the motion, you must totally disregard that testimony. You must treat it as though it did not exist.

107 WITNESSES

A witness is a person who has knowledge related to this case. You will have to decide whether you believe each witness and how important each witness's testimony is to the case. You may believe all, part, or none of a witness's testimony.

In deciding whether to believe a witness's testimony, you may consider, among other factors, the following:

- (a) How well did the witness see, hear, or otherwise sense what the witness described in court?
- (b) How well did the witness remember and describe what happened?
- (c) How did the witness look, act, and speak while testifying?
- (d) Did the witness have any reason to say something that was not true? For example, did the witness show any bias or prejudice or have a personal relationship with any of the parties involved in the case or have a personal stake in how this case is decided?
- (e) What was the witness's attitude toward this case or about giving testimony?

Sometimes a witness may say something that is not consistent with something else the witness said. Sometimes different witnesses will give different versions of what happened.

People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do not decide that testimony is untrue just because it differs from other testimony.

However, if you decide that a witness did not tell the truth about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness did not tell the truth about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

Do not make any decision simply because there were more witnesses on one side than on the other. If you believe it is true, the testimony of a single witness is enough to prove a fact.

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109 REMOVAL OF CLAIMS

JANE DOE's claims for Assault, False Imprisonment, Violations of the Ralph Civil Rights Act, Violations of the Bane Civil Rights Act, Sexual Harassment, Sex/Gender Discrimination, Retaliation, Failure to Prevent, and Wrongful and/or Constructive Discharge are no longer an issue in this case.

Do not speculate as to why these claims are no longer involved in this case. You should not consider this during your deliberations.

111 INSTRUCTION TO ALTERNATE JURORS

As alternate juror, you are bound by the same rules that govern the conduct of the jurors who are sitting on the panel. You will observe the same trial and should pay attention to all of my instructions just as if you were sitting on the panel. Sometimes a juror needs to be excused during a trial for illness or some other reason. If that happens, an alternate will be selected to take that juror's place.

112 QUESTIONS FROM JURORS

If, during the trial, you have a question that you believe should be asked of a witness, you may write out the question and send it to me through my courtroom staff. I will share your question with the attorneys and decide whether it may be asked.

Do not feel disappointed if your question is not asked. Your question may not be asked for a variety of reasons. For example, the question may call for an answer that is not allowed for legal reasons. Also, you should not try to guess the reason why a question is not asked or speculate about what the answer might have been. Because the decision whether to allow the question is mine alone, do not hold it against any of the attorneys or their clients if your question is not asked.

Remember that you are not an advocate for one side or the other. Each of you is an impartial judge of the facts. Your questions should be posed in as neutral a fashion as possible. Do not discuss any question asked by any juror with any other juror until after deliberations begin.

113 BIAS

Each one of us has biases about or certain perceptions or stereotypes of other people.

Bias is a tendency to favor or disfavor a person or group of people. We may be aware of some of our biases, though we may not reveal them to others. We may not be fully aware of some of our other biases. We refer to biases that we are not fully aware of as "implicit" or "unconscious." They may be based on stereotypes we would reject if they were brought to our attention. Implicit or unconscious biases can affect how we perceive others and how we make decisions, without our being aware of the effect of these biases on those decisions.

Our biases often affect how we act, favorably or unfavorably, toward someone. Bias can affect our thoughts, how we remember, what we see and hear, and whom we believe or disbelieve. We may favor or be more likely to believe people whom we see as similar to us or with whom we identify. Or we may disfavor or be less likely to believe people whom we see as different from us.

As jurors you are being asked to make very important decisions in this case. You must not let bias, prejudice, or public opinion influence your decision. You must not be biased in favor of or against parties or witnesses because of their race, national origin, ethnicity, disability, gender, gender identity, gender expression, religion, sexual orientation, age, or socioeconomic status.

Your verdict must be based solely on the evidence presented. You must carefully evaluate the evidence and resist any urge to reach a verdict that is influenced by bias for or against any party or witness.

114 BENCH CONFERENCES AND CONFERENCES IN CHAMBERS

From time to time during the trial, it may become necessary for me to talk with the attorneys out of the hearing of the jury, either by having a conference at the bench when the jury is present in the courtroom, or by calling a recess to discuss matters outside of your presence. The purpose of these conferences is not to keep relevant information from you, but to decide how certain evidence is to be treated under the rules of evidence. Do not be concerned about our discussions or try to guess what is being said.

I may not always grant an attorney's request for a conference. Do not consider my granting or denying a request for a conference as any indication of my opinion of the case or the evidence.

116 WHY ELECTRONIC COMMUNICATIONS AND RESEARCH ARE PROHIBITED

I know that many of us are used to communicating and perhaps even learning by electronic communications and research. However, there are good reasons why you must not electronically communicate or do any research on anything having to do with this trial or the parties.

In court, jurors must make important decisions that have consequences for the parties. Those decisions must be based only on the evidence that you hear in this courtroom.

The evidence that is presented in court can be tested; it can be shown to be right or wrong by either side; it can be questioned; and it can be contradicted by other evidence. What you might read or hear on your own could easily be wrong, out of date, or inapplicable to this case.

The parties can receive a fair trial only if the facts and information on which you base your decisions are presented to you as a group, with each juror having the same opportunity to see, hear, and evaluate the evidence.

Also, a trial is a public process that depends on disclosure in the courtroom of facts and evidence. Using information gathered in secret by one or more jurors undermines the public process and violates the rights of the parties.

200 OBLIGATION TO PROVE - MORE LIKELY TRUE THAN NOT TRUE

The parties must persuade you, by the evidence presented in court, that what they are required to prove is more likely to be true than not true. This is referred to as "the burden of proof."

After weighing all of the evidence, if you cannot decide that something is more likely to be true than not true, you must conclude that the party did not prove it. You should consider all the evidence, no matter which party produced the evidence.

In criminal trials, the prosecution must prove that the defendant is guilty beyond a reasonable doubt. But in civil trials, such as this one, the party who is required to prove something need prove only that it is more likely to be true than not true.

201 HIGHLY PROBABLE - CLEAR AND CONVINCING PROOF

Certain facts must be proved by clear and convincing evidence, which is a higher burden of proof. This means the party must persuade you that it is highly probable that the fact is true. I will tell you specifically which facts must be proved by clear and convincing evidence.

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202 DIRECT AND INDIRECT EVIDENCE

Evidence can come in many forms. It can be testimony about what someone saw or heard or smelled. It can be an exhibit admitted into evidence. It can be someone's opinion.

Direct evidence can prove a fact by itself. For example, if a witness testifies she saw a jet plane flying across the sky, that testimony is direct evidence that a plane flew across the sky. Some evidence proves a fact indirectly. For example, a witness testifies that he saw only the white trail that jet planes often leave. This indirect evidence is sometimes referred to as "circumstantial evidence." In either instance, the witness's testimony is evidence that a jet plane flew across the sky.

As far as the law is concerned, it makes no difference whether evidence is direct or indirect. You may choose to believe or disbelieve either kind. Whether it is direct or indirect, you should give every piece of evidence whatever weight you think it deserves.

208 DEPOSITION AS SUBSTANTIVE EVIDENCE

During the trial, you received deposition testimony that was read from the deposition. A deposition is the testimony of a person taken before trial. At a deposition the person is sworn to tell the truth and is questioned by the attorneys. You must consider the deposition testimony that was presented to you in the same way as you consider testimony given in court.

209 USE OF INTERROGATORIES OF A PARTY

Before trial, each party has the right to ask the other parties to answer written questions. These questions are called interrogatories. The answers are also in writing and are given under oath. You must consider the questions and answers that were read to you the same as if the questions and answers had been given in court.

210 REQUESTS FOR ADMISSION

Before trial, each party has the right to ask another party to admit in writing that certain matters are true. If the other party admits those matters, you must accept them as true. No further evidence is required to prove them.

However, these matters must be considered true only as they apply to the party who admitted they were true.

212 STATEMENTS OF A PARTY OPPONENT

A party may offer into evidence any oral or written statement made by an opposing party outside the courtroom. When you evaluate evidence of such a statement, you must consider these questions:

1. Do you believe that the party actually made the statement? If you do not believe that the party made the statement, you may not consider the statement at all.
2. If you believe that the statement was made, do you believe it was reported accurately?

You should view testimony about an oral statement made by a party outside the courtroom with caution.

219 Expert Witness Testimony

During the trial you heard testimony from expert witnesses. The law allows an expert to state opinions about matters in the expert's field of expertise even if the expert has not witnessed any of the events involved in the trial.

You do not have to accept an expert's opinion. As with any other witness, it is up to you to decide whether you believe the expert's testimony and choose to use it as a basis for your decision. You may believe all, part, or none of an expert's testimony. In deciding whether to believe an expert's testimony, you should consider:

- a. The expert's training and experience;
- b. The facts the expert relied on; and
- c. The reasons for the expert's opinion.

3901 INTRODUCTION TO TORT DAMAGES - LIABILITY ESTABLISHED

If you decide that Jane Doe was harmed and that the conduct of Alkiviades David was a substantial factor in causing the harm, you also must decide how much money will reasonably compensate Jane Doe for the harm. This compensation is called "damages."

The amount of damages must include an award for each item of harm that was caused by the wrongful conduct of Alkiviades David, even if the particular harm could not have been anticipated.

Jane Doe does not have to prove the exact amount of damages that will provide reasonable compensation for the harm. However, you must not speculate or guess in awarding damages.

The following are the specific items of damages claimed by Jane Doe:

PHYSICAL PAIN, MENTAL SUFFERING, AND EMOTIONAL DISTRESS (NONECONOMIC DAMAGE)

A. Past and future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress.

No fixed standard exists for deciding the amount of these noneconomic damages. You must use your judgment to decide a reasonable amount based on the evidence and your common sense.

To recover for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, Jane Doe must prove that she is reasonably certain to suffer that harm.

For future physical pain, mental suffering, loss of enjoyment of life, disfigurement,

physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, determine the amount in current dollars paid at the time of judgment that will compensate Jane Doe for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress. This amount of noneconomic damages should not be further reduced to present cash value because that reduction should only be performed with respect to economic damages.

3925 ARGUMENTS OF COUNSEL NOT EVIDENCE OF DAMAGES

The arguments of the attorneys are not evidence of damages. Your award must be based on your reasoned judgment applied to the testimony of the witnesses and the other evidence that has been admitted during trial.

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3932 LIFE EXPECTANCY

If you decide Jane Doe has suffered damages that will continue for the rest of her life, you must determine how long she will probably live. According to the Centers for Disease Control and Prevention, a thirty-seven-year-old female is expected to live another forty-three years. This is the average life expectancy. Some people live longer and others die sooner.

