

**UNITED STATES COURTS OF APPEALS
FOR THE SECOND CIRCUIT**

James Lawrence

v.

Altice USA

Case # 20-393

**On Appeal from the United States District Court
for the District of Connecticut**

REPLY BRIEF

Brief #2 of Appellant James Lawrence

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LIST OF JUDGE UNDERHILL'S QUESTIONABLE QUOTES I WILL OFTEN BE REFERRING TO IN BRIEF #1 AND REPLY BRIEF #2.

- (SEE BRIEF #1)

- "mind of the average viewer/reader"
- "popular acceptance"
- "remainder of report mitigates the problem" and "dulls the impact"
- "The headlines (*Police: Westport Man Charged for Stalking Several Women*) are not defamatory because the average person would not have been affected differently if the headlines read, for instance, "Police: Westport man charged with breach of peace for following woman. Thus, the headlines are substantially true."
- "resolve all ambiguities"

≈ 4 Examples Judge Underhill Being Wrong on Some Basic Facts of Arrest Warrant/Case -
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INTRODUCTION TO REPLY BRIEF #2

MORE "SUBSTANTIAL" ARGUMENTS HERE IN REPLY BRIEF #2

- Failures of Barnett v. Denver Publishing Co. Argument, where both words *Stalking and Harassing* involve repeated and persistent acts.

INQUIRY INTO HOW ALTICE/NEWS 12 "dulled the impact" ECF 66 Page 20

- Introduction
- Detailed Analysis of the News Reports and Evidence News 12 DID NOT "dull the impact".
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- The Quote "*preying on women*" as Evidence of NOT "dulling the impact" ECF 66 Page 10.

REPLY TO ALTICE JULY 10, 2020 RESPONSE – 4,000 WORDS

- Altice's Preliminary Statement
- Altice's Counter Statement of the Case
- Altice's Summary of Argument
- Altice's Standard of Review
- Altice's Argument

Δ - MORE CONCLUSIONS HERE IN BRIEF #2

- Evidence of Malice
- The Need to Address The "Substantial" Zeitgeist (to be presented at coming Oral Argument)

PRIOR EXHIBITS:

EXHIBITS A-Z - (SEE BRIEF #1)

EXHIBIT AA – (SEE BRIEF #1) 4 Examples Judge Underhill Being Wrong on Some Basic Facts of Case: Necessary Clarifications In Order to Proceed. Also a very telling Exhibit from the unrelated Feb. 6, 2019 second false Arrest Warrant for alleged Email Harassment of how the Westport Police depict my past Arrest Record after the March 5, 2018 arrest and after the News 12 slander and libel that poisoned the world at large, an Exhibit that once again shows the Westport Police want nothing to do with depicting me as a **stalker**.

NEW EXHIBITS: All read very fast and are mostly pictures/visual montages.

EXHIBIT BB – Recent Email with Westport Police lead FOIA Officer that verifies **Exhibit A**'s Custodial Arrest Synopsis is the Official Police Press Release for my arrest.

EXHIBIT CC – Webster's Thesaurus/Synonyms for the term **Stalking**.

EXHIBIT DD – Police's Brief Description of "**Suspicious Person**" within the Incident Report for the March 5, 2018 arrest for **Once Count of Second Degree Breach of Peace** compared to the Incident Reports' Brief Description for actual **Harassment or Stalking** Arrests.

EXHIBIT EE – Notice how within the list of Connecticut Statutes a noncriminal §§§ Infraction §§§ is a possibility in relation to **Second Degree Breach of Peace** arrest but a noncriminal §§§ Infraction §§§ is NOT listed as a possible/related outcome with **Harassment or Stalking** charges.

EXHIBIT FF – **Persistent** Offenders Connecticut Statute that shows the typical charges associated with **Persistence**.

EXHIBIT GG – More "*Popular Acceptation*" that **Harassment** is Course of Conduct behavior toward an individual that is characterized as repeated or persistent toward that particular person.

EXHIBIT HH – **Deer Stalking** is an Actual Word much like the word "**Stalking Horse**" thereby once again showing the term **stalk** especially the origin of the word **stalk** is associated with **hunting, preying, attacking** thus once again another clear common sense example of the "*Mind of Average Viewer*" or "*Popular Acceptation*".

EXHIBIT II – The **Stalking Rifle**: Visual Collection of More Evidence that **Stalking** is Associated with a Type of Secretive Behavior – secretive **hunting, preying, attacking** thus once again another clear example of the "*Mind of Average Viewer*" or "*Popular Acceptation*".

EXHIBIT JJ – **Stalking** as Portrayed by Novels and Movies: A Visual Collection – Notice the **weapons, hunting, preying, attacking** aka "*Mind of Average Viewer*" or "*Popular Acceptation*"

EXHIBIT KK - Linguistic Evidence that the word **Stealth** is most often associated with a type of secrecy that is basically the misdoing act of **hunting, preying, attacking**, or at least a misdoing act of spying, avoiding detection, being inconspicuous which is not indicative in the Arrest Warrant wording or description of the arresting incident/s *“follow and stare or get right into personal space”*.

EXHIBIT LL - **Stealth Bombers, Stealth Tanks, Stealth Ships, Stealth Guns, Stealth Armor, Stealth Viruses, Stealth Tax, Stealth Mode, “Stealthing”, etc** ... as more undeniable evidence of the *“mind of the average viewer/reader”* and *“popular acceptance”* of the word **stealth**.

EXHIBIT MM – **Stealth** in Movies, Books, Games: A Visual Collection – Art that portrays stealth consistently in similar ways – **stealth** associated with **war, hunting, battles, weapons, attacking, etc**... as more undeniable evidence of the *“mind of the average viewer/reader”* and *“popular acceptance”* of the word **stealth**.

EXHIBIT NN - The Altice/News 12 Reports quote *“Preying on Women”* after the headlines *“Arrested for Stalking Several Women”* as NOT *“dulling impact”* or *“mitigating the problem”*: A Visual Collection of the word **Prey** as Depicted in Movies and Novels - more *“popular acceptance”* and *“the mind of the average viewer”*.

EXHIBIT OO – A popular article about the behavior of Grocery Store Dating initiated by the Wall Street Journal and published the same time as my March 5, 2018 arrest for **One Count of Second Degree Breach of Peace** accusing me of *“following and stare or get right into personal space”* and similar types of Grocery Store Dating articles throughout time.

EXHIBIT PP – The Westport Daily Voice: A Fair Report about the March 5, 2018 Arrest for **One Count of Second Degree Breach of Peace**. If News 12 stuck to the arrest like other media, none of the mess I have to clean up the past 2+ years would have happened.

EXHIBIT QQ – **Stalking** Arrests Happening at or Related to Supermarkets. **This is Stalking**. The Naming of Someone Involved in an Alleged Supermarket **Stalking**.

*** NOTE:**

FOR THE PURPOSES OF BRIEF #1 AND REPLY BRIEF #2

- ∞ - *Judge Stefan Underhill and Defendant Altice USA/News 12* -
will always be portrayed in *Italics writing*
- ∞ - Plaintiff James Lawrence –
will always be portrayed in **Regular writing**

NOTE: I sometimes use colored writing to make locating, discerning, and reading easier.

Red – refers to defamation of “Stalking”/“Stalking Several Women” and related terms to stalking or harassment.

Orange – refers to language within Arrest Warrant/Official Police Press Release.

Yellow – will symbolize Infraction.

Blue - will symbolize any past police incident report that was fully investigated resulting in no probable cause for any arrest and “cases” that are known by reporter to be closed statute of limitations in effect and cases never reopened.

Green – refers to relative Exhibits and ECF documents.

NOTE: Much of the words in this Document are quotes from Altice’s Brief - **Appeal Brief ECF 62 and quotes from Judge Underhill’s **ECF 66** Decision that I am addressing with my own arguments/words. I find writing the areas/quotes I reply to as being easier for the reader so not to be constantly searching for quotes from other documents. In fact my presentation style has been for the Appeals court to rely primarily on my Appeal Briefs and Exhibits so to make things easier. In addition, because this case has relatively few if any legal precedents and truly is unique for many reasons, my arguments demand a presentation style that aids the reader in the detailed legal, linguistic, and cultural arguments. Everything within my presentation style is intended to make reading easier for the court.**

REPLY BRIEF #2

INTRODUCTION

I stand by Brief #1 and ask all Exhibits are thoroughly read. After I filed my Brief #1 back in April 10, 2020, an interesting synchronicity happened within the news on April 12, 2020.

RealClear Politics ▾

Polls ▾

← Back to Videos

WHO Special Envoy: Coronavirus Will Stalk The Human Race For A Long Time, Until We Have A Vaccine

Posted By [Tim Hains](#)
On Date April 12, 2020

This World Health Organization story about a “**stalking**” virus was reported on all over every form of media. I find this chosen word “**stalk**” very significant. Notice “a long time”. **Stalking** is hideous Course of Conduct behavior within the “*minds of the average viewer*” let alone the law. The evidence as I have shared in **all my Exhibits** attests to this. I now have here within Reply Brief #2 even more evidence in the forms of more easy to read Exhibits of this fact. **Stalking** is not a word to take lightly, nor a behavior to conflate with other lesser forms of crimes or behaviors.

