

NEW YORK STATE SUPREME COURT  
COUNTY OF NEW YORK

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DONALD LEWIS,	:
	:
<i>Plaintiff,</i>	:
	:
<i>-against-</i>	:
	:
JANE DOE,	:
	:
<i>Defendant.</i>	:
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Index No. 650644/2020

**AMENDED VERIFIED COMPLAINT**

COMES NOW Plaintiff Donald Lewis (“Lewis” or “Plaintiff”), by and through his undersigned counsel, and as for his Amended Verified Complaint against Jane Doe (“Defendant” or “Jane Doe”) states and alleges as follows:

**NATURE OF THE ACTION**

1. This defamation suit arises from intentionally fabricated, false, and malicious statements made by Jane Doe, as a non-party, in a publicly filed sworn affidavit dated December 23, 2019 (the “Defamatory Affidavit”) in which she falsely declared, *inter alia*, that she was “sexually assaulted” by Plaintiff (the “False Allegations”).

2. Plaintiff is a former partner at the law firm Pierce Bainbridge Beck Price & Hecht LLP (“Pierce Bainbridge”), where Jane Doe was employed until recently. Jane Doe is now employed at spin-off firm Hecht Partners LLP. Plaintiff currently has two civil actions pending in New York Supreme Court against Pierce Bainbridge, a multitude of its partners, as well as Michael D. Yim of Putney, Twombly, Hall & Hirson LLP and S. Jeanine Conley of Littler Mendelson, LLC.<sup>1</sup> Jane Doe

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<sup>1</sup> There are two current actions: *Lewis v. Pierce Bainbridge, et al.*, Index No. 652931/2019 (“Lewis I”) and *Lewis v. Pierce Bainbridge, et al.*, Index No. 155686/2019 (“Lewis II”). The Defamatory Affidavit was filed in Lewis II and related to a third action: *Pierce Bainbridge Beck Price & Hecht, LLP v. Lewis, et al.*, Index No. 154910/2019 which was discontinued and is currently under seal (the “Sealed Action”).

is not a party to either action such action.

3. Plaintiff had endeavored to leave Jane Doe out of his differences with the firm. Illustratively, Plaintiff's original complaint filed against her employer Pierce Bainbridge Beck Price and Hecht LLP ("PB" or "Pierce Bainbridge") on May 16, 2019, stated:

"Doe is not a defendant at this time, because if the firm so-called 'leaders' had acted as such, we would not be here. Plaintiff notes that he is aware of a bevy of severely troubling and credibility undermining documented facts about Doe. Plaintiff, however, has not raised these issues, as she is a young person, getting on in the world and was swept up into Pierce massive illicit financial activity and desperate efforts to cover-up the same. Be that as it may, Plaintiff expressly reserves any and all rights he may have against Doe in any fora."

4. Notwithstanding Plaintiff directing his claims at the leaders of the firms who exploited the False Allegations, Jane Doe filed the impertinent and intentionally fabricated and malicious Defamatory Affidavit, as a non-party.

5. There is not one shred of evidence supporting Jane Doe's falsehoods. To the contrary, even with limited information currently available to Plaintiff, Jane Doe has been caught in several falsehoods and has also inappropriately deleted material evidence.

**The Unfortunate Consequences & Collateral Damage of the  
Pierce Bainbridge & Hecht Partners Weaponization of #MeToo**

6. The inappropriate actions of John M. Pierce ("Pierce"),Carolynn K. Beck ("Beck") (Goldstein & McClintock LLLP), David Hecht ("Hecht") (Hecht Partners LLP), and others such as Christopher N. LaVigne ("LaVigne") (Withers Bergman / Withersworldwide) and Denver G. Edwards (Bradford Edwards & Varlack), as well as Jane Doe's SDNY counsel,<sup>2</sup> are primarily responsible for new troubling information about Jane Doe becoming public, information that will

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<sup>2</sup> On August 7, 2020, Jane Doe filed a complaint against Plaintiff in the United States District Court for the Southern District of New York in the name Jane Doe uses now and used while at Pierce Bainbridge. (Civil Action No: 20-cv-06142, pending in front of the Honorable Katherine Polk Failla, the "SDNY Action").

be expounded upon and explored as this action moves forward. It must be recalled that it was Pierce Bainbridge, in its complaint filed in LA against Lewis that has since been rejected by the Court, that first revealed gratuitous details concerning Jane Doe and brought such information directly to the media for dissemination.

7. Plaintiff is a 47-year-old double Harvard graduate who has never had even a suggestion of acting in any fashion remotely akin to what he has been falsely and maliciously accused of in the False Allegations or the Defamatory Affidavit. Jane Doe is a young person, who apparently has had some family issues, and who was the subject of an office discussion that she had made a similar false accusation in her past. Plaintiff is also a Black male who has been treated remarkably unfairly on multiple fronts and in multiple fora for almost two years.

8. The Pierce Bainbridge firm, and its current and former partners, have been asserted to have lied under oath, perpetrated fraud on courts (including this Court), violated ethical rules, quintuple-pledged collateral in exchange for tens of millions of dollars in cash (most of which remains unpaid) and appear to have engaged in what has been called potentially criminal misconduct including, but not limited to, potentially running a Ponzi Scheme, engaging in money laundering and committing securities fraud.

9. Jane Doe has deleted evidence, in one case a social media post arguably suggesting she was paid off to lie, been caught in several falsehoods, changed her story several times and been primarily supported by three individuals - John Pierce, David Hecht and Carolynn Beck of whom a former long-time firm attorney said -- in writing -- that there is a "reasonable chance" they will be caught up in a "criminal investigation."

10. This statement is not from former Pierce Bainbridge associate who submitted a sworn affidavit to this Court in connection with Plaintiff's pending motion for sanctions based on Carolynn Beck suborning perjury on the part of Dana Glass.

11. The statement is not from the former Pierce Bainbridge attorney, who in May 2020, accused David L. Hecht of lying to a federal court in Texas. (None of the statements from former Pierce Bainbridge attorneys in this Complaint are from either one of these two individuals.)

**Jane Doe Had No Bona Fide or Pertinent Interest in Filing the Defamatory Affidavit Other Than to Publicly Defame Plaintiff.**

12. The Defamatory Affidavit and related Order to Show Cause purportedly sought relief about which no legitimate or ripe issue existed.

13. The crux of the purported basis of the Defamatory Affidavit was to protect Jane Doe's identity, which Plaintiff had already voluntarily done, as recognized by the Court; stated otherwise, there was no need to file the affidavit at that late stage as all parties had already been using the term Jane Doe.