This published information is evidence of how long a person is likely to live but is not conclusive. In deciding a person's life expectancy, you should also consider, among other factors, that person's health, habits, activities, lifestyle, and occupation.

3934 DAMAGES ON MULTIPLE LEGAL THEORIES

Jane Doe seeks damages from Alkiviades David under more than one legal theory. However, each item of damages may be awarded only once, regardless of the number of legal theories alleged.

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**3940 PUNITIVE DAMAGES - INDIVIDUAL DEFENDANT - TRIAL
NOT BIFURCATED**

If you decide that Alkiviades David's conduct caused Jane Doe harm, you must decide whether that conduct justifies an award of punitive damages. The purposes of punitive damages are to punish a wrongdoer for the conduct that harmed the plaintiff and to discourage similar conduct in the future.

You may award punitive damages only if Jane Doe proves by clear and convincing evidence that Alkiviades David engaged in that conduct with malice, oppression, or fraud.

"Malice" means that Alkiviades David acted with intent to cause injury or that Alkiviades David's conduct was despicable and was done with a willful and knowing disregard of the rights or safety of another. A person acts with knowing disregard when the person is aware of the probable dangerous consequences of the person's conduct and deliberately fails to avoid those consequences.

"Oppression" means that Alkiviades David's conduct was despicable and subjected Jane Doe to cruel and unjust hardship in knowing disregard of her rights.

"Despicable conduct" is conduct that is so vile, base, or contemptible that it would be looked down on and despised by reasonable people.

"Fraud" means that Alkiviades David intentionally misrepresented or concealed a material fact and did so intending to harm Jane Doe.

There is no fixed formula for determining the amount of punitive damages, and you are not required to award any punitive damages. If you decide to award punitive damages, you should consider all of the following factors in determining the amount:

(a) How reprehensible was Alkiviades David's conduct? In deciding how reprehensible Alkiviades David's conduct was, you may consider, among other factors:

1. Whether the conduct caused physical harm;
2. Whether Alkiviades David disregarded the health or safety of others;
3. Whether Jane Doe was financially weak or vulnerable and Alkiviades David knew Jane Doe was financially weak or vulnerable and took advantage of her;
4. Whether Alkiviades David's conduct involved a pattern or practice; and

5. Whether Alkiviades David acted with trickery or deceit.
- (b) Is there a reasonable relationship between the amount of punitive damages and Jane Doe's harm or between the amount of punitive damages and potential harm to Jane Doe that Alkiviades David knew was likely to occur because of conduct?
- (c) In view of Alkiviades David's failure to produce documentation regarding his financial condition, what amount is necessary to punish and discourage future wrongful conduct?

3964 JURORS NOT TO CONSIDER ATTORNEY FEES AND COURT COSTS

You must not consider, or include as part of any award, attorney fees or expenses that the parties incurred in bringing or defending this lawsuit.

Document received by the CA 2nd District Court of Appeal.

5000 DUTIES OF THE JUDGE AND JURY

Members of the jury, you have now heard all the evidence. The attorneys will have one last chance to talk to you in closing argument. But before they do, it is my duty to instruct you on the law that applies to this case. You must follow these instructions. You will have a copy of my instructions with you when you go to the jury room to deliberate. I have provided each of you with your own copy of the instructions.

You must decide what the facts are. You must consider all the evidence and then decide what you think happened. You must decide the facts based on the evidence admitted in this trial.

Do not allow anything that happens outside this courtroom to affect your decision. Do not talk about this case or the people involved in it with anyone, including family and persons living in your household, friends and coworkers, spiritual leaders, advisors, or therapists. Do not do any research on your own or as a group. Do not use dictionaries or other reference materials.

These prohibitions on communications and research extend to all forms of electronic communications. Do not use any electronic devices or media, such as a cell phone or smart phone, PDA, computer, tablet device, the Internet, any Internet service, any text or instant-messaging service, any Internet chat room, blog, or website, including social networking websites or online diaries, to send or receive any information to or from anyone about this case or your experience as a juror until after you have been discharged from your jury duty.

Do not investigate the case or conduct any experiments. Do not contact anyone to assist you, such as a family accountant, doctor, or lawyer. Do not visit or view the scene of any event involved in this case. If you happen to pass by the scene, do not stop or investigate. All jurors must see or hear the same evidence at the same time. You must not let bias, sympathy, prejudice, or public opinion influence your decision.

If you violate any of these prohibitions on communications and research, including prohibitions on electronic communications and research, you may be held in contempt of court or face other sanctions. That means that you may have to serve time in jail, pay a fine, or face other punishment for that violation.

I will now tell you the law that you must follow to reach your verdict. You must follow the law exactly as I give it to you, even if you disagree with it. If the attorneys say anything different about what the law means, you must follow what I say.

In reaching your verdict, do not guess what I think your verdict should be from something I may have said or done.

Pay careful attention to all the instructions that I give you. All the instructions are important because together they state the law that you will use in this case. You must consider all of the instructions together.

After you have decided what the facts are, you may find that some instructions do not apply. In that case, follow the instructions that do apply and use them together with the facts to reach your verdict.

If I repeat any ideas or rules of law during my instructions, that does not mean that these ideas or rules are more important than the others. In addition, the order in which the instructions are given does not make any difference.

5001. INSURANCE

You must not consider whether any of the parties in this case has insurance. The presence or absence of insurance is totally irrelevant. You must decide this case based only on the law and the evidence.

5002 EVIDENCE

You must decide what the facts are in this case only from the evidence you have seen or heard during the trial, including any exhibits that I admit into evidence. Sworn testimony, documents or anything else may be admitted into evidence. You may not consider as evidence anything that you saw or heard when court was not in session, even something done or said by one of the parties, attorneys, or witnesses.

What the attorneys say during the trial is not evidence. In their opening statements and closing arguments, the attorneys talk to you about the law and the evidence. What the lawyers say may help you understand the law and the evidence, but their statements and arguments are not evidence.

The attorneys' questions are not evidence. Only the witnesses' answers are evidence. You should not think that something is true just because an attorney's question suggested that it was true. However, the attorneys for both sides have agreed that certain facts are true. This agreement is called a stipulation. No other proof is needed and you must accept those facts as true in this trial.

Each side had the right to object to evidence offered by the other side. If I sustained an objection to a question, ignore the question and do not guess as to why I sustained the objection. If the witness did not answer, you must not guess what he or she might have said. If the witness already answered, you must ignore the answer.

5003 WITNESSES

A witness is a person who has knowledge related to this case. You will have to decide whether you believe each witness and how important each witness's testimony is to the case. You may believe all, part, or none of a witness's testimony.

In deciding whether to believe a witness's testimony, you may consider, among other factors, the following:

- (a) How well did the witness see, hear, or otherwise sense what the witness described in court?
- (b) How well did the witness remember and describe what happened?
- (c) How did the witness look, act, and speak while testifying?
- (d) Did the witness have any reason to say something that was not true? For example, did the witness show any bias or prejudice or have a personal relationship with any of the parties involved in the case or have a personal stake in how this case is decided?
- (e) What was the witness's attitude toward this case or about giving testimony?

Sometimes a witness may say something that is not consistent with something else the witness said. Sometimes different witnesses will give different versions of what happened.

People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do not decide that testimony is untrue just because it differs from other testimony.

However, if you decide that a witness did not tell the truth about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness did not tell the truth about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

Do not make any decision simply because there were more witnesses on one side than on the other. If you believe it is true, the testimony of a single witness is enough to prove a fact.

You must not be biased in favor of or against any witness because of the witness's disability, gender, race, religion, ethnicity, sexual orientation, age, national origin, or socioeconomic status.

5009 PREDELIBERATION INSTRUCTIONS

When you go to the jury room, the first thing you should do is choose a presiding juror. The presiding juror should see to it that your discussions are orderly and that everyone has a fair chance to be heard.

It is your duty to talk with one another in the jury room and to consider the views of all the jurors. Each of you must decide the case for yourself, but only after you have considered the evidence with the other members of the jury. Feel free to change your mind if you are convinced that your position should be different. You should all try to agree. But do not give up your honest beliefs just because the others think differently.

Please do not state your opinions too strongly at the beginning of your deliberations or immediately announce how you plan to vote as it may interfere with an open discussion. Keep an open mind so that you and your fellow jurors can easily share ideas about the case.

You should use your common sense and experience in deciding whether testimony is true and accurate. However, during your deliberations, do not make any statements or provide any information to other jurors based on any special training or unique personal experiences that you may have had related to matters involved in this case. What you may know or have learned through your training or experience is not a part of the evidence received in this case.

Sometimes jurors disagree or have questions about the evidence or about what the witnesses said in their testimony. If that happens, you may ask to have testimony read back to you or ask to see any exhibits admitted into evidence that have not already been provided to you. Also, jurors may need further explanation about the laws that apply to the case. If this happens during your discussions, write down your questions and give them to the bailiff. I will talk with the attorneys before I answer so it may take some time. You should continue your deliberations while

you wait for my answer. I will do my best to answer them. When you write me a note, do not tell me how you voted on an issue until I ask for this information in open court.

Your decision must be based on your personal evaluation of the evidence presented in the case. Each of you may be asked in open court how you voted on each question.

While I know you would not do this, I am required to advise you that you must not base your decision on chance, such as a flip of a coin. If you decide to award damages, you may not agree in advance to simply add up the amounts each juror thinks is right and then, without further deliberations, make the average your verdict.

You may take breaks, but do not discuss this case with anyone, including each other, until all of you are back in the jury room.

5010 TAKING NOTES DURING THE TRIAL

If you have taken notes during the trial, you may take your notebooks with you into the jury room.

You may use your notes only to help you remember what happened during the trial. Your independent recollection of the evidence should govern your verdict. You should not allow yourself to be influenced by the notes of other jurors if those notes differ from what you remember.

At the end of the trial, your notes will be collected and destroyed.

5012 INTRODUCTION TO SPECIAL VERDICT FORM

I will give you a verdict form with questions you must answer. I have already instructed you on the law that you are to use in answering these questions. You must follow my instructions and the form carefully. You must consider each question separately. Although you may discuss the evidence and the issues to be decided in any order, you must answer the questions on the verdict form in the order they appear. After you answer a question, the form tells you what to do next.

At least 9 of you must agree on an answer before you can move on to the next question. However, the same 9 or more people do not have to agree on each answer.

All 12 of you must deliberate on and answer each question regardless of how you voted on any earlier question. Unless the verdict form tells all 12 jurors to stop and answer no further questions, every juror must deliberate and vote on all of the remaining questions.

When you have finished filling out the form, your presiding juror must write the date and sign it at the bottom and then notify the bailiff that you are ready to present your verdict in the courtroom.