I want to make something clear from the start about what I have termed “Incident Reports” about one time one-sided complaints to police that were thoroughly investigated resulting in no arrest cases long closed **and cases never reopened**. During the process, I have termed these one-sided complaints “Incident Reports” of alleged “*following*” at a market, **but I deny there was any happening/incident that was described by complainant and view them as one time one-sided “complaints”**. My side of any “incident” would be in order to which was never documented for the complaint was dismissed without any police action so any documentation and detailed defense was never formulated outside of an oral defense to police to which was sufficient for them. **In all reality these were mere concerns and not even complaints.**

I emphasize one-time one-sided complaints. Altice would like to imagine that there were some kind of words especially admonishing words between a particular complainant and myself but that was never the case. **No prior Incident Report describes any prior warning by a complainant. Also no prior Incident Report describes any kind of hostile or threatening**

actions or words.

As Judge Underhill himself showed, these “Incident Reports” - devoid of any police arrest after thorough investigation – are weak forms of evidence that are in fact completely exonerating.

*≈ Judge Underhill: “It is an open question in the Second Circuit whether courts can take judicial notice of police incident reports, but it seems that many courts refrain from doing so. See, e.g., Alvarez v. County of Orange, N.Y., 95 F. Supp. 3d 385, 398 (S.D.N.Y. 2015); Bejaoui v. City of New York, 2015 WL 1529633, at *6 (E.D.N.Y. Mar. 21, 2015); Serrata v. Givens, 2019 WL 1597297, at *4 (E.D.N.Y. Apr. 15, 2019).” ECF 66 Page 2*

Thereby sticking to proven and provable material and not known closed cases and never reopened that were fully investigated resulting in no probable cause and no arrest and no complainant sworn written statement with statute of limitations in effect. Also thereby leaving the necessary evidence of any alleged **stalking** to be with the one and only arresting **one count of second degree breach of peace** incident and not material devoid of actual arrests like the 4 fully investigated Exhibits shared by Altice of past “Incident Reports” devoid of an arrest that were unproven and are un-provable **stalking**. Current laws allow for Incident Reports to be submitted for sex assault or rape, which is absolutely not part of this case or my past.

**I begin this Reply Brief by addressing the Barnett v Denver Publishing decision.
Here I use less than 500 words or less than 1 full page for this argument.**

Then I complete the very important arguments from Brief #1 on the issue of whether Altice/News 12 “dulled the impact” or “mitigated the problem” of their multiple “outright false” reports filled with multiple types of errors, arguments that were temporarily shelved due to word limit.

Here this very important completed work is composed of 3,000 words that include significant pictured clips/images from the Broadcasts.

I will then Reply to Altice’s July 10, 2020 Brief.

Here I use 4,000 Words while responding to various quotes from Defense/Altice.

MORE “SUBSTANTIAL” ARGUMENTS

JUDGE UNDERHILL MAKES LITTLE SENSE AND CONTRADICTS HIMSELF HERE AT **ECF 66 Page 16**. BARNETT v. DENVER PUBLISHING CO. ARGUMENT

“Courts in other jurisdictions have reached similar holdings. For instance, in Barnett v. Denver Publ’g Co., a Colorado appeals court held the newspaper defendant not liable for defamation when the defendant wrote that the plaintiff had been “convicted in a stalking incident” even though the plaintiff had been convicted only of harassment. 36 P.3d 145, 148 (Colo. App. 2001). The court noted that at the time of the plaintiff’s offense, the court had described the offense as “almost stalking”; that at the time of the offense, both stalking and harassment were misdemeanors (now stalking was a felony); and that, despite the distinction between the two crimes, “both terms describe similar repeated, unsolicited behavior.” ECF 66 Page 16

In regards to this allusion to Barnett v. Denver Publishing Co. – I was never arrested or charged with **stalking** and I unlike Barnett I WAS NEVER CONVICTED OF ANYTHING **for News 12 did a hit job report before Due Process of Law and after exonerating Due Processes of Law (“other cases”)**, so once again hardly the same scenario nor relative to my case. ALSO I NEVER HAD ANY “REPEATED” BEHAVIOR TOWARD ANYONE most significantly the March 5, 2018 arrest for **One Count of Second Degree Breach of Peace** to which I was reported on.

Keep in mind my case against News 12 is NOT about a news report of a result affording me Presumption of Innocence and fair Due Process of Law (Barnett case) – my case with News 12 is the fact they concocted a special story affording me **no proper Due Process of Law and not respecting past exonerating Due Processes of Law** – police investigations and results, for if I was **“stalking”** I would and should have been arrested for something. But I was not – not even a past **One Count of Second Degree Breach of Peace**.

Quote from Barnett v. Denver Publishing:

“convicted only of harassment” ... “both stalking and harassment were misdemeanors (now stalking was a felony)” ...

Hence showing that courts increasingly see **stalking behavior as very serious much like the common international use of the word **stalker** (see **Exhibit J**) and not to be conflated with a subjective underdeveloped dictionary definition let alone lesser charges like **One Count of Second Degree Breach of Peace**.**

**INQUIRY INTO HOW ALTICE/NEWS 12 “dulled the impact”
AFTER REPORTING “Facing Charges for Stalking
Several Women” and “Police: Westport Man Charged
with Stalking Women”.**

**I ASK THE APPEALS COURT –
JUDGE STEFAN UNDERHILL SAYS ALTICE NEWS 12
“dulled the impact” ECF 66 Page 19**

WHERE? HOW?

1: Did News 12 differentiate between so-called past “cases”/complaints at a market and ask more questions and even mention that that these past incidents were investigated resulting in no arrest? – NO!!!

2: Did News 12 mention that the long past “cases”/complaints were case closed never re-opened? – NO!!!

News 12 created and left imaginary space for the “average reader/viewer” to think what they wanted about past resolved complaints.

3: Did News 12 News 12 after reading the Arrest Warrant and seeing how it says I have no criminal history in Ct. (Westport Ct. as only place of alleged supermarket incidents) include this fact of me having no criminal history in Ct. in their report of the Arrest Warrant? – NO!!!

Instead News 12 goes even further down the rabbit hole and mentions a past arrest and charges that never became a conviction to hype their agenda.

4: Did News 12 clear up differences between being arrested and charged? – NO!!!

5: Did News 12 clear up differences between being charged and convicted? – NO!!!

6: Did News 12 report and attempt to clear up their doxxing me of unproven and un-provable charges like when I was only arrested in California for **stalking in 1995 but the charged was dismissed, arrested in California for Battery of Spouse in 2013 but never charged, arrested in Florida for Fleeing/Eluding Police and Resisting arrest in 1987 but not convicted of anything and have no criminal record in Florida much like Connecticut! Did News 12 come forward and clear up this mess and report my only conviction – 1996 Domestic Violence? **NO!!! NEVER!!!****

See Exhibits F, G of Criminal Record and Lack of Criminal Record.

REALITY is the “*average reader/viewer*” does not read an article or see a broadcast and then attempt to do the necessary research into the numerous mistakes, misrepresentations, and lies to ascertain the truth themselves. Reality is that the “*average reader/viewer*” trusts the largest cable TV station reporter and assumes the worst and does not make efforts to ascertain the truthful details (which is why I carry my FBI criminal background check around now, create websites on the fiasco, and pursue legal remedies).

7: Did News 12 at least to get the “gist” or “sting” from past Incident Reports and allow me to at least share my knowledge of those long gone case closed Incident Reports to clue them in on the long gone past happenings, status, and results of these “cases”? – NO!!!

- 8:** Did News 12 include anything from me besides the one line quote: “I am not guilty”? – **NO!!!**
- 9:** Did News 12 say past Incident Reports were beyond the statute of limitations to pursue when they were doing a special hit job (“IMPACT”) news story after Due Process of Law? – **NO!!!**
- 10:** Did News 12 report on the other 2/3 of the Arrest Warrant like my side of the supermarket encounter incident? – **NO!**
- 11:** Did News 12 reveal, interview, or quote any store manager about News 12’s poorly vetted Wendy Higgins Chambers aka “*preying on women*” cohort for a fair and balanced coverage? - **NO!!!**
- 12:** Did News 12 reveal that News 12’s poorly vetted Wendy Higgins Chambers aka “*preying on women*” cohort never visited the police to make a belated complaint (until she saw News 12 take down her fomented coverage)? **NO!!!**
- 13:** Did News 12 do anything to “*dull the impact*” while mentioning within their reports this “*preying on women*” madness from the dark “*silhouetted*” woman Wendy Higgins Chambers like affording me a response to her accusations devoid of a police report? **NO!!!**
- 14:** Did News 12 after retracting the **stalking** language do an immediate follow up report with fair and accurate facts? - **NO!!!**
- 15:** Did News 12 do any other reporting after the “impact” to be fair and clean up the admitted confusions like presenting more than the one quote from the 30-minute interview on my home doorstep? - **NO. NEVER!**
- 16:** Will News 12 even report now on why I was not afforded a trial for this case they slanderously reported upon because of total lack of evidence? – **NO!!!** WHY? Because it would incriminate their reports of me being a big bad “substantial” **stalker**, to which Judge Stefan Underhill’s very controversial and outright dangerous decision will empower even more types of slander directed at me and even others.
- 17:** Within the articles and broadcasts, after deploying a **stalking** cluster bomb language – can anyone even “*dull an impact*” within only 1 minute broadcasts and 2-3 broken paragraph articles? – **NO OF COURSE NOT!!!**
- 18:** ETC...