14. Jane Doe's own actions illustrate that that she had no genuine interest in protecting her name.

15. Indeed, the SDNY Complaint filed by Jane Doe on August 7, 2020, was filed using the name Jane Doe uses now and used while at Pierce Bainbridge.

16. The SDNY Complaint alleges that Plaintiff's May 16, 2019 complaint filed – over six (6) months before the Defamatory Affidavit -- with this Court “provided enough details about [Jane Doe] that anyone even remotely familiar with the firm would be able to identify her.”

17. The SDNY Complaint also claims that Jane Doe had “her identity disclosed in public pleadings or motions by both Pierce Bainbridge and [Plaintiff].”

18. Jane Doe's counsel immediately publicized the False Allegations after commencing they SDNY Action. The series of tweets repeatedly reveal Jane Doe's name.

19. The SDNY Complaint, including the name Jane Doe uses now and used while at Pierce Bainbridge, was covered the same day in Reuters, the New York Law Journal and Law360,

among other media sources.

20. The allegations in Jane Doe's own SDNY Complaint, and the media blitz initiated by her own counsel therein, eviscerates any notion that Jane Doe's Defamatory Affidavit and the Order Show Cause with which it was filed was a legitimate or pertinent request.

21. Even absent Jane Doe's SDNY Complaint, the Defamatory Affidavit could have been filed under seal. This did not happen.

22. The Defamatory Affidavit could have been rendered unnecessary with a phone call or an e-mail. Neither happened.

23. The Defamatory Affidavit could have been filed without disclosing Jane Doe's name in the accompanying affidavits of service. This did not happen.

24. As Plaintiff has said all along, Pierce Bainbridge conspired with Jane Doe in connection with the filing of the Defamatory Affidavit in yet another ploy to defame Plaintiff and once again brazenly waste judicial resources.

25. By way of example, under the guise of protecting her identity, the Defamatory Affidavit contains an inexplicable request that the entirety of the affidavits of then PB Partners Christopher N. LaVigne and Denver G. Edwards remain sealed; virtually the same request that PB had previously made to the Lewis II court unsuccessfully.

26. To be clear, Plaintiff has submitted a sworn affidavit stating that LaVigne and Edwards lied under oath. In responding to that filing, neither LaVigne nor Edwards submitted any sworn, or other, denial.

27. Jane Doe's request with respect to the LaVigne and Edwards affidavits was to attempt to stop the public embarrassment that would ensue to the two then Pierce Bainbridge partners if their sworn falsehoods are made public. Given that LaVigne and Edwards perjuring themselves in an effort to shield the firm's potentially criminal financial misconduct from public view could have

serious consequences.

28. This sequence of events also eviscerates any notion that Jane Doe filed the Defamatory Affidavit in good faith or that the related motion had any pertinence at all to that Action.

29. Jane Doe and her counsel's deceitful conduct, gamesmanship and waste of judicial resources is sanctionable.

### **The Weaponization and Exploitation of #MeToo**

30. The #MeToo movement – a great cause – has now been weaponized, exploited, and cheapened three (3) times by lawyers affiliated with Pierce Bainbridge and the spin-off firm Hecht Partners, through their exploitation of Jane Doe and the False Allegations.

31. Hecht Partners was formed in March 2020 with Pierce Bainbridge crumbling under a reported \$70 million debt, and numerous lawsuits against the firm. Each of the partners at Hecht Partners were partners at Pierce Bainbridge; three of the six partners at Hecht Partners are defendants in ongoing litigations with Plaintiff.

32. The first weaponization was in October 2018 after Plaintiff blew the whistle on potentially criminal financial misconduct at Pierce Bainbridge. The False Allegations were used to run Plaintiff out of the firm.

33. The second occurrence was the Defamatory Affidavit, which is the subject of this action, submitted while several major motions were in front of this Court. The False Allegations were used to publicly defame Plaintiff, at a time when Pierce Bainbridge attorneys were leaving *en masse* as the apparent corruption and financial issues that Plaintiff had raised (and which led to his termination) were brought further to light.

34. The third instance was the SDNY Complaint, which was filed just weeks after Jane Doe says she joined David Hecht's new firm, Hecht Partners.

35. Before this most recent weaponization of Jane Doe, in the SDNY Complaint, Hecht

Partners took numerous steps to try to silence Plaintiff in the weeks and months before their latest public smear campaign.

36. For example, Hecht Partners, and David Hecht, threatened several media outlets -- retaining lawyers in Ireland (Tweed Law Firm) and New Zealand (Chapman Tripp) -- and hired a law firm in New York (Meister Selig & Fine) to threaten Plaintiff.

37. Former Pierce Bainbridge partners Christopher N. LaVigne (Withers Bergman / Withersworldwide), Douglas S. Curran (Braun Hagey & Borden), Amman Khan (Withers Bergman / Withersworldwide) and Carolynn Beck made similar baseless threats.

38. These threats were riddled with outright fabrication and revisionist history. The threats purport to object to publications relying on, referencing, and/or quoting documented facts, allegations in court pleadings, lawsuits propounded by third-parties, contemporaneous written communications, and well-grounded opinions which exposed the lack of ethics, incompetence, and potential criminality at both Pierce Bainbridge and Hecht Partners.

39. The purpose of these threats was a concerted effort to smear Plaintiff and take away his voice; the seeming precise objective of Jane Doe (and those influencing her) herein; and the seeming objective of Jane Doe in commencing the SDNY Complaint.

40. Despite these collusive efforts, the potential repercussion for improper activities related to Pierce Bainbridge appears to increase with each passing day. Many people have opined, including a former long-time attorney, that the firm may have been involved in criminal misconduct on multiple levels.

#### **The Jane Doe & David Hecht & The Deleted Social Media Pages**

41. Jane Doe came to Pierce Bainbridge in 2018 as David Hecht's "personal assistant." Jane Doe now works for David Hecht at Hecht Partners.

42. From public records, (deleted) social media pages, conversations and written

communications with former Pierce Bainbridge attorneys, it is evident that Jane Doe has more than just a professional relationship with Hecht.

43. This information, involves, among other items, a crime-ridden neighborhood in the Bronx, New York, a transitional homeless shelter in Harlem, New York; a Covenant House in Newark, New Jersey; and a Couchsurfing.com page.

44. According to the host website: “Hospitality on Couchsurfing is free. A host should never ask a guest to pay for their lodging, and a guest should not offer. We do recommend that a guest show their appreciation by cooking a meal, taking the host out, bringing a small gift or offering some other gesture.”<sup>3</sup>

45. Jane Doe’s Couchsurfing.com page speaks of wearing “deep pink lipstick” and “spreading joy.”

46. Jane Doe appears to have met David Hecht during the time she maintained a Couchsurfing account, and was affiliated with the Covenant House, prior to her arrival at Pierce Bainbridge as Hecht’s “personal assistant.”