5013 DEADLOCKED JURY ADMONITION

You should reach a verdict if you reasonably can. You have spent time trying to reach a verdict and this case is important to the parties so that they can move on with their lives with this matter resolved.

If you are unable to reach a verdict, the case will have to be tried before another jury selected in the same manner and from the same community from which you were chosen and at additional cost to everyone.

Please carefully consider the opinions of all the jurors, including those with whom you disagree. Keep an open mind and feel free to change your opinion if you become convinced that it is wrong.

You should not, however, surrender your beliefs concerning the truth and the weight of the evidence. Each of you must decide the case for yourself and not merely go along with the conclusions of your fellow jurors.

Document received by the CA 2nd District Court of Appeal.

5014 SUBSTITUTION OF ALTERNATE JUROR

One of your fellow jurors has been excused and an alternate juror has been selected to join the jury. Do not consider this substitution for any purpose.

The alternate juror must participate fully in the deliberations that lead to any verdict. The parties have the right to a verdict reached only after full participation of the jurors whose votes determine that verdict. This right will only be assured if you begin your deliberations again, from the beginning. Therefore, you must set aside and disregard all past deliberations and begin your deliberations all over again. Each of you must disregard the earlier deliberations and decide this case as if those earlier deliberations had not taken place.

Now, please return to the jury room and start your deliberations from the beginning.

Document received by the CA 2nd District Court of Appeal.

**5015 INSTRUCTION TO ALTERNATE JURORS ON SUBMISSION OF CASE TO
JURY**

The jury is deliberating, but you are still alternate jurors and are bound by my earlier instructions about your conduct.

Until the jury is discharged, do not talk about the case or about any of the people or any subject involved in it with anyone, not even your family or friends. Do not have any contact with the deliberating jurors. Do not decide how you would vote if you were deliberating. Do not form or express an opinion about the issues in this case, unless you are substituted for one of the deliberating jurors

5017 POLLING THE JURY

After your verdict is read in open court, you may be asked individually to indicate whether the verdict expresses your personal vote. This is referred to as "polling" the jury and is done to ensure that at least nine jurors have agreed to each decision.

The verdict form that you will receive asks you to answer several questions. You must vote separately on each question. Although nine or more jurors must agree on each answer, it does not have to be the same nine for each answer. Therefore, it is important for each of you to remember how you have voted on each question so that if the jury is polled, each of you will be able to answer accurately about how you voted.

Each of you will be provided a draft copy of the verdict form for your use in keeping track of your votes.

5019 QUESTIONS FROM JURORS

If, during the trial, any of you had a question that you believed should be asked of a witness, you were instructed to write out the question and provide it to me through my courtroom staff. I shared your questions with the attorneys, after which, I decided whether the question could be asked.

If a question was asked and answered, you are to consider the answer as you would any other evidence received in the trial. Do not give the answer any greater or lesser weight because it was initiated by a juror question.

If the question was not asked, do not speculate as to what the answer might have been or why it was not asked. There are many legal reasons why a suggested question cannot be asked of a witness. Give the question no further consideration.

Document received by the CA 2nd District Court of Appeal.

5020 DEMONSTRATIVE EVIDENCE

During the trial, materials have been shown to you to help explain testimony or other evidence in the case. Some of these materials have been admitted into evidence, and you will be able to review them during your deliberations.

Other materials have also been shown to you during the trial, but they have not been admitted into evidence. You will not be able to review them during your deliberations because they are not themselves evidence or proof of any facts. You may, however, consider the testimony given in connection with those materials.

5021 ELECTRONIC EVIDENCE

Some exhibits that have been admitted into evidence will be provided to you electronically. The equipment necessary to view these exhibits will be available to you in the jury room. Do not use the equipment for any purpose other than to view the electronic exhibits. Do not use it to access the Internet or any other source of information. Do not use it for any personal reason whatsoever, including but not limited to reviewing email, entertainment, or engaging in social media.

If you need technical assistance or additional equipment or supplies, you may make a request by sending me a note through the clerk/bailiff/court attendant. Should it become necessary for a technician to enter the jury room, stop your deliberations until the technician has left. Do not discuss with him or her, or with each other, any exhibit or any aspect of the case while the technician is present. Do not say anything to the technician other than to (1) describe the technical problem(s) and/or to (2) request instruction on how to operate the equipment.

You may request a paper copy of an exhibit received in evidence. One will be supplied, if possible.

5090 FINAL INSTRUCTION ON DISCHARGE OF JURY

Members of the jury, this completes your duties in this case. On behalf of the parties and their attorneys, thank you for your time and your service. It can be a great personal sacrifice to serve as a juror, but by doing so you are fulfilling an extremely important role in California's system of justice. Each of us has the right to a trial by jury, but that right would mean little unless citizens such as each of you are willing to serve when called to do so. You have been attentive and conscientious during the trial, and I am grateful for your dedication.

Throughout the trial, I continued to admonish you that you could not discuss the facts of the case with anyone other than your fellow jurors and then only during deliberations when all twelve jurors were present. I am now relieving you from that restriction, but I have another admonition.

You now have the absolute right to discuss or not to discuss your deliberations and verdict with anyone, including members of the media. It is appropriate for the parties, their attorneys or representatives to ask you to discuss the case, but any such discussion may occur only with your consent and only if the discussion is at a reasonable time and place. You should immediately report any unreasonable contact to the court.

If you do choose to discuss the case with anyone, feel free to discuss it from your own perspective, but be respectful of the other jurors and their views and feelings.

Thank you for your time and your service; you are discharged.

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EXHIBIT 2

SPECIAL JURY INSTRUCTION No. 1 – Established Evidence

The following evidence has been established to be true and you must accept it as true with no further testimony or evidence:

- 1) Defendant Alkiviades David attempted to kiss Plaintiff Jane Doe on her mouth, without her consent during a purported work meeting in Greece in or around August 2016.
- 2) Defendant Alkiviades David raped Plaintiff Jane Doe on April 21, 2019.
- 3) Defendant Alkiviades David used physical force, intimidation, and threats to have forcible, non-consensual, vaginal intercourse with Plaintiff Jane Doe on April 21, 2019.
- 4) Plaintiff Jane Doe never consented to having sexual intercourse with Defendant Alkiviades David.
- 5) On April 21, 2019, Plaintiff Jane Doe resisted all of Defendant Alkiviades David's attempts to have sexual intercourse, including but not limited to repeatedly yelling "No!" and expressly telling Defendant Alkiviades David to "STOP".
- 6) Defendant Alkiviades David pinned Plaintiff Jane Doe against a wall and covered her mouth with his hands when he raped her on April 21, 2019.
- 7) Defendant Alkiviades David raped Elizabeth Taylor, a former account executive who worked for one of his businesses.
- 8) Defendant Alkiviades David raped Mahim Khan.
- 9) Defendant Alkiviades David thrust his pelvis into Mahim Khan's face and simulated oral sex with her at the workplace in 2014.
- 10) Defendant Alkiviades David had sexual relations with Mahim Khan against her will.
- 11) Defendant Alkiviades David groped and sexually harassed Mahim Khan in 2014 and in 2015.
- 12) Defendant Alkiviades David fired more than one of his employees after she refused to have sex with him.
- 13) Defendant Alkiviades David had sexual relations with Chasity Jones against her will and without her consent.

- 14) In 2016, Defendant Alkiviades David grabbed Lauren Reeves' throat, shoved her chair into a wall, and told her that he needed to buy supplies for his "rape room".
- 15) Defendant Alkiviades David wrote an article published on TVMix.com on June 8, 2022, where he intentionally revealed Plaintiff Jane Doe's name.
- 16) Defendant Alkiviades David revealed Plaintiff Jane Doe's name in a TVMix.com article to intentionally interfere with Plaintiff's right to a fair jury trial.
- 17) Plaintiff Jane Doe never consented to any sexual relationships with Defendant Alkiviades David.
- 18) Defendant Alkiviades David acted with reckless disregard of the probability that Plaintiff Jane Doe would suffer emotional distress when Defendant Alkiviades David's unsolicited sexual activity occurred.
- 19) Plaintiff Jane Doe suffered severe emotional distress as a result of Defendant Alkiviades David's unwanted, unsolicited sexual misconduct.
- 20) Defendant Alkiviades David's conduct, including but not limited to unwanted and unsolicited sexual misconduct with Plaintiff Jane Doe was a substantial factor in causing Plaintiff Jane Doe's severe emotional distress.
- 21) On April 21, 2019, Defendant Alkiviades David engaged in sexual misconduct with Plaintiff Jane Doe with the intent to cause injury.
- 22) On April 21, 2019, Defendant Alkiviades David engaged in sexual misconduct with Plaintiff Jane Doe with a willful and knowing disregard of Plaintiff Jane Doe's rights and safety.
- 23) Defendant Alkiviades David forced his employee to engage in unwanted, unsolicited sexual activity with him, which he knew was inappropriate.
- 24) Defendant Alkiviades David disregarded Plaintiff Jane Doe's rights when he forced her to engage in unwanted, unsolicited sexual activity on April 21, 2019.
- 25) Defendant Alkiviades David disregarded Elizabeth Taylor's rights when he forced her to engage in unwanted, unsolicited sexual activity with him.
- 26) Defendant Alkiviades David disregarded Mahim Khan's rights when he forced her to engage in unwanted, unsolicited sexual activity with him.

- 27) Defendant Alkiviades David disregarded Chasity Jones's rights when he forced her to engage in unwanted, unsolicited sexual activity with him.
- 28) Defendant Alkiviades David threatened to fire Chastity Jones if she did not have sex with him.
- 29) In April 2019, a California jury ordered Defendant Alkiviades David and at least one of his business to pay \$11,000,000 in punitive and compensatory damages for committing sexual battery against Chastity Jones.
- 30) A California jury found that Defendant Alkiviades David repeatedly sexually harassed and battered Chastity Jones when she worked as a sales executive for Defendant Alkiviades David's businesses, including but not limited to FilmOn.TV Networks Inc. and Hologram USA.
- 31) On April 25, 2019, a jury determined that Defendant Alkiviades David repeatedly sexually harassed and battered Chastity Jones when she worked as a sales executive for his businesses, including FilmOn.TV Networks Inc. and Hologram USA.
- 32) While Defendant Alkiviades David was on the stand during trial against Chastity Jones, he told Chastity Jones to "take my card. Take my card. Here, take my card...Go and buy whatever you want...It's a Black Amex from Switzerland, if you would like, madam? Is that interesting?...oh fuck it, Just enter a default judgment."
- 33) Defendant Alkiviades David terminated Plaintiff Jane Doe's employment as retaliation for Plaintiff Jane Doe refusing to have consensual sexual intercourse with him.
- 34) Defendant Alkiviades David published at least one article on TVMix.com with the intent to harass and intimidate Plaintiff Jane Doe.