SEE WHERE I ARE GONG HERE?! This News 12 special story before Due Process of Law and (in relations to those Incident Reports) after KNOWN exonerating Due Process of Law is really a un-scientific opportunistic hit job that plants simplicities and in all reality **hypes the arrest of **one count of Second Degree Breach of Peace** and does not “*dull impact*” and “*resolve ambiguities*”. Quite the contrary –**

THEIR REPORTS CREATE UTTER UNRESOLVED ONGOING CHAOS.

ASK YOURSELVES -

DO I DESERVE THEIR FALSE REPORTING (ALREADY REPLICATED) TO CONTINUE TO BE PICKED UP BY OTHER NEWS AND INTERPRETED AT WILL WHEN CLEARLY IT IS KNOWN I NEVER **STALKED ANYONE?**

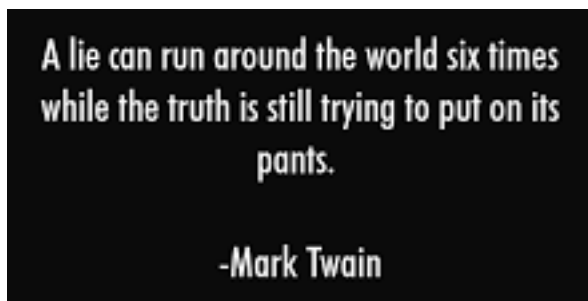
NO OF COURSE NOT! I DESERVE THAT THE WORLD KNOW TO PUT THE BRAKES ON THE UNPROVEN AND UN-PROVABLE MADNESS.

DETAILED ANALYSIS OF UNDENIABLE EVIDENCE NEWS 12 DID NOT “*dull the impact*” or “*mitigate the problem*” OF THEIR “*outright false*” REPORTING. See ECF 66 Page 20

Judge Underhill: “The graphics in TV Report 4 and the headlines in Articles 1 and 2 are the statements that **appear the least “true.”** Still, none of those statements is defamatory. The graphics in TV Report 4 explain that the segment related to a “STALKING ARREST” and that these were “Stalking Charges.” **Those statements are not entirely true. But the rest of TV Report 4’s content significantly dulls the impact of that inaccuracy.” ECF 66 Page 19**

Judge Underhill – ... “The same goes for Articles 1 and 2. Their headlines read: “Police: Westport man charged with stalking women.” **That is misleading if not outright false. But the remainder of the Articles, again, mitigates the problem.**” ECF 66 Page 20

WHERE IS THIS “*DULLING OF THE IMPACT*” AND “*MITIGATION OF THE PROBLEM*”?



Judge Underhill’s ECF 66 needed to show at least some proper examples of “*dulling the impact*” but in all reality cannot show any “*mitigating of the problem*” within the news stories/broadcasts/written articles. NONE. Hence why this lawsuit exists – Damages. The articles are “*misleading and outright false*” and such extreme socially stigmatizing labels like “*stalking several women*” and all the accompanying mistakes I have documented do not deserve some loose and unresolved “*substantially true*” leeway HYPE for there was outright nonexistent efforts at “*dulling the impact*”. Such false labels deserved to be removed from the “*average reader/viewer*” and then brought before a jury to weigh all the Damages. MISLEAD TO SUCH AN EXTREME and you best “*resolve ambiguities*”.

How can there be any simple statement about “*dulling the impact*” or “*mitigating the problem*” when there has yet to be any proper analysis and discussion as to the “*impact*” – the Damages - and what “*impact*” needed/needs to be “*dulled*”. How can you know what and how to “*dull*” if you deny there are any real Damages?
See ECF 36 – DAMAGES.

HOW DID NEWS 12 “*DULL THE IMPACT*” AND “*MITIGATE THE PROBLEM*”?

FIRST - REVIEW THE ARTICLES (See Exhibit C) :

Barely 2-3 broken paragraphs most of a couple of short sentences – and look at all the Documents/ECFs of this case 1-66. Look at ALL THE DAMAGES for these Damages are immediately relative in “*substantially true*” considerations when analyzing remedial issues of “*outright false*” potentially slanderous “*impacts*” upon the “*average reader/audience*” and their “*popular acceptance*”. Judge Underhill’s 23 page Decision is replete with unresolved ambiguities like not being able to clearly know the admissibility of Incident Reports that themselves were never about **stalking**, not being able to agree upon and clearly define the word **stalking**, let alone incorporate any aspect of the **stalking laws** within his personal definitions, and not able to provide ways News 12 “*mitigated the problem*” in their merely 1/5 of a page no more than 2-3 broken paragraphs news reports – LOOK AT THESE SHAMEFUL NEWS REPORTS!

LACK OF “DULLING THE IMPACT” FACTS: THE CONTENTS OF THE ARTICLES - See Exhibit C.

Police: Westport man charged with stalking women

* ARTICLE #1:

“Police: Westport man charged with stalking women”

The article begins

FIRST they “*outright falsely*” re-write/REPEAT “*Police say a Westport man is facing charges today for allegedly stalking several women*”.

THEN

they mention the alleged “*10 past cases*” KNOWING THESE CASES WERE CLOSED AND WITHOUT ARREST. OMITTING 2/3 OF THE WARRANT LIKE HOW THE WARRANT CLEARLY STATES I HAVE NO CONNECTICUT RECORD.

THEN

they misrepresent that I “*faced similar charges* (plural) *in California*” and “*have a outstanding protection order*” (which had run out 2 months before without violation).

THEN

they quote their cohort busybody instigator Wendy Higgins Chambers (who does not even have a individual Incident Report with the police) about me “**PREYING ON WOMEN**” (a dictionary term even more hideous than **stalking**)

THEN

a one-lined paragraph of me saying “**I am NOT GUILTY all I did was approach a girl**” (after a 30 minute interview at my home with News 12’s News Van stealthily parked down the street to hide their ambush and resulting persecution).

END ARTICLE #1.

THIS IS “*resolving all ambiguities*” AND “*mitigating the problem*” AND “*dulling the impact*”??? NO!

*** ARTICLE #2:**

“Police: Westport man charged with stalking women”

The article begins

FIRST they *“outright falsely”* re-write/REPEAT and MISREPRESENT *“A Westport man is facing charges for allegedly stalking several women AROUND TOWN”*, while the Warrant is about a single location – supermarket and the parking lot. HOW DID THEY MITIGATE THIS! THEN

they mention the alleged *“10 past cases”* KNOWING THESE CASES WERE CLOSED AND WITHOUT ARREST. OMITTING 2/3 OF THE WARRANT LIKE HOW THE WARRANT CLEARLY STATES I HAVE NO CONNECTICUT RECORD.

THEN

they mention concealed woman Wendy Higgins Chambers (only woman in all reports) saying she said I approached her at Whole Foods (wrong it was one time at Stop and Shop) months ago *“and asked her out”*,

THEN

they share some of the Arrest Warrant using the wording *“follow them out to their cars where he would either stare at them or get in their personal space”*. *“Police charged Lawrence with breach of peace”* (in reality Second Degree Breach of Peace) *for an incident back in November*.

THEN

yet another example of sloppiness: *“Authorities say there is still a protective order* (impossible authorities said this for they interviewed no one and it ran out two months before in January) and *“that he is facing similar charges in California”*. LIE – *“facing”* – this is saying I am currently *“facing”* when I had not been in that area since 1995!!! I faced a charge that was dismissed.

END ARTICLE #2.

Once again, THIS IS “resolving all ambiguities” AND “mitigating the problem” AND “dulling the impact”??? NO! THERE ARE MANY ERRORS.

This is an outrageous and sad aspect of the current American zeitgeist – GUILT BY ACCUSATION. THIS IS NOT DETAILED AT ALL and anyone who thinks those articles and broadcasts did any *“dulling of the impact”* needs to read all the case documents/ECFs and future lawsuits I now have to pursue against those who picked up on News 12’s slander and libel - THE OTHER MEDIA NEWS 12 POISONED – IMPACTS - ONGOING DAMAGES CERTAINLY WORTHY OF A JURY OF MY PEERS!

SO ...THAT WAS AN ANALYSIS OF THE ARTICLES.

NOW VIEW THE SLANDEROUS BROADCASTS shown every hour for two days fully absorbed by the communities at large. Ask yourselves if there is *“mitigating the problem”* or *“dulling the impact”* in the broadcasts? NO!!! OF COURSE NOT. Especially when *“STALKING ARREST”* is blaring in red throughout the broadcast.

See Exhibit B.