47. Jane Doe’s Couchsurfing.com page has been deleted. It was deleted days after Plaintiff pointed out to PB and its agents. Plaintiff had said that Jane Doe’s on-line activity undermined her credibility. Jane Doe’s steps to delete such activity / postings support Plaintiff’s contention.

48. A former attorney at Pierce Bainbridge, who was at the firm long after Plaintiff was terminated, shared thoughts– **in writing** – which support the notion that John Pierce and David Hecht are behind the exploitation of Jane Doe and the improper weaponization of #MeToo.

- “[It] was also hard to believe (and concededly more convenient) that she would completely make this up and even if you could believe that, that [David] Hecht and John [Pierce] designed this whole plan to screw you over. But the more the evidence has come in the more I smell something rotten in Denmark.”

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<sup>3</sup> <https://www.couchsurfing.com/>

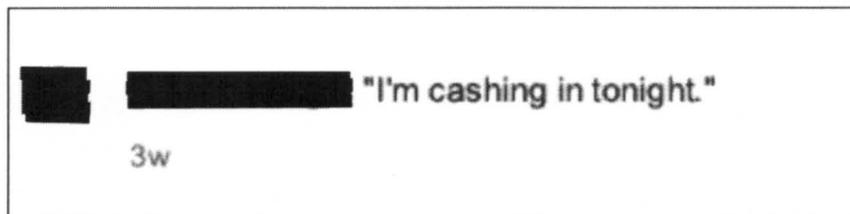
- “When the firm was experiencing one crisis after another, I found [David] Hecht to be pretty despicable as a person.”

49. The individual’s thoughts also suggest that Putney, Twombly, Hall & Hirson LLP ran a sham investigation and Jane Doe lacks credibility.

- “Putney was clearly a fu\*king disaster. . .Putney did a disservice to both you (in the short term by terminating you) but also to the accuser-because it showed how completely biased and unfair they were and therefore you really need to consider just how credible the accuser was to begin with, and this whole weird secret life before she assumed her identity, together with a closeness to Hecht.<sup>4</sup>

50. Another social media page suggests Jane Doe was paid off – that is, received money – to lie about Plaintiff.

51. Specifically, a Facebook comment in Jane Doe’s name – stating “I’m cashing in tonight” -- was made on October 15, 2018. Plaintiff was put on leave three (3) days earlier.



52. This subject Facebook page was also deleted just days after Plaintiff raised questions about Jane Doe’s on-line activity to PB and its agents. Clearly, the collusion referenced herein has been long standing and includes not only spoliation of evidence, but also appears to potentially include ongoing employment for Jane Doe.

53. Jane Doe’s SDNY counsel has claimed that the commonality of her name undermines this position. This argument is uninformed (which it should not be for several reasons); it can be

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<sup>4</sup> Putney Twombly Hall & Hirson LLP is the law firm that is purported to have conducted the “investigation” into the False Allegations against Plaintiff, through a partner named Michael D. Yim (“Yim”). Yim is personal friends withCarolynn K. Beck. By his actions, Yim demonstrated an improper bias in conduction the “investigation.”

dismissed out of hand.

54. Plaintiff has maintained for almost two years that Pierce Bainbridge is a severely corrupt law firm and that he was retaliated against for blowing the whistle on the same.

**The Severe & Disturbing Dysfunction in Which Pierce Bainbridge Is Immersed**

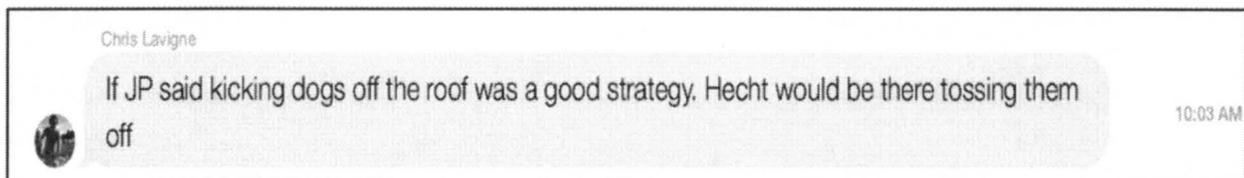
55. It has now been revealed from lawsuits by multiple third-parties, as well as media interviews with firm insiders, that Pierce Bainbridge has a reported \$70 million debt, \$65 million to litigation funder Virage Capital Management; tens of millions of dollars flowed through the firm; attorneys left PB *en masse*; PB vendors were unpaid; PB cash advance lenders were ignored and unpaid; PB improperly pledged the same collateral at least five times in exchange for tens of millions in cash, much of which remains unpaid; and the firm has dramatically disintegrated and is now operating as a newly formed “Pierce Bainbridge P.C.”.

56. Plaintiff has also maintained for almost two years that John M. Piece is the ringleader in the exploitation of the False Allegations and weaponization of #MeToo.

57. David L. Hecht and Carolynn K. Beck conspired with Pierce and others to smear Plaintiff through falsehoods; there are several related noteworthy facts.

58. The blind loyalty of Hecht and Beck to firm boss Pierce was captured in writing by two former partners.

59. Ex-partner Christopher N. LaVigne provided contemporaneous written thoughts of Hecht’s relationship with Pierce in 2018:



60. Another partner provided written contemporaneous thoughts on Hecht and Beck’s relationship with Pierce in 2018.

They're like cult members. I understand that John's in charge and it doesn't make sense to piss off whoever is in charge, but at a certain point you have to put self respect above all else if you are a real person. You're either compromising yourself or you're just plain dumb. I can't decide which category those two fall into. Could be both.

9:14 AM

The “both” refers to Hecht and Beck. The “John” refers to Pierce. The exchange shows the partner felt Hecht and Beck were “like cult members” to John Pierce.

61. The devotion of Beck, Hecht and the other partners to Pierce extends to other troubling areas as well. For example, Pierce was the subject of a domestic violence temporary restraining order in July 2019 (as he was also in August 2016), the firm was accused in October 2019 of “stonewalling” a subpoena -- from Pierce’s former spouse -- for documents related to Pierce’s financial information in the underlying marital proceedings.<sup>5</sup>

62. At the time of the “stonewalling”, David L. Hecht and Carolynn K. Beck were name-partners, and Jane Doe a Legal Assistant.