SPECIAL JURY INSTRUCTION No. 2 – Sexual Battery

Sexual battery is the intentional harmful or offensive contact by Defendant Alkiviades David against Plaintiff Jane Doe’s sexual organ and/or the intentional harmful or offensive contact with Plaintiff Jane Doe by Defendant Alkiviades David’s sexual organ.

Document received by the CA 2nd District Court of Appeal.

SPECIAL JURY INSTRUCTION No. 3 – Intentional Infliction of Emotional Distress

Intentional infliction of emotional distress is outrageous conduct by Defendant Alkiviades David intended to cause Plaintiff Jane Doe emotional distress, or conduct by Defendant Alkiviades David carried out with a reckless disregard for the likely probability that Plaintiff Jane Doe would suffer emotional distress.

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd., Los Angeles, CA 90017.

On June 15, 2024, I served the foregoing documents described as **PLAINTIFF'S FIRST AMENDED LIST OF JURY INSTRUCTIONS** on all parties in this action as follows.

[SEE ATTACHED SERVICE LIST]

(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL] Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on June 15, 2024, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Joshua Alvarez

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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18 *Attorney for Defendant, ALKIVIADES DAVID*

DORDICK LAW CORPORATION

TAB 65

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8 **Attorneys for Plaintiff, JANE DOE**

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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

14
15 JANE DOE, an Adult Individual Suing Under
16 Anonymity Due to Privacy and Safety,

17 Plaintiff,

18 vs.

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20 ALKIVIADES DAVID, an Individual, a.k.a.
21 ALKI DAVID; HOLOGRAM USA, INC., a
22 California Corporation, a.k.a. HOLOGRAM
23 USA PRODUCTIONS, INC., HOLOGRAM
24 USA ENTERTAINMENT, INC.,
25 FILMON.TV, INC., FILMON.TV
26 NETWORKS, INC. and FILMON.TV LA,
27 INC.; SWISSX LABS AG, INC. a California
28 Corporation, a.k.a. SWISSX LOUNGE and
FILMONTV UK, LTD; and DOES 1 through
150, inclusive,

Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**NOTICE OF FILING AMENDED
PROPOSED SPECIAL VERDICT
FORM**

Complaint Filed: September 30, 2020
Trial Date: June 13, 2024

1 **TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:**
2 COMES NOW Plaintiff JANE DOE who submits the following Special Verdict,
3 attached hereto as Exhibit 1.

4
5
6 DATED: June 15, 2024

DORDICK LAW CORPORATION

7
8
9 By: 

10 Gary A. Dordick, Esq.
11 Dustin Z. Moaven, Esq.
12 Attorneys for Plaintiff, JANE DOE
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DORDICK LAW CORPORATION

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EXHIBIT 1

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

JANE DOE, An Adult Individual Suing
Under Anonymity Due to Privacy and
Safety,

Plaintiff,

v.

ALKIVIADES DAVID, an Individual,
a.k.a. ALKI DAVID,

Defendant.

Case No: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

**AMENDED SPECIAL VERDICT
FORM**

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We answer the questions submitted to us as follows:

COMPENSATORY DAMAGES

Question No. 1: What are Plaintiff JANE DOE’s total non-economic damages caused by the sexual battery and intentional infliction of emotional distress committed by Defendant ALKIVIADES DAVID?

Past and future Non-Economic Loss, including physical pain, mental suffering, loss of enjoyment of life, inconvenience, grief, anxiety, humiliation, and emotional distress:

\$ _____

Proceed to Question No. 2.

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PUNITIVE DAMAGES

Question No. 2: Did Defendant ALKIVIADES DAVID engage in conduct with malice, oppression, or fraud?

Yes _____ No _____

If you answered yes to question 2, then answer question 3. If you answered no to question 2, stop here, answer no further questions, and have the presiding juror sign and date this form.

Question No. 3: What amount of punitive damages, if any, do you award in favor of Plaintiff JANE DOE and against Defendant ALKIVIADES DAVID?

\$ _____

Signed: _____ Dated: _____
Presiding Juror

After this verdict form has been signed, notify the clerk/bailiff that you are ready to present your verdict in the courtroom.

Document received by the CA 2nd District Court of Appeal.

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1122 Wilshire Blvd., Los Angeles, CA 90017.

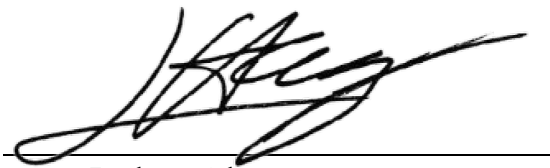
On June 15, 2024, I served the foregoing documents described as **NOTICE OF FILING AMENDED PROPOSED SPECIAL VERDICT FORM** on all parties in this action as follows.

[SEE ATTACHED SERVICE LIST]

(XX) ONLY BY ELECTRONIC SERVICE [E-MAIL] Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address Edgar@Dordicklaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission any electronic message or other indication that the transmission was unsuccessful.

Executed on June 15, 2024, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Joshua Alvarez

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

SERVICE LIST
Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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Attorney for Defendant, ALKIVIADES DAVID

DORDICK LAW CORPORATION

Document received by the CA 2nd District Court of Appeal.

TAB 76

AA1160

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07/01/2024

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
JURY INSTRUCTIONS COVER PAGE

Dept. 76

Jane Doe

CASE No. 20STCV37498

INSTRUCTIONS } GIVEN
 } REFUSED
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Plaintiff,

vs.

Atthiviades David
Defendant.

Consisting of

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Pages herein

Christopher K. Lui

Judge Presiding.

Reserved for Clerk's File Stamp
FILED
Superior Court of California
County of Los Angeles
JUN 17 2024
David W. Slayton, Executive Officer/Clerk of Court
By: A. Danelian, Deputy

JURY INSTRUCTIONS COVER PAGE

100 PRELIMINARY ADMONITIONS

You have now been sworn as jurors in this case. I want to impress on you the seriousness and importance of serving on a jury. Trial by jury is a fundamental right in California. The parties have a right to a jury that is selected fairly, that comes to the case without bias, and that will attempt to reach a verdict based on the evidence presented. Before we begin, I need to explain how you must conduct yourselves during the trial.

Do not allow anything that happens outside this courtroom to affect your decision. During the trial do not talk about this case or the people involved in it with anyone, including family and persons living in your household, friends and coworkers, spiritual leaders, advisors, or therapists. You may say you are on a jury and how long the trial may take, but that is all. You must not even talk about the case with the other jurors until after I tell you that it is time for you to decide the case.

This prohibition is not limited to face-to-face conversations. It also extends to all forms of electronic communications. Do not use any electronic device or media, such as a cell phone or smart phone, PDA, computer, the Internet, any Internet service, any text or instant-messaging service, any Internet chat room, blog, or website, including social networking websites or online diaries, to send or receive any information to or from anyone about this case or your experience as a juror until after you have been discharged from your jury duty.

During the trial you must not listen to anyone else talk about the case or the people involved in the case. You must avoid any contact with the parties, the lawyers, the witnesses, and anyone else who may have a connection to the case. If anyone tries to talk to you about this case, tell that person that you cannot discuss it because you are a juror. If that person keeps talking to you, simply walk away and report the incident to the court bailiff as soon as you can.

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After the trial is over and I have released you from jury duty, you may discuss the case with anyone, but you are not required to do so.

During the trial, do not read, listen to, or watch any news reports about this case. I have no information that there will be news reports concerning this case. This prohibition extends to the use of the Internet in any way, including reading any blog about the case or about anyone involved with it. If you receive any information about this case from any source outside of the courtroom, promptly report it to the court bailiff. It is important that all jurors see and hear the same evidence at the same time.

Do not do any research on your own or as a group. Do not use dictionaries, the Internet, or other reference materials. Do not investigate the case or conduct any experiments. Do not contact anyone to assist you, such as a family accountant, doctor, or lawyer. Do not visit or view the scene of any event involved in this case or use any Internet maps or mapping programs or any other program or device to search for or to view any place discussed in the testimony. If you happen to pass by the scene, do not stop or investigate. If you do need to view the scene during the trial, you will be taken there as a group under proper supervision.

If you violate any of these prohibitions on communications and research, including prohibitions on electronic communications and research, you may be held in contempt of court or face other sanctions. That means that you may have to serve time in jail, pay a fine, or face other punishment for that violation.

It is important that you keep an open mind throughout this trial. Evidence can only be presented a piece at a time. Do not form or express an opinion about this case while the trial is going on. You must not decide on a verdict until after you have heard all the evidence and have discussed it thoroughly with your fellow jurors in your deliberations.

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Do not concern yourselves with the reasons for the rulings I will make during the course of the trial. Do not guess what I may think your verdict should be from anything I might say or do.

When you begin your deliberations, you may discuss the case only in the jury room and only when all the jurors are present.

You must decide what the facts are in this case. Do not let bias, sympathy, prejudice, or public opinion influence your verdict.

At the end of the trial, I will explain the law that you must follow to reach your verdict. You must follow the law as I explain it to you, even if you do not agree with the law.

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101 OVERVIEW OF TRIAL

To assist you in your tasks as jurors, I will now explain how the trial will proceed. I will begin by identifying the parties to the case. Jane Doe filed this lawsuit. She is called a plaintiff. She seeks damages from Alkiviades David, who is called a defendant.

This lawsuit arises from the sexual harassment, sexual assault, and rape committed by Defendant ALKIVIADES DAVID against his then-employee, Plaintiff JANE DOE, as well as the wrongful, discriminatory, and retaliatory termination of Plaintiff JANE DOE's employment by Defendant ALKIVIADES DAVID and his various companies.

The Defendants' liability for the rape, sexual assault, sexual harassment, and retaliation have already been established. This case is proceeding to jury trial for you to determine what amount of damages, including compensatory damages and punitive damages, Plaintiff Jane Doe is entitled as a result of the Defendants' aforementioned conduct.

First, each side may make an opening statement, but neither side is required to do so. An opening statement is not evidence. It is simply an outline to help you understand what that party expects the evidence will show. Also, because it is often difficult to give you the evidence in the order we would prefer, the opening statement allows you to keep an overview of the case in mind during the presentation of the evidence.

Next, the jury will hear the evidence. Jane Doe will present evidence first. When Jane Doe is finished, the Defendant, if present in court, will have an opportunity to present evidence.

Each witness will first be questioned by the side that asked the witness to testify. This is called direct examination. Then the other side is permitted to question the witness. This is called cross-examination.

Documents or objects referred to during the trial are called exhibits. Exhibits are given a

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letter so that they may be clearly identified. Exhibits are not evidence until I admit them into evidence. During your deliberations, you will be able to look at all exhibits admitted into evidence. There are many rules that govern whether something will be admitted into evidence. As one side presents evidence, the other side has the right to object and to ask me to decide if the evidence is permitted by the rules. Usually, I will decide immediately, but sometimes I may have to hear arguments outside of your presence.