*** BROADCAST #1 – 1 minute 20 seconds in duration.**

The Broadcasts begin with

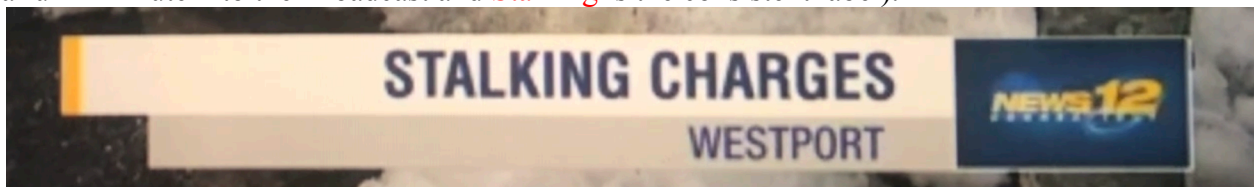
“A Westport man tonight if facing charges for stalking several women around grocery stores” with the first 30 seconds of Broadcast #1 having this gigantic red image saying **“STALKING ARREST”**,

THEN

the sensationalist mentioning of *“being involved in 10 cases”* while KNOWING THESE ARE CLOSED CASES AND NEVER SHARING MY CLEAN CT. RECORD.

THEN

they cut to *“silhouetted”* woman Wendy Higgins Chambers in the dark. How is this *“silhouetted women”* veritably clearing things up aka bringing light on the truth?!?! As they talk about this *“silhouetted”* woman Wendy Higgins Chambers story (never deemed anything by police) a **second image appears depicted below - “Stalking Charges”-** for the next 30 seconds with now a full 1 minute into the Broadcast and **Stalking** is the consistent label).



THEN

“silhouetted” woman Wendy Higgins Chambers is quoted saying *“preying on women”* which is a term even worse than **stalking** within the dictionary.

THEN

they cut to me *“I am NOT Guilty all I did was approach a girl and that was it”* (5 SECONDS).

THEN

they cut back to the announcer in red with the hideous **“STALKING ARREST”** image glaring in red AGAIN for last 15 seconds of the 1 minute 20 second Broadcast and pile on the lie that I *“faced similar charges (plural) in California”* and *“have a outstanding protection order”* (which had run out 2 months before without violation) all the while being too lazy to distinguish a past charge in California mentioned in the Warrant that was in all actuality dismissed aka there was

no past **stalking**. Was I not entitled to an objective portrayal of that 25 year-old case?

END OF BROADCAST #1. – 1 minute and 20 seconds.

WHERE IS THIS “dulling the impact” AND “mitigating the problem” OPINION BY JUDGE UNDERHILL?

*** BROADCAST #2 – 1 minute 40 seconds in duration.**

The Broadcasts begin with

“A Westport man if facing charges for stalking several women around TOWN” with this term “around town” insinuating multiple locations with one particular person which is a fabricated LIE.

THEN

“News 12 reporter Mark Sudol is standing outside the Fresh Market where police say some of the incidents have happened”. FABRICATED LIE. No other incidents ever happened at this market and this market is in no other incident report.

THEN

the sensationalist mentioning of *“being involved in 10 cases”* while KNOWING THESE ARE CLOSED CASES AND NEVER SHARING MY CLEAN CT. RECORD.

THEN

they cut to *“silhouetted”* woman Wendy Higgins Chambers in the dark at the 40 second mark. This *“silhouetted”* woman Wendy Higgins Chambers is quoted saying *“preying on women”* which is a term even worse than **stalking** within the dictionary.

THEN

They quote me “I did not break any laws”.

THEN

parroting some aspects of the Arrest Warrant, Sudol states *“Lawrence turned himself in last week for doing the same thing (‘silhouetted’ woman Wendy Higgins Chambers without a police incident report) to other women.”* FABRICATED LIE. I did not turn myself in for other women I turned myself in for **One Count of Second Degree Breach of Peace** involving ONE WOMAN!!.

THEN

this *“women who have called the police say this is has been really scary because they don’t know what someone could do”*. They are FABRICATING AGAIN by injecting the *“silhouetted”* woman Wendy Higgins Chambers’ words into phantoms of the past that resulted in no arrest. It is impossible for them to know anything about any past complainant no past complainant was quoted in the Arrest Warrant. This is at the 1 minute 20 mark and still nothing but LIES.

THEN

there is the LIE *“facing similar charges in California”* without clearing this hype up and that I *“have a protective order still outstanding”* (which ran out 2 months before the Broadcasts).

END OF BROADCAST #2 – 1 minute 40 seconds.

ONCE AGAIN, WHERE IS THIS dulling the impact” AND “mitigating the problem” ? THIS IS UTTERLY INSULTING! AFTER 2 ARTICLES AND 2 BROADCASTS THERE

ARE NO SIGNS OF ANY OF THIS “mitigating the problem” and “dulling the impact”.

*** BROADCAST #3 – 1 minute 5 seconds in duration.**

The Broadcasts begin with

“A Westport man if facing charges tonight for allegely stalking several women around local supermarkets”.

THEN

the *“Mark Sudol is standing outside of the Fresh Market where police say some of the incidents have happened”*. FABRICATED LIE. No other incidents ever happened at this market and this market is in no other incident report.

THEN

the sensationalist mentioning of *“being involved in 10 cases”* while KNOWING THESE ARE CLOSED CASES AND NEVER SHARING MY CLEAN CT. RECORD.

THEN

they cut to *“silhouetted”* woman Wendy Higgins Chambers in the dark with her story.

THEN

reporter parrots some parts of the Warrant (only shares 1/3 of the very short Warrant).

THEN

they cut to *“silhouetted”* woman Wendy Higgins Chambers in the dark at the 40 second mark. This *“silhouetted”* woman Wendy Higgins Chambers is quoted saying *“preying on women”* which is a term even worse than *stalking* within the dictionary.



THEN

there is the LIE *“facing similar charges in California”* (plural) without clearing this hype up for the Arrest Warrant says “arrested for stalking” but never states my actual conviction record for this stalking charge from 1995 was dismissed (see Exhibit F-G).

END OF BROADCAST #3 – 1 minute 5 seconds.

ONCE AGAIN, THERE IS NO “dulling the impact” AND “mitigating the problem”!

FACT: NEWS 12 in all actuality ADDED IMPACT with fabrications and lies, allowing the deployment of the word “prey on women”, misrepresenting past KNOWN closed incidents, misrepresenting my criminal past all the while knowing of my criminal past, and omitting 2/3 of the warrant like my clean Ct. record in relation to past “cases”.

How can you know the “*impact*” and if the “*impact*” was “*dulled*” if you are not willing to ask the community aka “*popular acceptance*” AKA “*reasonable reader/viewer*” aka jury let alone a proper inquiry into the Damages which has never happened? This “*impact*” is undoubtedly one of the worst socially stigmatizing labels “*Stalking Several Women*” and life altering effects on my name and reputation and effects on ALL aspects of my life (I.E: INABILITY TO TEACH, COACH, GET MOST JOBS – SEE ECF 36 - DAMAGES) best have “*mitigating*” examples.

FACT: WE NEED TO MEASURE THIS “outright falsity” AND ITS “*impact*”.

FACT: WITHOUT A PROPER RESOLUTION TO THIS CASE OTHER MEDIA WILL CONTINUE TO PICK UP ON THE “outright false” REPORTING AND DEPLOY THE *stalking* WORDS AND IMAGES AND FURTHER LABEL ME WITH THESE HIDEOUS TERMS AND IMAGES.

The screenshot shows a web browser displaying a news article on Law.com. The page header includes a search bar, the Law.com logo, and the Connecticut Law Tribune logo. Navigation links for COVID-19, TOPICS, SURVEYS & RANKINGS, CASES & VERDICTS, PEOPLE & COMMUNITY, and ALL SECTIONS are visible. The article title is "Bad News for Man Who Sued News 12 Connecticut for Calling Him a Stalker". The byline is "By Robert Storace | January 09, 2020 at 06:31 PM". The article text states that Judge Stefan Underhill issued a ruling in a libel suit against a local television station, News 12 Connecticut, for calling James Lawrence a "stalker" on air. A sidebar on the right lists "Law Firms Mentioned" (Davis Wright Tremaine) and "Trending Stories" (State Bar Group Calls for 'Mandatory' COVID-19 Vaccinations, Multiple Staff at Sullivan & Cromwell Laid Off).

YES THIS IS HOW I AM DEPICTED NOW - IN A DARK ALLEY WEARING A BLACK HOODIE!!! WHAT DOES THIS HAVE TO DO ANYTHING AT A SUPERMARKET!!!

From the largest Encyclopedia:

Online vetting

From Wikipedia, the free encyclopedia

Online vetting, also known as **cyber-vetting**^[1] is increasingly being used by potential employers and other acquaintances to **vet** people's online presence or "internet reputation" ("*netrep*")^[2] on **search engines** such as **Google** and **Yahoo**, and **social networking services** such as **Facebook**, **Twitter**, **Instagram** and **LinkedIn**. Employers may check profiles, posts, and photographs for indications that the candidate is unsuitable.

FACT: THE IMPACT WAS SO EXTREME that there was no way the ***“impact”*** could be effectively ***“dulled”*** aside from a takeover of other media companies who picked up on their slander and libel. HOW DO YOU ***“dull the impact”*** OF A POISONOUS CLUSTER BOMB THAT EXPLODES?

ANSWER – TAKING RESPONSIBILITY WITH PROPER CLEAN UP, PROPER RESOLUTIONS, AND REPARATIONS - AT LEAST A JURY OF MY PEERS.