63. The related filings include a declaration from his former spouse with many statements concerning Pierce, the Respondent therein. That Declaration included:

17 7. In May 2016, Respondent lost his job at K&L Gates for physically assaulting  
 18 another employee. Respondent detached his retina during the altercation. It was believed  
 19 that the altercation was a result of Respondent’s drug and alcohol abuse, and so  
 20 arrangements were made for Respondent to check-in to rehab at Promises Facility.  
 21 Respondent refused to go.

64. This is just an exemplar, and a substantially muted version at that, of the events set forth in those filings, which include over sixty (60) primary source texts from Pierce.

65. The declaration also states that in connection with the 2016 issues, Pierce had

<sup>5</sup> The case in in the Superior Court of the State of California County of Los Angeles, Central District. Case No. BD 639 740.

“express[ed] an intense desire to kill” his former spouse.

66. Even these limited samples, help to explain the players and their devotion to Pierce as they helped him to cover-up any personal or firm problems; and evidence the type of malice and warped moral compasses that would permit them to facilitate the heinous creation of, and their attempt to exploit, the False Allegations in an attempt to destroy Plaintiff’s livelihood and career.

67. The Pierce Bainbridge law firm was not an innocent bystander.

### **Jane Doe Committed Perjury**

68. The fabricated accusations in the Defamatory Affidavit belie credulity and have many aspects that suggest their abject falsity, including, but not limited to, the timing of the accusation, the motives of the alleged victim, the story vs. configuration of the office, the timing of the alleged acts, the prior and subsequent interactions between Lewis and the alleged victim, and the online activity of the alleged victim, as well as the spoliation of evidence concerning the same.

69. Plaintiff is 47 years old, has been in the professional workforce for over 20 years, and has never had a single suggestion of this type of misconduct in any place he has worked. To the contrary, Plaintiff can produce likely hundreds of women and others who have worked closely with him who would unequivocally support his character.

70. Shortly after it was filed, the Defamatory Affidavit filing was referenced in a leading tri-state area legal periodical, as well as an article in NBC News; Lewis received inquiries from the media concerning the same.

71. The Defamatory Affidavit constituted a brand-new statement with Jane Doe falsely declaring under oath that Plaintiff “sexually assaulted” her. This is pure fiction, it never happened.

72. There is not one shred of evidence supporting Jane Doe’s falsehoods.

73. Jane Doe committed perjury and must be held accountable.

74. Plaintiff seeks compensatory and punitive damages for the extreme harm that he has suffered, and will suffer, as a result of the publicly filed Defamatory Affidavit.

### THE PARTIES

75. Plaintiff is an individual residing in the State of New York. Plaintiff is an attorney licensed and authorized to practice in the State of New York and was a partner working in PB's New York City office until November of 2018.

76. Defendant was an employee or an independent contractor at the Pierce Bainbridge law firm, who now works at spin-off firm Hecht Partners. Upon information and belief, Jane Doe works out of the Hecht Partners New York office and resides in New Jersey.

### JURISDICTION AND VENUE

77. Jurisdiction and venue are proper in this Court because Plaintiff resides in New York County; Plaintiff suffered damages in New York County from Defendant's wrongdoing; the claims asserted herein arose in New York County; and the Plaintiff seeks damages in excess of this Court's jurisdictional minimum.

### FACTUAL BACKGROUND

#### **Lewis's Tenure and Retaliatory Banishment from the Firm**

78. In June of 2018, Plaintiff was recruited by PB to be an "Equity Partner and Co-Founder of the New York City Office."

79. Plaintiff received glowing praise for his contributions to the firm. Plaintiff was named both Assigning Partner and Co-Chair of Diversity & Inclusion just weeks before he was banished.

80. Plaintiff received reports from the firm's bookkeeper about severe financial misconduct at the firm being spearheaded by Pierce, with Beck's approval and Schaefer-Green freeloading and reaping the benefits.

81. Plaintiff reported his concerns about the illicit financial activity by telling Pierce to cut

it out.

82. In response to Plaintiff's reporting, in an effort to demonize and marginalize Plaintiff, Pierce Bainbridge manufactured or exploited the purported False Allegations of Jane Doe.

83. The False Allegations were the pretext for Plaintiff's illegal ejection from the partnership.

84. General Counsel Beck was at the center of the financial misconduct; a friend of hers, Michael D. Yim, was hired to conduct the investigation of the false accusations.

85. Yim conducted a sham investigation. He even conceded he was biased.

#### **The Odd Timing of the Patently False July 7, 2018 Allegation**

86. Jane Doe alleged the sexual misconduct by Plaintiff occurred in the firm's offices on Saturday July 7, 2018 with no witnesses. She allegedly did not report the same until on or about October 4, 2018.

87. The allegation made by Doe is facially not credible. It belies credulity and is a poorly crafted lie.

88. In addition, written records, including emails and Slack messages, are inconsistent with Jane Doe's allegations concerning any interactions between the parties on July 7, 2018.

89. Initially, Yim claimed to have failed to inquire, as part of his investigation, as to any "time of occurrence" for the alleged incident which had no third-party eyewitnesses. When pushed as to this patent failure, Yim ultimately provided a time orally. However, when Plaintiff was able to prove he was not in the office at the time propounded by Yim, Yim changed his story and the time he has asserted as to the incident, claiming he "misspoke".

#### **The Yankee Ticket Delivery Demonstrable Falsehoods**

90. In an attempt to bolster her fictitious July 7 allegation, Jane Doe alleged that Plaintiff acted inappropriately toward her some two weeks thereafter in connection with the delivery of

Yankee tickets.