After the evidence has been presented, I will instruct you on the law that applies to the case and the attorneys will make closing arguments. What the parties say in closing argument is not evidence. The arguments are offered to help you understand the evidence and how the law applies to it.

102 TAKING NOTES DURING THE TRIAL

You have been given notebooks and may take notes during the trial. Do not take the notebooks out of the courtroom or jury room at any time during the trial. You may take your notes into the jury room during deliberations.

You should use your notes only to remind yourself of what happened during the trial. Do not let your note-taking interfere with your ability to listen carefully to all the testimony and to watch the witnesses as they testify. Nor should you allow your impression of a witness or other evidence to be influenced by whether or not other jurors are taking notes. Your independent recollection of the evidence should govern your verdict, and you should not allow yourself to be influenced by the notes of other jurors if those notes differ from what you remember.

At the end of the trial, your notes will be collected and destroyed.

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105 INSURANCE

You must not consider whether any of the parties in this case has insurance. The presence or absence of insurance is totally irrelevant. You must decide this case based only on the law and the evidence.

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106 EVIDENCE

You must decide what the facts are in this case only from the evidence you see or hear during the trial. Sworn testimony, documents, or anything else may be admitted into evidence. You may not consider as evidence anything that you see or hear when court is not in session, even something done or said by one of the parties, attorneys, or witnesses.

What the attorneys say during the trial is not evidence. In their opening statements and closing arguments, the attorneys will talk to you about the law and the evidence. What the lawyers say may help you understand the law and the evidence, but their statements and arguments are not evidence.

The attorneys' questions are not evidence. Only the witnesses' answers are evidence. You should not think that something is true just because an attorney's question suggests that it is true. However, the attorneys for both sides can agree that certain facts are true. This agreement is called a "stipulation." No other proof is needed and you must accept those facts as true in this trial.

Each side has the right to object to evidence offered by the other side. If I do not agree with the objection, I will say it is overruled. If I overrule an objection, the witness will answer and you may consider the evidence. If I agree with the objection, I will say it is sustained. If I sustain an objection, you must ignore the question. If the witness did not answer, you must not guess what that witness might have said or why I sustained the objection. If the witness has already answered, you must ignore the answer.

An attorney may make a motion to strike testimony that you have heard. If I grant the motion, you must totally disregard that testimony. You must treat it as though it did not exist.

107 WITNESSES

A witness is a person who has knowledge related to this case. You will have to decide whether you believe each witness and how important each witness's testimony is to the case. You may believe all, part, or none of a witness's testimony.

In deciding whether to believe a witness's testimony, you may consider, among other factors, the following:

- (a) How well did the witness see, hear, or otherwise sense what the witness described in court?
- (b) How well did the witness remember and describe what happened?
- (c) How did the witness look, act, and speak while testifying?
- (d) Did the witness have any reason to say something that was not true? For example, did the witness show any bias or prejudice or have a personal relationship with any of the parties involved in the case or have a personal stake in how this case is decided?
- (e) What was the witness's attitude toward this case or about giving testimony?

Sometimes a witness may say something that is not consistent with something else the witness said. Sometimes different witnesses will give different versions of what happened.

People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do not decide that testimony is untrue just because it differs from other testimony.

However, if you decide that a witness did not tell the truth about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness did not tell the truth about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

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Do not make any decision simply because there were more witnesses on one side than on the other. If you believe it is true, the testimony of a single witness is enough to prove a fact.

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109 REMOVAL OF CLAIMS

JANE DOE's claims for Assault, False Imprisonment, Violations of the Ralph Civil Rights Act, Violations of the Bane Civil Rights Act, Sexual Harassment, Sex/Gender Discrimination, Retaliation, Failure to Prevent, and Wrongful and/or Constructive Discharge are no longer an issue in this case.

Do not speculate as to why these claims are no longer involved in this case. You should not consider this during your deliberations.

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111 INSTRUCTION TO ALTERNATE JURORS

As alternate juror, you are bound by the same rules that govern the conduct of the jurors who are sitting on the panel. You will observe the same trial and should pay attention to all of my instructions just as if you were sitting on the panel. Sometimes a juror needs to be excused during a trial for illness or some other reason. If that happens, an alternate will be selected to take that juror's place.

112 QUESTIONS FROM JURORS

If, during the trial, you have a question that you believe should be asked of a witness, you may write out the question and send it to me through my courtroom staff. I will share your question with the attorneys and decide whether it may be asked.

Do not feel disappointed if your question is not asked. Your question may not be asked for a variety of reasons. For example, the question may call for an answer that is not allowed for legal reasons. Also, you should not try to guess the reason why a question is not asked or speculate about what the answer might have been. Because the decision whether to allow the question is mine alone, do not hold it against any of the attorneys or their clients if your question is not asked.

Remember that you are not an advocate for one side or the other. Each of you is an impartial judge of the facts. Your questions should be posed in as neutral a fashion as possible. Do not discuss any question asked by any juror with any other juror until after deliberations begin.

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113 BIAS

Each one of us has biases about or certain perceptions or stereotypes of other people.

Bias is a tendency to favor or disfavor a person or group of people. We may be aware of some of our biases, though we may not reveal them to others. We may not be fully aware of some of our other biases. We refer to biases that we are not fully aware of as "implicit" or "unconscious." They may be based on stereotypes we would reject if they were brought to our attention. Implicit or unconscious biases can affect how we perceive others and how we make decisions, without our being aware of the effect of these biases on those decisions.

Our biases often affect how we act, favorably or unfavorably, toward someone. Bias can affect our thoughts, how we remember, what we see and hear, and whom we believe or disbelieve. We may favor or be more likely to believe people whom we see as similar to us or with whom we identify. Or we may disfavor or be less likely to believe people whom we see as different from us.

As jurors you are being asked to make very important decisions in this case. You must not let bias, prejudice, or public opinion influence your decision. You must not be biased in favor of or against parties or witnesses because of their race, national origin, ethnicity, disability, gender, gender identity, gender expression, religion, sexual orientation, age, or socioeconomic status.

Your verdict must be based solely on the evidence presented. You must carefully evaluate the evidence and resist any urge to reach a verdict that is influenced by bias for or against any party or witness.

114 BENCH CONFERENCES AND CONFERENCES IN CHAMBERS

From time to time during the trial, it may become necessary for me to talk with the attorneys out of the hearing of the jury, either by having a conference at the bench when the jury is present in the courtroom, or by calling a recess to discuss matters outside of your presence. The purpose of these conferences is not to keep relevant information from you, but to decide how certain evidence is to be treated under the rules of evidence. Do not be concerned about our discussions or try to guess what is being said.

I may not always grant an attorney's request for a conference. Do not consider my granting or denying a request for a conference as any indication of my opinion of the case or the evidence.

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116 WHY ELECTRONIC COMMUNICATIONS AND RESEARCH ARE PROHIBITED

I know that many of us are used to communicating and perhaps even learning by electronic communications and research. However, there are good reasons why you must not electronically communicate or do any research on anything having to do with this trial or the parties.

In court, jurors must make important decisions that have consequences for the parties. Those decisions must be based only on the evidence that you hear in this courtroom.

The evidence that is presented in court can be tested; it can be shown to be right or wrong by either side; it can be questioned; and it can be contradicted by other evidence. What you might read or hear on your own could easily be wrong, out of date, or inapplicable to this case.

The parties can receive a fair trial only if the facts and information on which you base your decisions are presented to you as a group, with each juror having the same opportunity to see, hear, and evaluate the evidence.

Also, a trial is a public process that depends on disclosure in the courtroom of facts and evidence. Using information gathered in secret by one or more jurors undermines the public process and violates the rights of the parties.

200 OBLIGATION TO PROVE - MORE LIKELY TRUE THAN NOT TRUE

The parties must persuade you, by the evidence presented in court, that what they are required to prove is more likely to be true than not true. This is referred to as "the burden of proof."

After weighing all of the evidence, if you cannot decide that something is more likely to be true than not true, you must conclude that the party did not prove it. You should consider all the evidence, no matter which party produced the evidence.

In criminal trials, the prosecution must prove that the defendant is guilty beyond a reasonable doubt. But in civil trials, such as this one, the party who is required to prove something need prove only that it is more likely to be true than not true.

201 HIGHLY PROBABLE - CLEAR AND CONVINCING PROOF

Certain facts must be proved by clear and convincing evidence, which is a higher burden of proof. This means the party must persuade you that it is highly probable that the fact is true. I will tell you specifically which facts must be proved by clear and convincing evidence.

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202 DIRECT AND INDIRECT EVIDENCE

Evidence can come in many forms. It can be testimony about what someone saw or heard or smelled. It can be an exhibit admitted into evidence. It can be someone's opinion.

Direct evidence can prove a fact by itself. For example, if a witness testifies she saw a jet plane flying across the sky, that testimony is direct evidence that a plane flew across the sky. Some evidence proves a fact indirectly. For example, a witness testifies that he saw only the white trail that jet planes often leave. This indirect evidence is sometimes referred to as "circumstantial evidence." In either instance, the witness's testimony is evidence that a jet plane flew across the sky.

As far as the law is concerned, it makes no difference whether evidence is direct or indirect. You may choose to believe or disbelieve either kind. Whether it is direct or indirect, you should give every piece of evidence whatever weight you think it deserves.

208 DEPOSITION AS SUBSTANTIVE EVIDENCE

During the trial, you received deposition testimony that was read from the deposition. A deposition is the testimony of a person taken before trial. At a deposition the person is sworn to tell the truth and is questioned by the attorneys. You must consider the deposition testimony that was presented to you in the same way as you consider testimony given in court.

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212 STATEMENTS OF A PARTY OPPONENT

A party may offer into evidence any oral or written statement made by an opposing party outside the courtroom. When you evaluate evidence of such a statement, you must consider these questions:

1. Do you believe that the party actually made the statement? If you do not believe that the party made the statement, you may not consider the statement at all.
2. If you believe that the statement was made, do you believe it was reported accurately?

You should view testimony about an oral statement made by a party outside the courtroom with caution.

219 Expert Witness Testimony

During the trial you heard testimony from expert witnesses. The law allows an expert to state opinions about matters in the expert's field of expertise even if the expert has not witnessed any of the events involved in the trial.

You do not have to accept an expert's opinion. As with any other witness, it is up to you to decide whether you believe the expert's testimony and choose to use it as a basis for your decision. You may believe all, part, or none of an expert's testimony. In deciding whether to believe an expert's testimony, you should consider:

- a. The expert's training and experience;
- b. The facts the expert relied on; and
- c. The reasons for the expert's opinion.