EVIDENCE OF ALTICE/NEWS 12 INTERPRETING ONLY A MERE 1/3 OF THE ARREST WARRANT [SEE ECF 26](#)

YES obviously cherry picking aspects of a Arrest Warrant and leaving out fair and balanced information hardly “*dulling the impact*” and a clear undeniable example of agenda-driven malice.

[See ECF 26 for that Argument.](#)

Review the Arrest Warrant and compare to Broadcasts and Articles and see how News 12 reporter only covered 1/3 of the Arrest Warrant that he held in his hand and omitted the other 2/3 of the Arrest Warrant for his agenda-driven hit job all the while having being given an interview at my home (with news van stealthily parked down the street) which gave him more necessary detail than the one lined quote I was given within this disgusting summation of the arrest.

FACT: The Arrest Warrant is short and has 14 Sections of very simple often broken sentences.

Reporter covers - Section 2, Section 11, half of Section 12, and Section 13.

Reporter omits - Section 3, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, half of Section 12, and Section 14.

WHERE WAS MY SIDE OF THE STORY FROM THE WARRANT?

WHERE WERE SOME FACTS ABOUT MY HISTORY FROM THE WARRANT?

HOW DOES AN EXPERIENCED REPORTER CHOOSE TO USE THIS ARREST WARRANT (UNLIKE ALL OTHER MEDIA) 9 DAYS AFTER ARREST WHILE OTHER PROPER MEDIA REPORTS EXIST?

NEWS 12 INTERVIEWING “*silhouetted woman*” WHO SAID THAT I WAS “**PREYING ON WOMEN**” AS MORE OBVIOUS EVIDENCE THAT NEWS 12 NEVER “*dulled the impact*”.

Judge Underhill: “⁷ For one, the Stop & Shop Complainant gives the same “**preying on women**” quote as the Parking Lot Complainant. See Tr. of TV Report 4, Ex. K to Def.’s Sur-Reply, Doc. No. 52-1, at 7. In addition, the silhouetted figure identified as the Stop & Shop Complainant in TV Report 4 appears identical to **the silhouetted figure** identified as the Parking Lot Complainant in TV Reports 1 and 2.” **See ECF 66 Page 10**

Here is the quote from “*silhouetted woman*” Wendy Higgins Chambers aka “**preying on women**” quote used in the News 12 Broadcasts and Articles:

*“A local woman who did not want to be identified told News 12 today that a man followed her to her car months ago at a Whole Foods (wrong market) parking lot and asked her out. This is a guy you know walking around the grocery stores (it is called shopping) **preying on women** and it is really frightening to wonder what could possibly happen”.*

and then going on –

*“This is something I just wanted people to know about (her and only her yet without police seeing her story as criminal for she has no police report after her visit to police after she went to News 12 and before she went to Westport News) **because it** (what is it?) **is not just happening it** (what is it?) **is happening a lot**”.* Yes grocery store dating is happening a lot - **See Exhibit OO.**

SINCE WE ARE TAKING LEGAL AND DICTIONARY DEFINITIONS OF WORDS AS PRIMARY AND ULTIMATE SOURCES OF DECIDING “*substantially true*” ISSUES (**See Exhibits H-V**)

Merriam-Webster Dictionary

English Prey

noun

1: an animal taken by a predator as food

b: one that is helpless or unable to resist attack : VICTIM

2: the act or habit of preying

3: archaic : SPOIL, BOOTY

intransitive verb

1a: to seize and devour prey

b: to commit violence or robbery or fraud

2: to have an injurious, destructive, or wasting effect

3: to make raids for the sake of booty

Dictionary.com

English: Prey

noun

1: an animal hunted or seized for food, especially by a carnivorous animal.

2: a person or thing that is the victim of an enemy, a swindler, a disease, etc.; gull.

3: the action or habit of preying; a beast of prey.

4: Archaic. booty or plunder.

verb (used without object)

5: to seize and devour prey, as an animal does (usually followed by *on* or *upon*)

6: to make raids or attacks for booty or plunder

7: to exert a harmful or destructive influence:

8: to victimize another or others (usually followed by *on* or *upon*)

WORDS RELATED TO PREY

[underdog](#), [spoil](#), [quarry](#), [mug](#), [mark](#), [dupe](#), [game](#), [quest](#), [kill](#), [victim](#), [pillage](#), [loot](#), [martyr](#), [casualty](#), [sufferer](#), [raven](#)

LOOK AT THE DEFINITIONS OF “PREYING”.
THIS WORD IS EVEN MORE SERIOUS THAN STALK!
NONE OF THIS IS PART OF MY ARREST OR PAST!!!.

WHO IS THE REAL VICTIM HERE?

WHO IS THE ONE BEING PREYED ON?

WHO IS THE ONE EXERTING A HARMFUL INFLUENCE?

Where are the real harmful and destructive influences? Where is there any evidence?

Certainly not in the Arrest Warrant for **One Count of Second Degree Breach of Peace.**

YET SEE ALL THE EXTREME DAMAGES I HAVE EXPERIENCED FROM NEWS 12 AND WENDY HIGGINS CHAMBERS AKA “**SILHOUETTED**” WOMEN IN THE DARK.

FACTS: This woman Wendy Higgins Chambers never made a complaint to anyone – police, store manager, or me about our one time peaceful crossing of paths. She reads about me and makes a beeline to News 12 of all people and not the police. She saw her words taken down due to News 12’s recklessness, and she goes to the police who do not even write up an individual police report. **SEE EXHIBIT E.** She then 9 days later goes to the Westport News with the ill-gotten Arrest Warrant and they deploy the terms “*harass for years*” AND SHE IS NEVER QUOTED WITH THE WORDS “**PREYING**” (talk about **persistence/harassment** away from a police investigatory conclusion). YES this word and phrase “preying on women” was also a word seen to be avoided as evident in the Westport News March 23, 2018 libel and thus its use can hardly be considered as some part of “mitigating a problem” and “dulling an impact” of multiple “outright false” news reports.

FACT: Police could have arrested me for this Wendy Higgins Chambers supermarket encounter/10+ minute peaceful conversation because it was within the statute of limitations to arrest me but they chose not to arrest me nor document her story in a formal complaint/Incident Report **thereby showing News 12’s recklessness, bias, and agenda.**

Negligently vetted Wendy Higgins Chambers’ opinion of me “**preying on women**” is extreme to say the least and if relative then News 12 is guilty of allowing her opinion (based on no known investigation, no police Incident Report, and no arrest) to defame me at large. Utterly sick and unfair times we live in with this hideous gender war and overly lenient Guilt by Accusation zeitgeist. This is utter **persecution** for my arrest had absolutely nothing to do with MeToo yet obviously and outrageously conflated with sex harassment. It is not as if there is any serious crime alleged – I am a guy at a market “*giving her my business card*”, and then 9 months later this woman is “**silhouetted**” – aka in the dark -Something to take note of given the pattern of no

witnesses and no convictions of anything. Dark, sinister, shady. Too many unresolved questions with this woman and report that deserves a trial.

Yes these KNOWN unproven and UN-provable accusations/**persecution** is relative to the worst gender war in all history – America circa 2016, **and because of one woman** I got in the crosshairs of the MeToo mindset all the while my alleged crime had nothing to do with anything MeToo – **SEX HARASSMENT**, BUT I AM HIDEOUSLY REPORTED ON THAT PUTS ME SMACK IN THE MIDDLE OF THIS PERSECUTING ZEITGEIST. **I AM THE REAL VICTIM GIVEN NO EVIDENCE OR WITNESSES AGAINST ME – EVER. LET ALONE NEVER ANY PRIOR ARREST AND NO CONVICTION OF ANYTHING CRIMINAL – MY CLEAN CT. CRIMINAL RECORD REMAINS!!!**

SO

WITHIN NEWS 12's MULTIPLE BROADCAST REPORTING:

WORDS OF "FACING CHARGES FOR STALKING SEVERAL WOMEN"

+ WORDS OF "PREYING ON WOMEN"

= FAR MORE CONNOTATIONS THAN A UNDERDEVELOPED SUBJECTIVE INTERPRETATION OF "STEALTH" HUNTING (which I already clearly was not doing).

FACT: STALK + PREY = IRREFUTIBLE EVIDENCE OF MALICIOUSLY ACCUSING OF MULTIPLE "PERSISTENT, REPEATED, CONTINUAL, SYSTEMATIC" HARASSMENT (UNPROVEN AND UN-PROVABLE) TOWARD WOMEN THAT DOES NOT "mitigate problems and dull impact".

Judge Underhill – ... "The same goes for Articles 1 and 2. Their headlines read: "Police: Westport man charged with stalking women." That is misleading if not outright false. But the remainder of the Articles, again, mitigates the problem." ECF 66 Page 20

NO – the articles and broadcasts obviously DO NOT "mitigate the problem" and "dull the impact" but in all reality cause more ambiguities, problems, and extreme impacts. A proper proceeding toward an analysis of Damages will show the real ongoing "impact" to be "dulled". Yes how can you know if "impacts" are effectively "dulled" without any proper discussion as to the Damages to which I was not afforded. This case belongs in front of a jury.