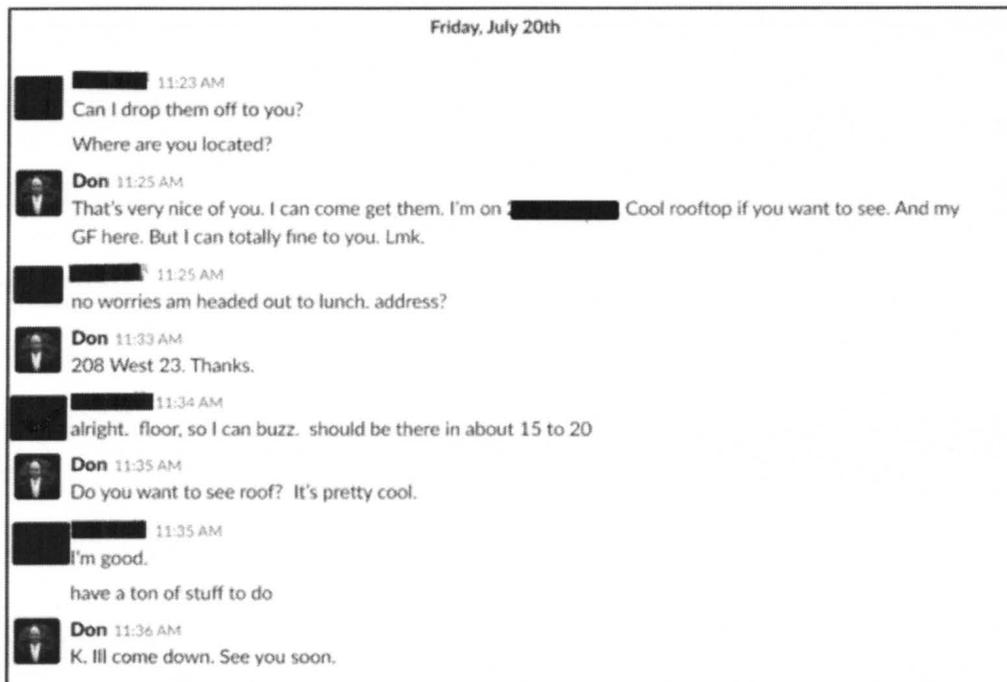
91. Yim said several times during the investigation that the “delivery of the Yankee tickets” was a “key event” and a “critical” reason why Doe came forward.

92. However, documentary evidence which was buried and withheld by Beck and Yim for much of the investigation, evidences that Doe lied about the Yankee ticket delivery.

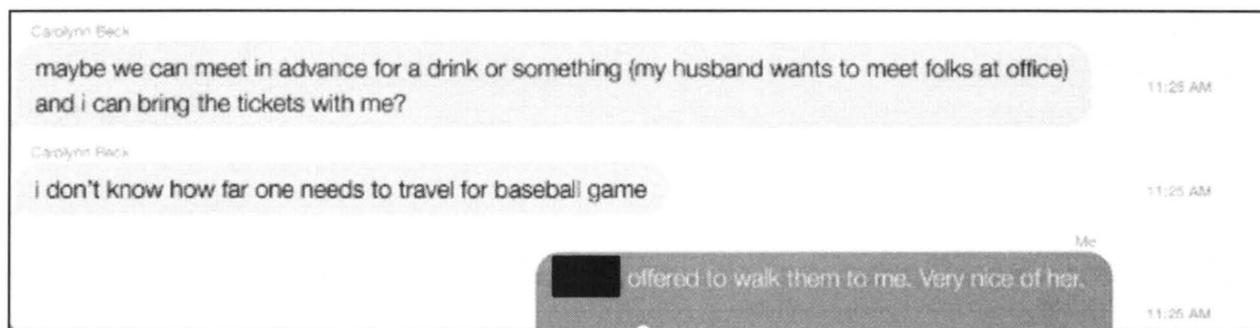
93. Interestingly, that evidence has been made public, and Jane Doe’s “new” narrative, including the Defamatory Affidavit, no longer includes this purportedly “key” and “critical” event.

94. For example, below is a Slack message that was withheld by the Yim and Beck throughout most of the investigation.

95. Jane Doe initiated this exchange in Plaintiff’s private messages. Notably, one of Jane Doe’s multiple falsehoods was that just two weeks before this message, she had and allegedly locked herself in a bathroom out of fear of Lewis for 15 to 30 minutes. It is an outright lie.



96. The timing of these slack messages coincides with texts from Beck's personal phone - which were not initially produced - between Plaintiff and Beck on July 20, the day of the Yankee ticket delivery.



97. Furthermore, the rooftop mentioned in the messages - and relied on by the dishonest Jane Doe to suggest something untoward - is an open area accessible to anyone in Plaintiff's building to which tenants, including Plaintiff, routinely invite guests and friends, as Plaintiff had done with other PB personnel, to enjoy the view from the rooftop.

98. Furthermore, Plaintiff's girlfriend, who lives out of town, was with him on the day in question, which was communicated to both Doe and Beck in writing, a fact purposefully omitted by both Doe and Beck in their "recounting" of the day's events for the sham investigation.

99. Indicative of the revisionist history and lies in a continual attempt to back into a false story, the SDNY Complaint now, for the first time in almost two years, concedes that Plaintiff's girlfriend was with him; and continues with the ongoing convoluted, non-sensical and transparent effort to back into a story.

100. Below is a demonstrative exhibit comparing the story that Beck and Yim presented to Lewis, notwithstanding the contradictory documentary evidence above, which were concealing at that time.

PB-GENERAL-COUNSEL'S-MISLEADING-SUMMARY	ACTUAL-TEXTS-BETWEEN-DOE-AND-PLAINTIFF (AND-BECK)
<p><b>Beck's version:</b> "...you and [Doe] made arrangements to deliver baseball tickets to your personal residence..."</p> <p><i>Intentionally misleading; Doe proactively, of her own initiative, volunteered to walk the tickets over; and Plaintiff offered to come to the office; but Doe persisted.</i></p>	<p><b>Doe:</b> Can I drop them off to you? Where are you located?</p> <p><b>Plaintiff:</b> That's very nice of you. I can come get them. I'm on... Cool rooftop if you want to see And GF here... But I can totally [come] to you. [mk]</p> <p><b>Doe:</b> no worries am headed out to lunch. address?</p> <p><b>(Plaintiff/Beck Personal Text:</b> In response to her contemporaneous inquiry about the tickets, Plaintiff personally texted GC Beck at around the same: "[Doe] offered to bring them to me. Very nice of her.")</p>
<p><b>Beck's version:</b> "During the text message exchange, you asked her to come inside your personal residence and join you on the rooftop."</p> <p><i>Intentionally misleading; and offer was made; not an ask</i></p>	<p><b>Doe:</b> alright floor, so I can buzz. Should be there in about 15 to 20</p> <p><b>Plaintiff:</b> Do you want to see roof? It's pretty cool. [(Doe had not responded the first time, so Plaintiff repeated the offer.)]</p> <p><b>Doe:</b> I'm good. have a ton of stuff to do</p> <p><b>Plaintiff:</b> K. I'll come down. See you soon.</p>
<p><b>Beck's version:</b> Deceptively omits reference to GF, which is intentionally deceptive; critical omission; Plaintiff said this immediately after referencing the rooftop; otherwise it would NOT have been done.</p>	<p>Per above, Plaintiff immediately states "GF is here" upon referencing the roof.</p>
<p><b>Beck's version:</b> "Ms. [Doe] declined and instead asked you to come outside your building to pick up the tickets."</p> <p><i>Intentionally misleading; Doe did NOT ask Plaintiff to come outside; Doe asked for his floor and buzzer; Plaintiff said he would come down and did come down and waited for 5 or 10 minutes on the sidewalk</i></p>	<p><b>Doe:</b> alright floor, so I can buzz. should be there in about 15 to 20</p> <p><b>Plaintiff:</b> Do you want to see roof? It's pretty cool.</p> <p><b>Doe:</b> I'm good. have a ton of stuff to do</p> <p><b>Plaintiff:</b> K. I'll come down. See you soon.</p>