3901 INTRODUCTION TO TORT DAMAGES - LIABILITY ESTABLISHED

If you decide that Jane Doe was harmed and that the conduct of Alkiviades David was a substantial factor in causing the harm, you also must decide how much money will reasonably compensate Jane Doe for the harm. This compensation is called "damages."

The amount of damages must include an award for each item of harm that was caused by the wrongful conduct of Alkiviades David, even if the particular harm could not have been anticipated.

Jane Doe does not have to prove the exact amount of damages that will provide reasonable compensation for the harm. However, you must not speculate or guess in awarding damages.

The following are the specific items of damages claimed by Jane Doe:

PHYSICAL PAIN, MENTAL SUFFERING, AND EMOTIONAL DISTRESS (NONECONOMIC DAMAGE)

A. Past and future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress.

No fixed standard exists for deciding the amount of these noneconomic damages. You must use your judgment to decide a reasonable amount based on the evidence and your common sense.

To recover for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, Jane Doe must prove that she is reasonably certain to suffer that harm.

For future physical pain, mental suffering, loss of enjoyment of life, disfigurement,

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physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress, determine the amount in current dollars paid at the time of judgment that will compensate Jane Doe for future physical pain, mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional distress. This amount of noneconomic damages should not be further reduced to present cash value because that reduction should only be performed with respect to economic damages.

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3925 ARGUMENTS OF COUNSEL NOT EVIDENCE OF DAMAGES

The arguments of the attorneys are not evidence of damages. Your award must be based on your reasoned judgment applied to the testimony of the witnesses and the other evidence that has been admitted during trial.

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3932 LIFE EXPECTANCY

If you decide Jane Doe has suffered damages that will continue for the rest of her life, you must determine how long she will probably live. According to the Centers for Disease Control and Prevention, a thirty-seven-year-old female is expected to live another forty-three years. This is the average life expectancy. Some people live longer and others die sooner.

This published information is evidence of how long a person is likely to live but is not conclusive. In deciding a person's life expectancy, you should also consider, among other factors, that person's health, habits, activities, lifestyle, and occupation.

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3934 DAMAGES ON MULTIPLE LEGAL THEORIES

Jane Doe seeks damages from Alkiviades David under more than one legal theory. However, each item of damages may be awarded only once, regardless of the number of legal theories alleged.

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**3940 PUNITIVE DAMAGES - INDIVIDUAL DEFENDANT - TRIAL
NOT BIFURCATED**

If you decide that Alkiviades David's conduct caused Jane Doe harm, you must decide whether that conduct justifies an award of punitive damages. The purposes of punitive damages are to punish a wrongdoer for the conduct that harmed the plaintiff and to discourage similar conduct in the future.

You may award punitive damages only if Jane Doe proves by clear and convincing evidence that Alkiviades David engaged in that conduct with malice, oppression, or fraud.

"Malice" means that Alkiviades David acted with intent to cause injury or that Alkiviades David's conduct was despicable and was done with a willful and knowing disregard of the rights or safety of another. A person acts with knowing disregard when the person is aware of the probable dangerous consequences of the person's conduct and deliberately fails to avoid those consequences.

"Oppression" means that Alkiviades David's conduct was despicable and subjected Jane Doe to cruel and unjust hardship in knowing disregard of her rights.

"Despicable conduct" is conduct that is so vile, base, or contemptible that it would be looked down on and despised by reasonable people.

"Fraud" means that Alkiviades David intentionally misrepresented or concealed a material fact and lied so intending to harm Jane Doe.

There is no fixed formula for determining the amount of punitive damages, and you are not required to award any punitive damages. If you decide to award punitive damages, you should consider all of the following factors in determining the amount:

- (a) How reprehensible was Alkiviades David's conduct? In deciding how reprehensible Alkiviades David's conduct was, you may consider, among other factors:
1. Whether the conduct caused physical harm;
 2. Whether Alkiviades David disregarded the health or safety of others;
 3. Whether Jane Doe was financially weak or vulnerable and Alkiviades David knew Jane Doe was financially weak or vulnerable and took advantage of her;
 4. Whether Alkiviades David's conduct involved a pattern or practice; and

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5. Whether Alkiviades David acted with trickery or deceit.

(b) Is there a reasonable relationship between the amount of punitive damages and Jane Doe's harm or between the amount of punitive damages and potential harm to Jane Doe that Alkiviades David knew was likely to occur because of conduct?

(c) In view of Alkiviades David's failure to produce documentation regarding his financial condition, what amount is necessary to punish and discourage future wrongful conduct?

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3964 JURORS NOT TO CONSIDER ATTORNEY FEES AND COURT COSTS

You must not consider, or include as part of any award, attorney fees or expenses that the parties incurred in bringing or defending this lawsuit.

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5000 DUTIES OF THE JUDGE AND JURY

Members of the jury, you have now heard all the evidence. The attorneys will have one last chance to talk to you in closing argument. But before they do, it is my duty to instruct you on the law that applies to this case. You must follow these instructions. You will have a copy of my instructions with you when you go to the jury room to deliberate. I have provided each of you with your own copy of the instructions.

You must decide what the facts are. You must consider all the evidence and then decide what you think happened. You must decide the facts based on the evidence admitted in this trial.

Do not allow anything that happens outside this courtroom to affect your decision. Do not talk about this case or the people involved in it with anyone, including family and persons living in your household, friends and coworkers, spiritual leaders, advisors, or therapists. Do not do any research on your own or as a group. Do not use dictionaries or other reference materials.

These prohibitions on communications and research extend to all forms of electronic communications. Do not use any electronic devices or media, such as a cell phone or smart phone, PDA, computer, tablet device, the Internet, any Internet service, any text or instant-messaging service, any Internet chat room, blog, or website, including social networking websites or online diaries, to send or receive any information to or from anyone about this case or your experience as a juror until after you have been discharged from your jury duty.

Do not investigate the case or conduct any experiments. Do not contact anyone to assist you, such as a family accountant, doctor, or lawyer. Do not visit or view the scene of any event involved in this case. If you happen to pass by the scene, do not stop or investigate. All jurors must see or hear the same evidence at the same time. You must not let bias, sympathy, prejudice, or public opinion influence your decision.

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If you violate any of these prohibitions on communications and research, including prohibitions on electronic communications and research, you may be held in contempt of court or face other sanctions. That means that you may have to serve time in jail, pay a fine, or face other punishment for that violation.

I will now tell you the law that you must follow to reach your verdict. You must follow the law exactly as I give it to you, even if you disagree with it. If the attorneys say anything different about what the law means, you must follow what I say.

In reaching your verdict, do not guess what I think your verdict should be from something I may have said or done.

Pay careful attention to all the instructions that I give you. All the instructions are important because together they state the law that you will use in this case. You must consider all of the instructions together.

After you have decided what the facts are, you may find that some instructions do not apply. In that case, follow the instructions that do apply and use them together with the facts to reach your verdict.

If I repeat any ideas or rules of law during my instructions, that does not mean that these ideas or rules are more important than the others. In addition, the order in which the instructions are given does not make any difference.

5001. INSURANCE

You must not consider whether any of the parties in this case has insurance. The presence or absence of insurance is totally irrelevant. You must decide this case based only on the law and the evidence.

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5002 EVIDENCE

You must decide what the facts are in this case only from the evidence you have seen or heard during the trial, including any exhibits that I admit into evidence. Sworn testimony, documents or anything else may be admitted into evidence. You may not consider as evidence anything that you saw or heard when court was not in session, even something done or said by one of the parties, attorneys, or witnesses.

What the attorneys say during the trial is not evidence. In their opening statements and closing arguments, the attorneys talk to you about the law and the evidence. What the lawyers say may help you understand the law and the evidence, but their statements and arguments are not evidence.

The attorneys' questions are not evidence. Only the witnesses' answers are evidence. You should not think that something is true just because an attorney's question suggested that it was true. However, the attorneys for both sides have agreed that certain facts are true. This agreement is called a stipulation. No other proof is needed and you must accept those facts as true in this trial.

Each side had the right to object to evidence offered by the other side. If I sustained an objection to a question, ignore the question and do not guess as to why I sustained the objection. If the witness did not answer, you must not guess what he or she might have said. If the witness already answered, you must ignore the answer.

5003 WITNESSES

A witness is a person who has knowledge related to this case. You will have to decide whether you believe each witness and how important each witness's testimony is to the case. You may believe all, part, or none of a witness's testimony.

In deciding whether to believe a witness's testimony, you may consider, among other factors, the following:

- (a) How well did the witness see, hear, or otherwise sense what the witness described in court?
- (b) How well did the witness remember and describe what happened?
- (c) How did the witness look, act, and speak while testifying?
- (d) Did the witness have any reason to say something that was not true? For example, did the witness show any bias or prejudice or have a personal relationship with any of the parties involved in the case or have a personal stake in how this case is decided?
- (e) What was the witness's attitude toward this case or about giving testimony?

Sometimes a witness may say something that is not consistent with something else the witness said. Sometimes different witnesses will give different versions of what happened.

People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do not decide that testimony is untrue just because it differs from other testimony.

However, if you decide that a witness did not tell the truth about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness did not tell the truth about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

Do not make any decision simply because there were more witnesses on one side than on the other. If you believe it is true, the testimony of a single witness is enough to prove a fact.

You must not be biased in favor of or against any witness because of the witness's disability, gender, race, religion, ethnicity, sexual orientation, age, national origin, or socioeconomic status.

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5009 PREDELIBERATION INSTRUCTIONS

When you go to the jury room, the first thing you should do is choose a presiding juror. The presiding juror should see to it that your discussions are orderly and that everyone has a fair chance to be heard.

It is your duty to talk with one another in the jury room and to consider the views of all the jurors. Each of you must decide the case for yourself, but only after you have considered the evidence with the other members of the jury. Feel free to change your mind if you are convinced that your position should be different. You should all try to agree. But do not give up your honest beliefs just because the others think differently.

Please do not state your opinions too strongly at the beginning of your deliberations or immediately announce how you plan to vote as it may interfere with an open discussion. Keep an open mind so that you and your fellow jurors can easily share ideas about the case.

You should use your common sense and experience in deciding whether testimony is true and accurate. However, during your deliberations, do not make any statements or provide any information to other jurors based on any special training or unique personal experiences that you may have had related to matters involved in this case. What you may know or have learned through your training or experience is not a part of the evidence received in this case.

Sometimes jurors disagree or have questions about the evidence or about what the witnesses said in their testimony. If that happens, you may ask to have testimony read back to you or ask to see any exhibits admitted into evidence that have not already been provided to you. Also, jurors may need further explanation about the laws that apply to the case. If this happens during your discussions, write down your questions and give them to the bailiff. I will talk with the attorneys before I answer so it may take some time. You should continue your deliberations while

07/01/2024

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AA1198

you wait for my answer. I will do my best to answer them. When you write me a note, do not tell me how you voted on an issue until I ask for this information in open court.