REPLY TO ALTICE'S JULY 10, 2020 RESPONSE

— 4,000 Words responding to quotes from Defense Brief Appeal ECF 62

“Preliminary Statement:”

Altice: “... extent that they became frightened – so frightened, in fact, that they were reluctant to give statements to the police.” Appeal ECF 62 Page 8/Document Page 1

“So frightened” – See Exhibit D. Defense comes to this conclusion from one single line of an Arrest Warrant without any details. Defense attempts to make a case that women in my past were relatively frightened and just an alleged yet never proven justifiable fear is evidence of some kind of **stalking**. If this were true police could have arrested me for something like **Second Degree Threatening** to which they did not.

Sec. 53a-62. Threatening in the second degree: Class A misdemeanor. (a) A person is guilty of threatening in the second degree when: (1) By physical threat, such person intentionally places or attempts to place another person in fear of imminent serious physical injury, (2) such person threatens to commit any crime of violence with the intent to terrorize another person, or (3) such person threatens to commit such crime of violence in reckless disregard of the risk of causing such terror.

FACT: I NEVER threatened anyone and there is not any evidence or even documents recording any kind of threat, threatening words, or intent to frighten. In addition, I have no history of mental treatment especially that would suggest I was ever a threat or be unaware of being threatening.

Numerous types and levels of fear are part of everyday life. These alleged fears though strangely documented in the Arrest Warrant are unproven and un-provable hype and has nothing to do with *“outright false”* coverage of *“charged for stalking several women”*. Facts are there is not one past Incident Report about some kind of reluctance to give a statement out of some type of fear. Even if this rationalization existed, **it is not my fault a particular person (any person - woman or witness) did not make a sworn written statement – ever!** A more rational possibility is a complainant never saw any alleged incident at a market worthy of arrest only a warning. There is certainly more evidence of this than undocumented fears.

This is a perfect example of why this very rare act of media seizing an Arrest Warrant (99% of arrests this does not happen) before Due Process of Law should be handled professionally, for in the end this vague Arrest Warrant demands Discovery and is best suited for a prosecutor, judge, and potential jury which is why the Official Press Releases are referred to by responsible media. This special story (done before and after exonerating Due Processes of Law) demanded proper research like actually interviewing the arresting officer to clear up confusions. The police's language was obviously carefully chosen - *“follow and then get right into personal space”*. Now because of News 12's recklessness, Defense can only attempt to paint the worst scenario possible and hope that it believed without any real workable evidence.

FACT: Women accuse and stand by their accusations every day.

FACT: The lone March 5, 2018 low-end arrest for **One Count of Second Degree Breach of Peace did not have a sworn written statement thus there was no need for a sworn written**

statement to make some kind of arrest in the past.

“Counter Statement of the Case:”

“A. The Parties”

Altice: “it is undisputed Lawrence has been repeatedly questioned by the police and/or arrested for behavior related to following women around stores and supermarkets. Lawrence also was convicted of felony domestic violence in California in 1995. SA-193 ¶ 8. In addition, Lawrence was subject to a protective order in Connecticut after repeatedly trailing a woman around Westport. SA-192 ¶ 5.” Appeal ECF 62 Page 10/Document Page 3

More hype and lies – there was no **“repeatedly trailing”** anyone and **“repeatedly being questioned”** if anyone knew the DETAILS of the Restraining Order Hearing, and knew the DETAILS of any past complaint after police investigations - no probable cause for anything! **Defense knows the definitions of veritable Course of Conduct behaviors (toward one person/one case) yet attempts to conflate different alleged unproven and un-provable incidents into one case, and again thinking they can inject their own subjective Guilt by Accusation label devoid of any evidence.** The Restraining Order Hearing established we saw each other only at the market and a proper presentation of the Restraining Order Hearing would be in order here to which Altice has not done for obvious reasons. **Are we as a nation ready to depict all people who have had an un-violated restraining order as a “stalker”?** Studies show on any given day there are over 1.2 million active restraining orders. Conflating definitions of **stalking** would seriously minimize actual criminal **stalking/stalkers**.

“B. Plaintiff’s Arrest Arising Out of The Incident At The Fresh Market”

Altice: “On November 5, 2017, Westport Police Officer James Sullivan was dispatched to a Fresh Market grocery store to investigate a “report of a suspicious person” (the “Fresh Market Incident”).” Appeal ECF 62 Page 10/Document Page 3

YES **“suspicious”** – never seen before. **Stalking** cases much like **harassment** cases entail someone who has been seen before and there has been a prior warning over a significant time. See my Exhibit on different types of police Brief Descriptions of Incidents - **See Exhibit DD**.

Altice: “... and that she eventually “drove away to get away from this person and called the police.” While investigating the complaint with the store manager, Officer Sullivan “learned that [the Westport Police Department] had other similar incidents involving ... Lawrence.” SA-204 Appeal ECF 62 Page 10/Document Page 3

Defense injects **“eventually”** so to make it seem the incident was a long time. There were no words and saw each other perhaps no more than 5 minutes. And ONCE AGAIN – **It is not true that the store manager was part of the investigation! He has never been quoted and there was never any previous incident at this market for if there was I would not be shopping**

there. This is one of Judge Underhill's mistakes as well - **See Exhibit AA.** Defense is trying to make it seem as if the store manager was giving incriminating information to the police but that never happened as evidence in Warrant and Dispatch Tapes (**See Exhibits A, D**) – where it shows STORE MANAGER NEVER SAW ANYTHING – EVER. I am a regular customer. If I was some issue the manager would have fingered me immediately but it was not until I returned to the store and told the manager I attempted to talk to complainant that he knew anything about the hype that 2 years later resulted in no conviction.

FACT: I lived in California from 2007-2017 free of any of this nonsense.

FACT: The officer was simultaneously speaking with Dispatch and other officers who informed him of other long past case closed complaints and store manager never informed him of other incidents/complaints. If store manager had said anything about any other incident it would be documented.

From the Arrest Warrant:

3. That upon police arrival at the store, there was no one fitting that description found in the area. In speaking with the store manager, Anthony Castagnazzi, he stated that he did not see anyone fitting that description in the store and was unaware that anything had happened.

4. That while still inside the market speaking with Castagnazzi I also learned that this department has had other similar incidents involving an individual by the name of James Lawrence, dob 12/15/1965. When asked, Castagnazzi stated that the store did not have security cameras so there was no security video of this incident.

Altice: "Altice broadcasts several news reports and published several articles on March 14, 2018 and March 15, 2018 about Lawrence's arrest and arraignment on the Breach of Peace charges related to the Fresh Market incident, which are the subject of this litigation." Appeal ECF 62 Page 13/Document Page 6

CHARGES???? **Altice injects little lies.** **FACT:** One charge – one count.

"C. Altice Reports on Plaintiff's Arrest and Charges" (Broadcasts)

Altice does not include the entire transcript here so please see the entire Broadcasts.

Altice also injects a narrative that is in a self-serving order.

Altice: 1. "News Report" (Broadcast)

"A Westport man is facing charges tonight for allegedly stalking several women around town." "turned himself in last week to face charges of doing the same thing to other women." "faced similar charges in California." Appeal ECF 62 Page 13-14/Document Page 6-7

As has been established this is **"outright false"**. I was not **"facing charges for allegedly stalking several women"**. As I have shown, this news report is replete with numerous errors. For example, I did not **"turn myself in for doing the same to other "women"**. **I turned myself in for**

one count of Second Degree Breach of Peace involving one woman. Read the Arrest Warrant let alone Official Police Press Release (**See Exhibit A**). AND once again - NO I did not face “*similar charges*” in California, I faced a single charge of **stalking** in 1995 that was dismissed as can easily be deduced from the Arrest Warrant for it never states actual convictions (**See Exhibits F, G**). **Once again, Defense exaggerates.** It is as if they commit these little lies hoping Judges do not know the facts of the case. Their consistent evasions, distortions of truth, and outright lies hardly makes Altice worthy of some kind of “*substantial truth*” Summary Judgment without a proper trial to clear up these numerous confusions and lies.

“This is a guy that you know is walking around the grocery stores preying on women and it’s really frightening to wonder what could possibly happen.” Appeal ECF 62 Page 14/Document Page 7

“PREYING ON WOMEN”. In this 58 year-old Wendy Higgins Chambers’ own words - “*possibly happen*” - and not actually happen as evidence in her visit to police after her failed persecution with News 12, where police did not even write up an Incident Report for this woman’s story about me “*giving her a business card*” months before. **How about a story about what did not happen (see Exhibit OO)!** There was no crime, no harms, no damages but read about my Damages from this insanely biased and extreme coverage.

This negligently vetted Wendy Higgins Chambers lies in many ways. For example saying she “*she cut me off*” within the store is a lie for we had an extensive conversation in the same checkout line – her behind me - after talking for 10 minutes elsewhere in the store! This was a “*really frightening*” incident that resulted in no complaint to anyone – store manager, police, let alone to me for she had my business card when we met one time 9 months before arrest. A proper jury trial would show she feigned these fears, had no story worthy of being reported upon, and is hiding another agenda to which I can prove when I get her on the stand.