**The Work Feedback Dishonesty**

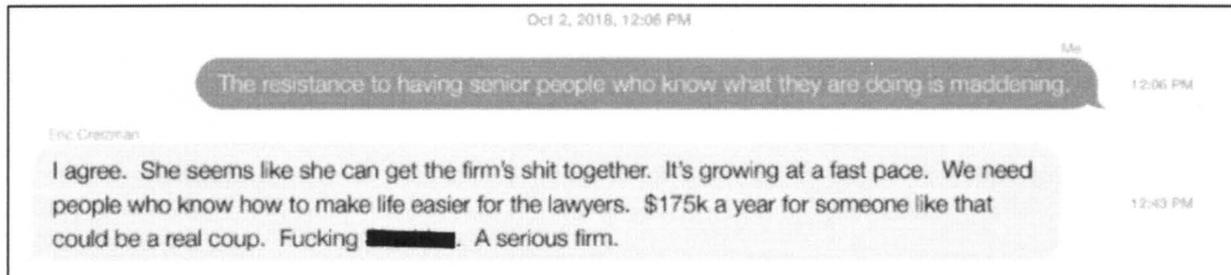
101. Doe also created an allegation about Lewis providing uniquely unfair work feedback about her. This additional fiction also appears in the SDNY Complaint.

102. By way of example, it cannot be disputed that partner Eric Creizman and partner Christopher LaVigne, *inter alia*, had scathing criticisms about Jane Doe's work.

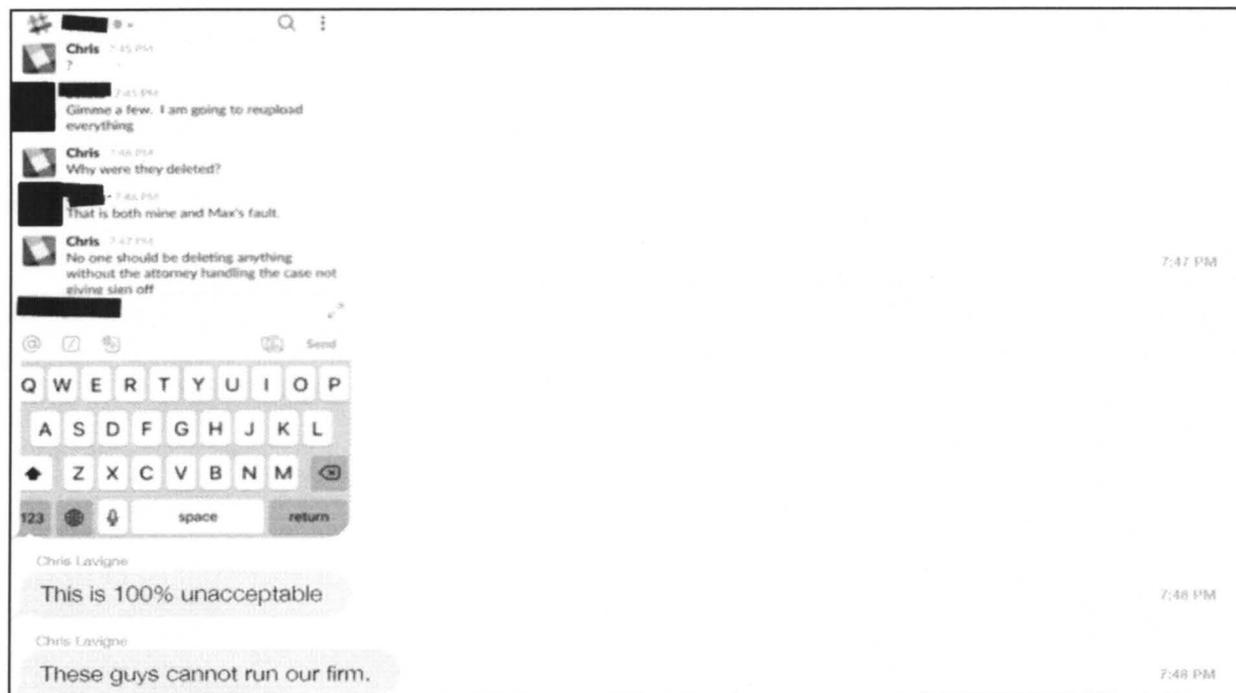
103. Similarly, both LaVigne and another attorney suggested Jane Doe should be fired for

incompetence.

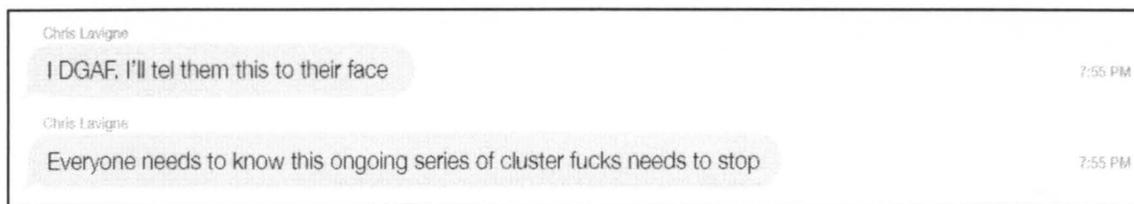
104. Illustratively, on October 2, 2019, just two (2) days before Jane Doe submitted the False Allegations, Creizman expressed his clear exasperation with Jane Doe:



105. LaVigne also expressed serious displeasure with Jane Doe and the manner in which the firm was run after Jane Doe deleted the case files for an active case:



106. This not an isolated incident as evident from another message LaVigne sent just minutes later complaining about the “ongoing series of clusterfu\*ks,” flowing from Jane Doe’s poor work and inexperience. (“I DGAF means “I don’t give a fu\*k.”)



107. LaVigne also flatly stated – in writing – that he believed Jane Doe should not be given access to certain firm files, because he did not think she was trustworthy.

108. In addition, less than 24 hours before the False Allegations were allegedly made, PB partner LaVigne said – in writing – “she straight up lied in that e-mail to John [Pierce.]”



109. Upon information and belief, based on conversations with former Pierce Bainbridge attorneys, Beck and Hecht have been involved in efforts to retroactively doctor, cleanse, or otherwise manipulate Jane Doe’s personnel file.