Your decision must be based on your personal evaluation of the evidence presented in the case. Each of you may be asked in open court how you voted on each question.

While I know you would not do this, I am required to advise you that you must not base your decision on chance, such as a flip of a coin. If you decide to award damages, you may not agree in advance to simply add up the amounts each juror thinks is right and then, without further deliberations, make the average your verdict.

You may take breaks, but do not discuss this case with anyone, including each other, until all of you are back in the jury room.

07/01/2024

AA1199

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5010 TAKING NOTES DURING THE TRIAL

If you have taken notes during the trial, you may take your notebooks with you into the jury room.

You may use your notes only to help you remember what happened during the trial. Your independent recollection of the evidence should govern your verdict. You should not allow yourself to be influenced by the notes of other jurors if those notes differ from what you remember.

At the end of the trial, your notes will be collected and destroyed.

07/01/2024

Document received by the CA 2nd District Court of Appeal.

AA1200

5012 INTRODUCTION TO SPECIAL VERDICT FORM

I will give you a verdict form with questions you must answer. I have already instructed you on the law that you are to use in answering these questions. You must follow my instructions and the form carefully. You must consider each question separately. Although you may discuss the evidence and the issues to be decided in any order, you must answer the questions on the verdict form in the order they appear. After you answer a question, the form tells you what to do next.

At least 9 of you must agree on an answer before you can move on to the next question. However, the same 9 or more people do not have to agree on each answer.

All 12 of you must deliberate on and answer each question regardless of how you voted on any earlier question. Unless the verdict form tells all 12 jurors to stop and answer no further questions, every juror must deliberate and vote on all of the remaining questions.

When you have finished filling out the form, your presiding juror must write the date and sign it at the bottom and then notify the bailiff that you are ready to present your verdict in the courtroom.

07/11/2024

Document received by the CA 2nd District Court of Appeal.

AA1201

**5015 INSTRUCTION TO ALTERNATE JURORS ON SUBMISSION OF CASE TO
JURY**

The jury is deliberating, but you are still alternate jurors and are bound by my earlier instructions about your conduct.

Until the jury is discharged, do not talk about the case or about any of the people or any subject involved in it with anyone, not even your family or friends. Do not have any contact with the deliberating jurors. Do not decide how you would vote if you were deliberating. Do not form or express an opinion about the issues in this case, unless you are substituted for one of the deliberating jurors

07/01/2024

AA1202

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5017 POLLING THE JURY

After your verdict is read in open court, you may be asked individually to indicate whether the verdict expresses your personal vote. This is referred to as "polling" the jury and is done to ensure that at least nine jurors have agreed to each decision.

The verdict form that you will receive asks you to answer several questions. You must vote separately on each question. Although nine or more jurors must agree on each answer, it does not have to be the same nine for each answer. Therefore, it is important for each of you to remember how you have voted on each question so that if the jury is polled, each of you will be able to answer accurately about how you voted.

Each of you will be provided a draft copy of the verdict form for your use in keeping track of your votes.

07/01/2024

AA1203

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5019 QUESTIONS FROM JURORS

If, during the trial, any of you had a question that you believed should be asked of a witness, you were instructed to write out the question and provide it to me through my courtroom staff. I shared your questions with the attorneys, after which, I decided whether the question could be asked.

If a question was asked and answered, you are to consider the answer as you would any other evidence received in the trial. Do not give the answer any greater or lesser weight because it was initiated by a juror question.

If the question was not asked, do not speculate as to what the answer might have been or why it was not asked. There are many legal reasons why a suggested question cannot be asked of a witness. Give the question no further consideration.

07/01/2024

AA1204

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5020 DEMONSTRATIVE EVIDENCE

During the trial, materials have been shown to you to help explain testimony or other evidence in the case. ~~Some of these materials have been admitted into evidence, and you will be able to review them during your deliberations.~~

~~Other~~ materials have also been shown to you during the trial, but they have not been admitted into evidence. You will not be able to review them during your deliberations because they are not themselves evidence or proof of any facts. You may, however, consider the testimony given in connection with those materials.

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AA1205

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SPECIAL JURY INSTRUCTION No. 1 – Established Evidence

The following evidence has been established to be true and you must accept it as true with no further testimony or evidence:

- 1) Defendant Alkiviades David attempted to kiss Plaintiff Jane Doe on her mouth, without her consent during a purported work meeting in Greece in or around August 2016.
- 2) Defendant Alkiviades David raped Plaintiff Jane Doe on April 21, 2019.
- 3) Defendant Alkiviades David used physical force, intimidation, and threats to have forcible, non-consensual, vaginal intercourse with Plaintiff Jane Doe on April 21, 2019.
- 4) Plaintiff Jane Doe never consented to having sexual intercourse with Defendant Alkiviades David.
- 5) On April 21, 2019, Plaintiff Jane Doe resisted all of Defendant Alkiviades David's attempts to have sexual intercourse, including but not limited to repeatedly yelling "No!" and expressly telling Defendant Alkiviades David to "STOP".
- 6) Defendant Alkiviades David pinned Plaintiff Jane Doe against a wall and covered her mouth with his hands when he raped her on April 21, 2019.
- 7) Defendant Alkiviades David raped Elizabeth Taylor, a former account executive who worked for one of his businesses.
- 8) Defendant Alkiviades David raped Mahim Khan.
- 9) Defendant Alkiviades David thrust his pelvis into Mahim Khan's face and simulated oral sex with her at the workplace in 2014.
- 10) Defendant Alkiviades David had sexual relations with Mahim Khan against her will.
- 11) Defendant Alkiviades David groped and sexually harassed Mahim Khan in 2014 and in 2015.
- 12) Defendant Alkiviades David fired more than one of his employees after she refused to have sex with him, including Plaintiff Jane Doe.
- 13) Defendant Alkiviades David had sexual relations with Chasity Jones against her will and without her consent.
- 14) In 2016, Defendant Alkiviades David grabbed Lauren Reeves' throat, shoved her chair into a wall, and told her that he needed to buy supplies for his "rape room".

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AA1206

- 15) Defendant Alkiviades David wrote an article published on TVMix.com on June 8, 2022, where he intentionally revealed Plaintiff Jane Doe's name.
- 16) Defendant Alkiviades David revealed Plaintiff Jane Doe's name in a TVMix.com article to intentionally interfere with Plaintiff's right to a fair jury trial.
- 17) Plaintiff Jane Doe never consented to any sexual relationships with Defendant Alkiviades David.
- 18) Defendant Alkiviades David acted with reckless disregard of the probability that Plaintiff Jane Doe would suffer emotional distress when Defendant Alkiviades David's unsolicited sexual activity occurred.
- 19) Plaintiff Jane Doe suffered severe emotional distress as a result of Defendant Alkiviades David's unwanted, unsolicited sexual misconduct.
- 20) Defendant Alkiviades David's conduct, including but not limited to unwanted and unsolicited sexual misconduct with Plaintiff Jane Doe was a substantial factor in causing Plaintiff Jane Doe's severe emotional distress.
- 21) On April 21, 2019, Defendant Alkiviades David engaged in sexual misconduct with Plaintiff Jane Doe with the intent to cause injury.
- 22) On April 21, 2019, Defendant Alkiviades David engaged in sexual misconduct with Plaintiff Jane Doe with a willful and knowing disregard of Plaintiff Jane Doe's rights and safety.
- 23) Defendant Alkiviades David forced his employee, Plaintiff Jane Doe, to engage in unwanted, unsolicited sexual activity with him, which he knew was inappropriate.
- 24) Defendant Alkiviades David disregarded Plaintiff Jane Doe's rights when he forced her to engage in unwanted, unsolicited sexual activity on April 21, 2019.
- 25) Defendant Alkiviades David disregarded Elizabeth Taylor's rights when he forced her to engage in unwanted, unsolicited sexual activity with him.
- 26) Defendant Alkiviades David disregarded Mahim Khan's rights when he forced her to engage in unwanted, unsolicited sexual activity with him.
- 27) Defendant Alkiviades David disregarded Chasity Jones's rights when he forced her to engage in unwanted, unsolicited sexual activity with him.

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AA1207

- 28) Defendant Alkiviades David threatened to fire Chastity Jones if she did not have sex with him.
- 29) In April 2019, a California jury ordered Defendant Alkiviades David and at least one of his businesses to pay \$11,000,000 in punitive and compensatory damages for committing sexual battery against Chastity Jones.
- 30) A California jury found that Defendant Alkiviades David repeatedly sexually harassed and battered Chastity Jones when she worked as a sales executive for Defendant Alkiviades David's businesses, including but not limited to FilmOn.TV Networks Inc. and Hologram USA.
- 31) On April 25, 2019, a jury determined that Defendant Alkiviades David repeatedly sexually harassed and battered Chastity Jones when she worked as a sales executive for his businesses, including FilmOn.TV Networks Inc. and Hologram USA.
- 32) While Defendant Alkiviades David was on the stand during trial against Chastity Jones, he told Chastity Jones to "take my card. Take my card. Here, take my card...Go and buy whatever you want...It's a Black Amex from Switzerland, if you would like, madam? Is that interesting?...oh fuck it, Just enter a default judgment."
- 33) Defendant Alkiviades David terminated Plaintiff Jane Doe's employment as retaliation for Plaintiff Jane Doe refusing to have consensual sexual intercourse with him.
- 34) Defendant Alkiviades David published at least one article on TVMix.com with the intent to harass and intimidate Plaintiff Jane Doe.
- 35) Defendant Alkiviades David knew that forcing his then-employee, Plaintiff Jane Doe, into having unwanted sexual intercourse with him was despicable conduct.

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AA1208

SPECIAL JURY INSTRUCTION No. 2 – Sexual Battery

Sexual battery is the intentional harmful or offensive contact by Defendant Alkiviades David against Plaintiff Jane Doe’s sexual organ and/or the intentional harmful or offensive contact with Plaintiff Jane Doe by Defendant Alkiviades David’s sexual organ.

07/01/2024

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AA1209

SPECIAL JURY INSTRUCTION No. 3 – Intentional Infliction of Emotional Distress

Intentional infliction of emotional distress is outrageous conduct by Defendant Alkiviades David intended to cause Plaintiff Jane Doe emotional distress, or conduct by Defendant Alkiviades David carried out with a reckless disregard for the likely probability that Plaintiff Jane Doe would suffer emotional distress.