Did Wendy Higgins Chambers originally get the Arrest Warrant? Was she part of the “*not fair*” and “*outright false*” formulation of the **stalking** language? I deserve to know how this happened via a trial. Utterly crazy and yet this biased culture allows this to happen without a trial before a jury of our peers? Without this woman and News 12’s obviously proven bad judgment, there would not have been any hyping, heightening, and gross distortions of the known and knowable facts and the simple arrest would have been left to Due Process of Law without this unproven and un-provable hit job that has destroyed my life.

*Altice:*³ *None of the News Reports name Wendy Higgins Chambers as the Parking Lot Complainant nor do they say she was a source for the story, id., as Plaintiff has alleged. See SA-158-159. Appeal ECF 62 Page 14/Document Page 7*

She has admitted to being the woman in my lawsuit against her. See Connecticut case - James Lawrence v. Wendy Higgins Chambers. The fact that police did nothing with her complaint should be enough for this Appeals Court to allow for a fair trial for there was no evidence of any wrong doing worthy of a special story about “*preying on women*” and being “*arrested for stalking several women*” devoid of an actual **stalking** charge let alone witness, let alone women – witnesses.

“2. News Report 2” (Broadcast)

Altice: Appeal ECF 62 Page 15/Document Page 8

Once again Altice does not include the entire transcript so please see the entire broadcast. For example there are more errors to point out. Quote from the broadcast: *“Reporter Mark Sudol is standing across from of the Fresh Market where police say some of the incidents happened”* **THIS IS ANOTHER LIE. No other incident happened at the Fresh Market.** I had no problems with Fresh Market, nor Whole Foods, nor Stop and Shop, etc... and still visit these places their nearly everyday. If there were other incidents I surely would have been banned. The Arrest Warrant *“held in reporter’s hand”* does not talk about other incidents at this Fresh Market and **no police report is documenting this and no manager stated this.** Altice does their own narrative with their own sequence so I recommend a proper reading of the Arrest Warrant and recommend a proper viewing of the broadcasts and articles submitted as evidence.

Another concocted misrepresentation within the broadcasts is News 12 reporting *“Women who called the police say this is very scary for they don't know what someone can do”*. This is the quote from News 12’s cohort Wendy Higgins Chambers and not from any other person. News 12 put words into the mouths of phantoms (no names) from past incident reports. This is News 12 taking liberty with Wendy Higgins Chambers quote and applying it in a gross general way to other phantoms of the past. Warrant has not quote from anyone in my past. This is yet again another disgusting example of agenda-driven reporting that hardly *“dulls impact”*. News 12 took far too many liberties to concoct an agenda-driven story devoid of proper details leaving a wake of utter confusions.

FACT: One woman – Wendy Higgins Chambers – most arguably victim playing older woman pumped up with the MeToo and “Nasty Woman” movements zeitgeist – is pushing this extreme media madness before Due Process and after exonerating Due Process. The woman related to the arrest did not press charges, nor anyone else related to the past complaints – ever.

“3. News Report 3” (Broadcast)

Altice: (Fabrizi: “But Lawrence says he did nothing wrong.”). Appeal ECF 62 Page 16/Document Page 9

Where is this quote from newsreader Fabrizi?

Fact: This quote *“But Lawrence says he did nothing wrong”* does not exist!

Fact: What does exist is - *“I am not guilty”* and *“I did not break any laws”*.

See Exhibits B and C.

“4. News Report 4”

Altice: “says Lawrence kept showing up in the aisle she was in the Stop ‘N Shop in Westport and then eventually started talking to her,” and that he persisted in approaching her again “as she was loading the groceries into her car”. Appeal ECF 62 Page 16/Document Page 9

LIE. Any insinuation of “persistence” with this Wendy Higgins Chambers has no credibility. Altice attempts to inject as if there was some kind of warning from this Wendy Higgins Chambers, which is absolutely not the case. **This woman followed me to the same check out line while conversing!!!** I saw her once in my life resulting in nothing. This is again an attempt by Defense to justify their coverage by **lying as if there was some “persistence” with this Wendy Higgins Chambers** without even a police Incident Report after investigation.

AND yet again more confusions: In News Report #1 it was “Whole Foods” and now it is “Stop and Shop”. News 12 could not even get the simplest facts straight of when I saw this Wendy Higgins Chambers one time – STOP AND SHOP AND NOT WHOLE FOODS.

“5. The Articles”

No analysis provided by Altice. **See Exhibit C.**

“D. Other Incidents”

Quote by Judge Underhill in his Summary Judgment:

“It is an open question in the Second Circuit whether courts can take judicial notice of police incident reports, but it seems that many courts refrain from doing so. See, e.g., Alvarez v. County of Orange, N.Y., 95 F. Supp. 3d 385, 398 (S.D.N.Y. 2015); Bejaoui v. City of New York, 2015 WL 1529633, at *6 (E.D.N.Y. Mar. 21, 2015); Serrata v. Givens, 2019 WL 1597297, at *4 (E.D.N.Y. Apr. 15, 2019).” **ECF 66 Page 2**

Altice one again does an utterly shameless unscientific abbreviated 1-2 line description of unproven and un-provable incidents/complaints of the past that resulted in no arrest after thorough investigations. Only 1-2 sentences yet anyone with a brain knows if these are to be taken seriously **there would need to be DETAILS** with evidence and actual descriptions of any alleged **stalking** let alone an arrest after the investigations for anything or better conviction for these are decades/years old complaints.

For example:

- **Altice:** “A 2006 incident in which Lawrence followed a girl around town and to her car.” **Id. Appeal ECF 62 Page 18/Document Page 11**

FALSE. Once again injecting “**around town**”. Not true as police themselves concluded.

I submitted as detailed descriptions (See ECF 26) as possible in the spirit of being transparent with any past complaint fully investigated resulting no arrest cases long closed. These are Incident Reports with Brief Descriptions of a “**Suspicious Person**” or “**Police General Service**” to which Altice submitted 4 such Incident Reports (See Exhibit DD).

Altice: “Police records tell a more vivid story about those incidents. **The Arrest Warrant that forms the basis of the News 12 Reports reads:** It should also be noted that there are numerous incidents that have occurred over the past year involving Lawrence. **In the following cases,**

[providing 4 case numbers] woman [sic] have called the police because they have been approached by a suspicious male who made them feel very uncomfortable. In all these cases Lawrence was the person they were calling about. . . .” ECF 62 Page 18-19/Document Page 11-12

BIG LIE AGAIN. This is not a direct quote from the Arrest Warrant. Please verify. FACT: The Arrest Warrant did not mention or “provide 4 case numbers”. The Arrest Warrant mentioned one other recent 2017 case number (falsely stating I said I was previously arrested) and referenced other decades old alleged incidents **without case numbers. See Exhibit A.**

Altice: “In June 2017, he was questioned for following women around the Fresh Market and making women uncomfortable.” Appeal ECF 62 Page 20/Document Page 13

LIE AGAIN!!!! The June 2017 Incident Report had nothing to do with Fresh Market. There is NO Incident Report about following women or a woman around Fresh Market. THIS IS A LIE AND ALTICE BEST HAVE A DOCUMENT AT ORAL ARGUMENT TO STAND BY THIS LIE!!! Once again this should outrage the court – **injecting some kind of prior complaint at the arresting location of the lone arrest and writing utter fiction that I had been “following women around the Fresh Market”. Outright lies are their defense. There are no documentations of this lie. ALTICE LIES so to concoct the arresting scene of having multiple complainants to justify their coverage or me **“Charged with Stalking Several Women”**.**

“E. Plaintiff’s Subsequent Arrest”

Altice: “On February 6, 2019—after filing this action” ... Appeal ECF 62 Page 20/Document Page 13

ONCE AGAIN, QUOTE FROM JUDGE UNDERHILL: ECF 66 page 12

The parties also disagree vociferously about an incident that occurred in September 2018. See 56(a)(1) Stmt, Doc. No. 39-2, at ¶ 18; Def.’s Mem. of Law in Supp. Mot. for Summ. J. (“Def.’s Mem.”), Doc. No. 39-1, at 6; Incident Report, Ex. E to Def.’s Mot. for Summ. J., Doc. No. 39-8 (redacted); Responses, Doc. Nos. 40, 41, 42, and 47. But the news reports at issue in this case were published in March 2018. No matter how gross Lawrence’s behavior in September 2018, an incident that occurred *after* the publication of reports at issue in this case has no bearing on the truth of those reports. Thus, I find that incident irrelevant.

WHY IS ALTICE WASTING OUR TIME PILING ON IRRELEVANT MATTERS THEY

KNOW NOTHING ABOUT? **Because Altice needs evidence of persistence towards someone – if not multiple examples, to which they have not one.** Details show my scorned ex-girlfriend/complainant/tenant now perjurer living in my very own home abusing my elderly parents referred to the News 12 media treatment of me 9 times with her dealings with police and thus Altice will be presented with evidence of how their **“outright false”** coverage of me fomented and allowed for opportunistic persecutions when we go over the numerous types of Damages.