### **The Timing of the False Allegations**

110. The day before the False Allegations were reportedly made, several e-mails were exchanged between PB partners Andrew “Andy” Lorin, Christopher N. LaVigne, Eric M. Creizman, John M. Pierce and Michael Pomerantz to set-up interviews with a senior person with job responsibilities similar to Jane Doe’s from a renowned law firm.

111. Unbeknownst to Plaintiff, Jane Doe had access to Pierce’s e-mails and, upon information and belief, read these messages.

112. Jane Doe had no prior law firm experience, and, with a lean staff, was able to pick which assignments she preferred to work on. It appears that Jane Doe, fearing the loss of her free reign and perhaps her job, panicked and tried to create job security by concocting and submitting the False Allegations.

#### **More Dishonesty - The Falsehoods About the Two Names**

113. Jane Doe has purportedly told PB that she does not “publicly disclose” that she has two names; apparently in furtherance of her scheme to discredit and smear Plaintiff.

114. This is contradicted by Jane Doe’s own on-line activity. It is also contradicted by Jane Doe’s communications with the firm’s bookkeeper. It is yet another falsehood.

115. In a September 7, 2018 text from PB’s bookkeeper to Plaintiff characterizing Jane Doe’s usage of two separate names / aliases as “trivia”. Notably, the bookkeeper is relating information “according to her,” which means “Jane Doe,” and Jane Doe did not indicate any privacy concerns.

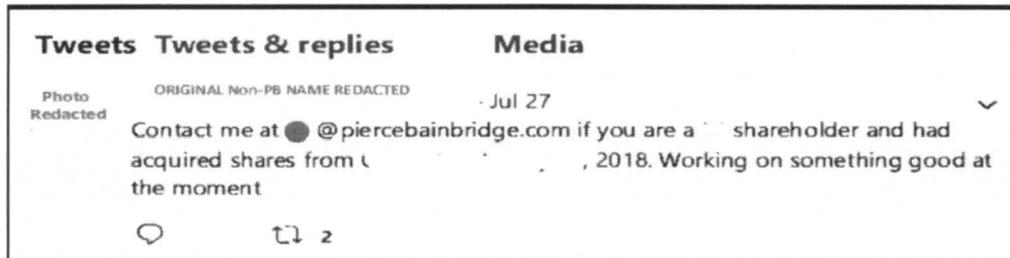
Paige Storman  
Friday Trivia. According to her, [REDACTED] name used to be [REDACTED]. She changed it a year ago, she said. 4:26 PM

116. Jane Doe’ Couchsurfing.com profile also included both names, as well as her photo. As noted above, that page was deleted after Plaintiff pointed it out during the sham investigation: another example of improper spoliation of evidence.

117. Jane Doe additionally had a personal Twitter page, under her original name, with her photo. One of her tweets included a reference to a PB work project and a request for people to contact her with information at her PB work email address (which uses the first initial and last name of her current legal name). This contradicts Doe’s claim that she did not make her name change public. After the False Allegations were made by Jane Doe and denied by Plaintiff, this page was also

deleted. Yet another example of improperly spoliation of evidence.

118. A redacted version of the Twitter page is below. The red dot indicates where the Jane Doe's first initial and last name at Pierce Bainbridge were included.



119. In summary, Jane Doe's (i) Couchsurfing.com page, (ii) Twitter page, and (iii) Facebook "cashing in tonight" page were all deleted just days after Plaintiff pointed out to PB and PB's agents. In each case, the pages were pointed out just days after Plaintiff said they undermined Jane Doe's credibility evidencing that Jane Doe recognized this reality and purposefully sought to hide this material evidence.

120. Plaintiff learned this week that another Twitter page connected to Jane Doe also has been deleted. A fourth social media page that Jane Doe has deleted.

### **Jane Doe's Lack of Credibility**

121. As set forth and demonstrated above, Jane Doe has not been truthful and generally lacks credibility.

122. A partner (Lavigne) and an associate at the firm both told Plaintiff, well after he was banished, versions of "everyone knows she is lying."

123. Virtually every aspect of Jane Doe's allegations that can be tested by contemporaneous documents has been proven to be untruthful.

124. Plaintiff has said all along that the corrupt forces at play hoped to back into a story. This is precisely what has been done, albeit poorly, in the SDNY Complaint which is riddled with

revisionist history and demonstrable falsehoods.

125. Plaintiff believes that when Jane Doe's full original version of events is exposed -- to the extent the relevant notes have not been altered and/or destroyed -- there will be a multitude of additional demonstrable falsehoods.

### **The Jane Doe Affidavit Was Meant to Defame and Deflect**

126. The Defamatory Affidavit was a calculated ruse to defame Plaintiff and deflect from the potentially criminal issues at Pierce Bainbridge.

127. The stated rationale and relief requested does not hold up under scrutiny.

128. The relief Jane Doe requested was either not ripe (the Putney Report), not within the Lewis II judge's jurisdiction (the Sealed Action), sought solely to maintain the status quo (keeping Doe's name private) or wholly irrelevant to any concerns of Jane Doe (issues in the LaVigne and Edwards affidavits that have no bearing on Jane Doe.)

129. Dispositively, Jane Doe's own SDNY Complaint now claims that she was already identifiable since May 16, 2019, more than six months before the Defamatory Affidavit was filed.

130. Furthermore, Jane Doe's SDNY Complaint says multiple filings in the related actions and media reports disclosed her name; media reports and filings which were publicly available for months before Jane Doe filed the Defamatory Affidavit. At no point prior to the filing of Defamatory Affidavit had Plaintiff identified Jane Doe by either of her names in a public filing or to any news source.

131. Also dispositive as to the solely defamatory objective of her filing, Jane Doe requested that anything and everything related to the Sealed Action remain sealed, but she nonetheless filed the Defamatory Affidavit publicly. Although privacy was a "stated" objective, it was clearly a sham one.

132. Similarly, and also dispositive as to the solely defamatory objective of her filing, Jane Doe requested that she be able to -- and the Court granted her the allowance of -- filing her papers,

under seal, but she nonetheless filed the Defamatory Affidavit publicly. Although privacy was a “stated” objective, it was clearly a sham one.

133. In addition, it appears that Jane Doe, incorrectly believing the statute of limitations for defamation had lapsed, came forward with an entirely new and independent defamatory publication to demonize Lewis, attempt to give credence to her own False Allegation and distract from the ongoing difficulties suffered by PB.

#### **Hecht Partners Continues the Pattern & Practice of Weaponizing Jane Doe**

134. Tellingly, Jane Doe’s recent defamatory SDNY Complaint was filed just weeks after she claims to have started working at Hecht Partners.