07/01/2024

AA1210

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TAB 77


AA1211

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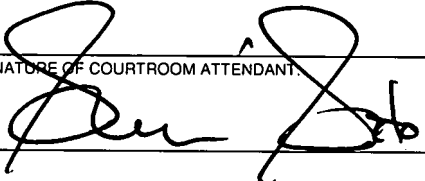
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp	
Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles JUN 17 2024 David W. Slayton, Executive Officer/Clerk of Court By: A. Danelian, Deputy	
PLAINTIFF	JANE DOE		
DEFENDANT	ALKIVIADES DAVID, ET AL		
JURY REQUEST OR QUESTION / RESPONSE FORM		CASE NUMBER 20STCV37498	DEPARTMENT 76

We, the jury in the above-entitled cause, submit the following request or question to the Court:

- 1) As jurors, what are our options for anonymity in this case? Will our names be a matter of public record?
- 2) May we know the amounts of previous awards, including breakdowns of compensatory versus punitive?
- 3) Has the defendant previously been charged with criminal charges or any charge with risk for jail time?
- 4) Is the "ten times" amount for punitive statutorily based or just a suggestion?

DATE: 6/17/24	JUROR SEAT NUMBER: 4	SIGNATURE OF PRESIDING JUROR: 
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Request or question received:

DATE: 6.17.24	TIME: 2:03	<input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	SIGNATURE OF COURTROOM ATTENDANT: 
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Response:

Please see the attached response

DATE: 6/17/2024	JUDGE: CHRISTOPHER K. LUI	SIGNATURE OF JUDICIAL OFFICER:
--------------------	---------------------------	--------------------------------


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JANE DOE v. ALKIVIADES DAVID, CASE NO. 20STCV37498

RESPONSE TO JURY QUESTION

1. The names of jurors in civil cases are not published, but may be available in some circumstances. The Court will order that information concerning the names of jurors in this case will be sealed, and that any party seeking that information must file a motion to unseal the record. Affected jurors will be notified if any motion to unseal the record is made.
2. The testimony during trial about the previous awards is the only information available to you. No further evidence or information can be provided once the case has been submitted to the jury for deliberations.
3. There was no evidence at trial on this issue, and you should not consider it during your deliberations.
4. Arguments of counsel are not evidence of damages. Instruction no. 3940 provides you with the instruction on how to decide whether to award punitive damages, and if so, how to determine the amount.

6/17/24
DATE


CHRISTOPHER K. LUI
JUDGE, LOS ANGELES SUPERIOR COURT

07/01/2024

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AA1213

TAB 78

AA1214

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1 Gary A. Dordick, Esq. S/B# 128008
2 Dustin Z. Moaven, Esq. S/B# 320939
3 DORDICK LAW CORPORATION
4 509 South Beverly Drive
5 Beverly Hills, California 90212
6 Tel: (310) 551-0949 • Fax: (855) 299-4444
7 E-Mail: DZMeservice@dordicklaw.com
8 **Attorneys for Plaintiff, JANE DOE**

Electronically FILED by
Superior Court of California,
County of Los Angeles
6/20/2024 12:05 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By J. Abraham, Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

11 JANE DOE, an Adult Individual Suing Under
12 Anonymity Due to Privacy and Safety,

13 Plaintiff,

14 vs.

15 ALKIVIADES DAVID, an Individual, a.k.a.
16 ALKI DAVID; HOLOGRAM USA, INC., a
17 California Corporation, a.k.a. HOLOGRAM
18 USA PRODUCTIONS, INC., HOLOGRAM
19 USA ENTERTAINMENT, INC.,
20 FILMON.TV, INC., FILMON.TV
21 NETWORKS, INC. and FILMON.TV LA,
22 INC.; SWISSX LABS AG, INC. a California
23 Corporation, a.k.a. SWISSX LOUNGE and
24 FILMONTV UK, LTD; and DOES 1 through
25 150, inclusive,

26 Defendants.

Case No.: 20STCV37498

(Assigned to the Hon. Christopher L. Lui,
Dept. 76)

PLAINTIFF'S NOTICE OF LODGING
VIDEO DEPOSITION OF
ALKIVIADES DAVID

Complaint Filed: September 30, 2020
Trial Date: June 13, 2024

1 **TO THE COURT, DEFENDANTS, AND ALL ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that Plaintiff Jane Doe, hereby lodges the following Video
3 Deposition of Alkiviades David with the Court for this matter which is identified as Exhibit
4 A:

5 **1. March 1, 2024 Video Deposition of Alkiviades David.**

6
7
8 DATED: June 20, 2024

DORDICK LAW CORPORATION

9
10
11 By: 

12 Gary A. Dordick, Esq.
13 Dustin Z. Moaven, Esq.
14 Attorneys for Plaintiff, JANE DOE
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EXHIBIT A



SERVICE LIST

Jane Doe v. Alkidiaves
Case No.: 20STCV37498

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Attorney for Defendant, ALKIVIADES DAVID

DORDICK LAW CORPORATION

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TAB 79

AA1221

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SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012	FILED Superior Court of California County of Los Angeles 07/05/2024
PLAINTIFF/PETITIONER: Jane Doe	David W. Slayton, Executive Officer / Clerk of Court By: _____ T. Le _____ Deputy
DEFENDANT/RESPONDENT: Alkiviades David, et al.	
CERTIFICATE OF MAILING	CASE NUMBER: 20STCV37498

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Re: Notice of Entry and Entry of Judgment;) of 07/05/2024 upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Gary A. Dordick
Dordick Law Corporation
509 South Beverly Drive
Beverly Hills, CA 90212

David W. Slayton, Executive Officer / Clerk of Court

Dated: 07/5/2024

By: T. Le
Deputy Clerk

Document received by the CA 2nd District Court of Appeal.

TAB 80

AA1223

Document received by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

July 5, 2024

4:00 PM

Judge: Honorable Christopher K. Lui

Judicial Assistant: T. Le

Courtroom Assistant: None

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Court Order Re: Notice of Entry and Entry of Judgment;

The Court has reviewed the [Proposed] Judgment on Special Verdict submitted on 06/18/2024.

This action came on regularly for trial on June 13, 2024, in Department 76 of the above-entitled Court, the Honorable Christopher K. Lui, Judge of the Superior Court, presiding. Attorneys Gary A. Dordick and Dustin Z. Moaven appeared for the Plaintiff Margerita Nicolas (who originally filed as “Jane Doe”). No appearances were made on behalf of Defendant Alkiviades David.

A jury of 12 persons was regularly impaneled and sworn and agreed to try the cause. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel, the jury was duly instructed by the Court and the cause was submitted to the jury with directions to return a special verdict. The jury deliberated and thereafter returned into court with its special verdict on the issues submitted and the answers given thereto by the jury, which verdict was in words and figures as follows:

We answer the questions submitted to us as follows:

COMPENSATORY DAMAGES

Question No. 1: What are Plaintiff Margerita Nicolas’ total non-economic damages caused by the sexual battery and intentional infliction of emotional distress committed by Defendant ALKIVIADES DAVID?

Past and future Non-Economic Loss, including physical pain, mental suffering, loss of enjoyment of life, inconvenience, grief, anxiety, humiliation, and emotional distress:

\$100,000,000.00

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

July 5, 2024

4:00 PM

Judge: Honorable Christopher K. Lui

CSR: None

Judicial Assistant: T. Le

ERM: None

Courtroom Assistant: None

Deputy Sheriff: None

Proceed to Question No. 2

PUNITIVE DAMAGES

Question No. 2: Did Defendant ALKIVIADES DAVID engage in conduct with malice, oppression, or fraud?

Yes X No _____

If you answered yes to question 2, then answer question 3. If you answered no to question 2, stop here, answer no further questions, and have the presiding juror sign and date this form.

Question No. 3: What amount of punitive damages, if any, do you award in favor of Plaintiff Margerita Nicolas and against Defendant ALKIVIADES DAVID?

\$800,000,000.00

It appears by reason of said special verdict that Plaintiff Margerita Nicolas (who originally filed as "Jane Doe") is entitled to judgment against Defendant Alkiviades David in the amount of \$900,000,000.00.

NOW, THEREFORE, IT IS SO ORDERED, ADJUDGED AND DECREED that Plaintiff Margerita Nicolas (who originally filed as "Jane Doe") shall have and recover from Defendant Alkiviades David the sum of \$900,000,000.00 with interest thereon at the rate of ten percent (10%) per annum from the date of the entry of this judgment until paid.

The Judgment on special verdict is signed and filed this date. A copy of the signed judgment is available on the Court's website.

Clerk hereby gives notice to counsel for plaintiff, who is ordered to give notice of entry of judgment.

Certificate of Mailing is attached.

PROOF OF SERVICE

I am over age 18 and am not a party to this action. I am employed in Costa Mesa, California. My business address is:

600 Anton Blvd., Suite 640, Costa Mesa, CA 92626
Phone: (714) 384-6500
Fax: (714) 384-6501

On December 10, 2025 I served this document:

**APPELLANT ALKIVIADES DAVID APPENDIX
VOLUME 3 of 6 [TABS 55-80; PAGES AA0783-AA1225]**

I served this document on the following persons:

SERVICE LIST

<p>Gary A. Dordick, Esq. Dustin Z. Moaven, Esq. Brittney Ghadoushi, Esq. DORDICK LAW CORPORATION 1122 Wilshire Blvd. Los Angeles, CA 90017 T: (310) 551-0949 F: 855-299-4444 Gary@dordicklaw.com; DZMeservice@dordicklaw.com; brittney@dordicklaw.com ; gustavo.gonzalez@dordicklaw.com;</p>	<p><i>Attorneys for Plaintiff and Respondent, JANE DOE</i></p>
<p>Ebby S. Bakhtiar, Esq. LIVINGSTON • BAKHTIAR 3435 Wilshire Boulevard, Suite 1669 Los Angeles, CA 90010 T: (213) 632-1550 F: (213) 632-3100 esb@lb-lawyers.com;</p>	<p><i>Attorneys for Plaintiff and Respondent, JANE DOE</i></p>
<p>Superior Court of Los Angeles County Appeal Brief appellatebriefs@lacourt.org;</p>	<p>*By E-Mail*</p>

Document received by the CA 2nd District Court of Appeal.

I served these documents in the following manner:

(BY U.S. MAIL): I enclosed this/these document(s) in a sealed envelope or package addressed to the person(s) at the address(es) above and placed the envelope for collection and mailing following our ordinary business practices. I am readily familiar with our firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am employed in the county where the mailing occurred. The envelope or package was placed in the mail at Costa Mesa, California.

(BY ELECTRONIC MAIL): I served the forgoing document electronically to all parties registered to this case at tf3.truefiling.com

I declare under penalty of perjury under the laws of the Stat of California that the above statements are true and correct. Executed on December 10, 2025 at Costa Mesa, California

Antonia Leseth

Antonia Leseth

Document received by the CA 2nd District Court of Appeal.