135. Plaintiff has been publicly critical of Hecht Partners. Hecht Partners has tried to mute or otherwise silence Plaintiff by making false and baseless threats to both Plaintiff and several media outlets.

136. With Plaintiff continuing to have a voice and continuing to expose the severe issues at Pierce Bainbridge, and now Hecht Partners, Jane Doe has been weaponized for a third time. To be clear, with Hecht Partners repeated attempts to mute and discredit Plaintiff having failed, they brought in Jane Doe, again, in an effort to get the job done.

137. The pattern and practice, as well as the abuse of the judicial system and waste of judicial resources is plainly evident.

#### **The Dubious Timing and Nature of the Defamatory Affidavit Filing**

138. Despite John Pierce immediately breaching confidentiality and disclosing Jane Doe’s name back in October 2018, Jane Doe took no action.

139. Despite Pierce Bainbridge’s disclosing never before disclosed intimate purported details about Jane Doe’s private life on May 15, 2019 in a publicly filed complaint in Los Angeles, including a purported abusive arranged marriage, Jane Doe took no action. It is not credible that

Jane Doe did not know as Plaintiff has been informed that the entire office was aware of her False Allegations; in addition, Jane Doe herself told an associate Minoti Patel of this purportedly confidential information.

140. Despite Pierce Bainbridge's delivery of the LA complaint to the media and publications being made concerning the same, Jane Doe took no action.

141. In fact, the Defamatory Affidavit was not filed until Pierce Bainbridge had increasingly been on the receiving end of bad news, much of which surfaced as a result of Plaintiff's lawsuits with the firm, including:

- at least 16 attorneys leaving the firm (this initial exodus greatly increased thereafter until only a few attorneys remained),
- client relationships breaking down (according to Pierce Bainbridge's own court filings)
- opinions that the firm was running a Ponzi Scheme
- clear evidence that Pierce repeatedly lied about the firm's relationship with litigation funder Pravati Capital LLC; Pravati declared a \$9.1 million default on what was publicly stated to be an "up to eight figure deal"
- several creditors complaining about late payments from PB, at least one of which had been owed money for over a year
- a glaring absence of trial victories

142. Apparently doing the firm's bidding and trying to silence and discredit Lewis, Jane Doe then came forward to defame Lewis under the guise of asserting purported rights which she had sat on for over a year while Pierce Bainbridge trampled over the same.

#### **The Exploitation and Weaponization of #MeToo is Not Acceptable**

143. The exploitation and weaponization of #MeToo by Jane Doe, Pierce Bainbridge, and now Hecht Partners (her new employer) has done immense and irreparable damage to Plaintiff.

144. The Jane Doe filing is defamatory -- it is a document filed under oath, to falsely portray Plaintiff as having committed "sexual assault." It is perjurious and entirely without merit.

145. The Defamatory Affidavit filing was a new and distinct malicious act, an entirely new document, published to the general public and meant to inflict maximum harm on Plaintiff and devastate his reputation and livelihood.

146. Virtually every single aspect of Jane Doe's False Allegations, for which there exist relevant documents, has proven to be false.

147. There is not a single shred of paper, nor any evidence at all, that supports Jane Doe's False Allegations.

148. Moreover, the changing elements of the False Allegations, the destruction of pertinent evidence by Jane Doe, the abandonment of elements initially labelled as "key" and "critical", the abjectly false additional statement by Jane Doe concerning her work performance and how other partners viewed the same, and the clear fraudulent bases behind the False Allegations, all belie Jane Doe's credibility. The Defamatory Affidavit only further exemplifies Jane Doe's bad faith in pursuing the False Allegations against Lewis.

149. Lies like the ones peddled by Jane Doe, and exploited by Pierce Bainbridge, and its spin-off firm Hecht Partners, destroy careers, destroy reputations and destroy lives. It is reprehensible and unacceptable, and Jane Doe must be held accountable.

#### **FIRST CAUSE OF ACTION**

##### DEFAMATION (JANE DOE)

150. Plaintiff repeats and re-alleges each and every allegation contained in the paragraphs above as if fully set forth herein.

151. In making the statements in the Defamatory Affidavit, Defendant purported to be making statements of fact.

152. The statements by Defendant claiming sexual assault by Plaintiff were false and constitute defamation *per se*. Defendant intended to cause members of the public, including members

of Plaintiff's profession and his actual and potential clients, to believe that Plaintiff had committed serious crimes, was a "sexual assaulter" and was incompetent, immoral, dishonest, abusive, dangerous and unfit to perform his profession.

153. The false and defamatory statements about Plaintiff tend to expose Plaintiff to public contempt, ridicule, aversion or disgrace, or induce an evil opinion of him in the minds of right-thinking persons. In the communities in which he works and performs, Plaintiff has been injured in his reputation and good-standing and has been held up to ridicule and contempt.

154. The false and defamatory statements have already been the subject of media coverage and are now available on a public court docket in a very high-profile case in perpetuity, and will be reviewed by thousands of individuals, many of whom are in Plaintiff's profession throughout the United States and even abroad.

155. The statements Defendant made were calculated to injure Plaintiff in his profession, trade or business by imputing to him traits that, if true, would render him unfit to publicly perform his profession, and they in fact caused such injuries, as admitted by PB's own counsel Jeanine Conley (Littler Mendelson P.C.) who stated Lewis will "be trying to clear his name forever (particularly with any law firm he may want to work for in the future) regardless of the outcome."

WHEREFORE, Plaintiff requests that a Judgment be entered in his favor and against Defendant in an amount to be determined at trial, but in no event less than \$1 million in compensatory damages, \$3 million in punitive damages, interest, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court finds just and proper.

**JURY DEMAND**

152. Plaintiff requests that this matter be tried before a jury.

Dated: New York, New York  
August 31, 2020

THE LAW OFFICES OF NEAL  
BRICKMAN, P.C.



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*Attorneys for Plaintiff Donald Lewis*

VERIFICATION

I, Donald Lewis, hereby affirm, under penalties of perjury, that all of the allegations of the preceding Complaint are true and accurate to the best of my knowledge. With respect to the allegations made upon information and belief, I believe them to be true.

Dated: New York, New York  
August 31, 2020

*Donald Lewis*  
\_\_\_\_\_  
Donald Lewis

Sworn to before me this  
31<sup>st</sup> day of August, 2020

*Neal Brickman*  
\_\_\_\_\_

**NEAL BRICKMAN**  
**Notary Public, State of New York**  
**No. 02BR6350211**  
**Qualified in New York County**  
**Commission Expires Nov. 7, 2020**

Notary Public