“G. The Summary Judgment Decision”

*Altice: “numerous instances before—maps onto the common usage of the word “stalking.”
Appeal ECF 62 Page 23/Document Page 16*

Altice deploy the phrase “maps onto” because they are lost and had no proper evidence. Reporter comes into the arrest having prior understandings of **stalking arrests** yet now **needs a “map” to carry out an agenda.** He should have used proper reference books let alone the actual wording of the Arrest Warrant. The “mapping out” to be done was share my clean Ct. record and facts that past complaints/cases are long closed and thus could not be described as **“stalking”!** Their **“outright false”** opinions, numerous documented and admitted mistakes, and the increasingly strange circumstances around their opinions let alone overall ongoing effects of their opinions on my life justify and allow for me to accuse them of defamation worthy of a jury of our peers.

“Summary of Argument”

Altice: “making them feel threatened” Appeal ECF 62 Page 24/Document Page 17

Utter hype again. Listen to Dispatch Tapes (**See Exhibit D**) of the lone arrest for this woman states in her own words - *“He did not speak to me but I noticed his behavior was just odd because he was just kinda like walking around the grocery store (shopping) .. he was in the store and he actually checked out before me (bought my items) .. which is like ...and like there was a couple of times in the store where I felt like a LITTLE uncomfortable where he was like lingering ALMOST... “I DONT KNOW” and “I mean it is hard to say... I don't know if his behavior was harmless or ..”* End of recording.

POLICE DID NOT DESCRIBE THIS OR ANYTHING ELSE AS STALKING! This **one and only** piece of hard evidence of any complaint let alone arrested incident now proven to be **Not Guilty** of **Second Degree Breach of Peace** is submitted as **Exhibit D.** THERE IS NO EVIDENCE - NO Store Videos, NO I-Phone recordings, NO Sworn Written Statements, NO Witnesses, ETC ... OF ANYTHING - EVER.
SEE ALL EXHIBITS

Altice: “Next, to the extent Lawrence seeks to argue that the term “stalking” is materially false because Lawrence’s behavior does not meet the criminal definition of the term “stalking,” such an argument is also unavailing. The law is clear that “technical errors in legal terminology and reports involving violation of the law are of no legal consequence.” *Barnett v. Denver Publ’g Co.*, 36 P.3d 145, 148 (Colo. App. 2001).” [Appeal ECF 62 Page 24/Document Page 17](#)

SPIN. “TECHNICAL ERRORS” – this technical error was repeated on 4 different types of broadcasts every hour for 2 days AND this report is coming 9 days after my arrest where they already read proper news reports of the arrest (See Exhibit PP). There was plenty of time to reign in the “technical error”. Defense never addresses the detailed dictionary and cultural definitions I detail for them within Brief #1. Altice hopes to base their case on a miniscule aspect of a underdeveloped subjective dictionary definition and absolutely avoid any responsibility to legal definitions or suitable legal definitions mixed with proper socially scientific dictionary and cultural definitions for I was “**outright falsely**” reported on as “arrested/facing charges with stalking several women”.

“Standard of Review:”

Altice: “... no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” [Appeal ECF 62 Page 25/Document Page 18](#)

There are certainly plenty of unresolved issues worthy of a jury.

“Argument”:

“A. The News Reports Are Substantially True”

Altice: “As the United States Supreme Court held in *Masson v. New Yorker Magazine, Inc.*, 501 U.S. 496, 517 (1991), “[m]inor inaccuracies do not amount to falsity so long as ‘the substance, the gist, the sting, of the libelous charge be justified’”(citation omitted).” [Appeal ECF 62 Page 27/Document Page 20](#)

“MINOR INACCURACIES”? Lets review the Damages from these “minor inaccuracies”.
“Minor inaccuracies” would logically have minor Damages to “dull”.

And like the actual definition of “substantial” please read the actual definition of “gist”.

Altice: “Merriam-Webster defines “stalking” as “to pursue obsessively and to the point of harassment.”⁹ The incident described in the Arrest Warrant Application and reported in the News Reports fits that definition.” [Appeal ECF 62 Page 29/Document Page 22](#)

NONSENSE.

English: Obsessively - 1: persistent disturbing preoccupation with an often unreasonable idea or feeling; excessive often to an unreasonable degree

There is no evidence of any obsession. A proper review of all legal and linguistic evidence (**See Exhibits H-V, GG**) shows that **harassment** is a course of conduct behavior much like **stalking**, which is how **stalking laws** replaced many **harassment laws** around the country. Many states transferred the course of conduct crimes of **harassment** to the new age of the electronic media/Internet (like Connecticut) and enacted after 1990 various **stalking laws** to address traditional and heightened forms of course of conduct **harassment** behavior – like the increase of serial killers. **Altice continues to avoid the facts that police never deployed either words stalk or harass within the Arrest Warrant.**

*Altice: “For years, and certainly in the 18 months before the incident in question, Lawrence followed women around Westport shopping malls and parking lots until they were frightened.”
Appeal ECF 62 Page 30/Document Page 23*

Exaggerated misrepresentation!!! There is no “shopping mall” in Westport. Defense attempts to use *this “shopping mall”* term to paint a picture about a fictional large area outside of a common every day grocery store so to insinuate that there is some kind of long calculated following happening store by store as in a mall (free of any words or warnings), yet in all reality were one-time crossing of paths with someone at a small market – one store. The shared public parking lot in front of a market to which I had a car as well, are everyday happenings.

AND once again, Altice expects their subjective interpretations of alleged and unproven types of fears to give them the right to paint their own picture and label me a **stalker.** To describe me as *“facing charges for stalking several women”* (compounded with other errors) they need proper evidence/witnesses. A relatively unjustifiable fear devoid of arrest is not enough.

Altice: “This conduct – which involves following women to the point of fear – can clearly be described as “stalking.” In several instances, those women themselves described Lawrence’s conduct as “stalking.” Appeal ECF 62 Page 30-31/Document Page 23-24

Subjective feelings do not empower a major media organization to assign a phantom woman’s alleged yet never proven justifiable fear as *“charged for stalking several women”*. With this logic anyone can be accused of being a **stalker** and not just 6 foot 5 inch 200 lbs James Lawrence. Usually the next step would be an arrest or restraining order and a violation of that restraining order before a label like **stalking** could be so grossly applied (**See Exhibits BB-FF**).

FACT: There are many types and levels of fears. Labeling a general un-described fear to all people is hardly detailed evidence. **We all have different types of uneasiness and fears.** Not all are *“frightening”*. I am uneasy every day that yet another media outlet will pick up on Altice’s

unproven and un-provable defamation and run with it. I fear being profiled. I feel uneasy about giving my name now in the age of Internet search all the while having a clean Ct. record. I fear living in the area now every day for I am being profiled. These are far worse fears than what any woman might have feared with me at a one-time market occurrence.

See ECF 36 – Damages.

Altice: “In opposing Defendant’s motion to dismiss and again before this Court, Lawrence cited Connecticut criminal law to argue that his behavior does not fit the elements of the crime of stalking under Connecticut law – and/or some dictionary definitions that he cites at length. See SA-50. And that may be the case. But the law is clear that “technical errors in legal terminology and reports involving violation of the law are of no legal consequence.” Barnett, 36 P.3d at 148. See also *Simonson v. United Press Int’l, Inc.*, 654 F.2d 478 (7th Cir. 1981) (article reporting person charged with rape, when actually charged with second degree sexual assault, not defamatory, because statement was not made false by substituting a word in common usage for an exact legalism).” *Appeal ECF 62 Page 31/Document Page 24*

I gave an undeniable socially scientific presentation of legal, dictionary, and cultural definitions.

This argument of “*Simonson v. United Press*” is a **Conflation**. Rape and Sex Assault are BOTH violations of someone’s body, while my proven harmless one-time alleged “*following*” devoid of words or warnings at one location vs. all levels of **stalking** ARE FAR MORE DIFFERENT because a one time “*following*” at one location happens every day and is highly subjective while **stalking** is premeditated involving multiple locations and multiple times. For example, someone can follow someone into a store and a person can feel subjectively concerned/uneasy/fearful but this is not such an extreme as being sexually assaulted or raped – clear violations.

Altice: “*Read v. Phoenix Newspapers, Inc.*, 819 P.2d 939 (Ariz. 1991) (en banc) (newspaper article describing a defendant’s conviction for “firing a gun,” when he was actually convicted of “exhibiting the gun,” was not defamatory, because the inaccurate statement did not cause him any more damage than that which resulted from his actual conviction and sentence);” *Appeal ECF 62 Page 31/Document Page 24*

More Conflations. Holding a gun and firing a gun is obviously threatening behavior. A one-time alleged “*following*” at one location and **stalking** ARE FAR MORE DIFFERENT because a alleged (yet never proven) “*following*” happens every day and is highly subjective while **stalking** is premeditated involving multiple locations and times!!!

Altice: “Here, there is no question that a reasonable viewer or reader would understand Lawrence’s behavior as stalking. In fact, at least two of his alleged victims have used that term. SA-272, 277.” *Appeal ECF Page 32/Document Page 25*

“Alleged victims” ?? ... There is now no more “alleged” – they were found not to be “victims”

statute of limitations in effect. Their feelings did not have evidence and police never used this **stalk** language. In one Incident Report from the past someone subjectively used the word **stalk** but police never parroted that wording and chose more careful and appropriate language.

FACT: Altice read the Arrest Warrant.

Altice: "This case is just like Barnett." Appeal ECF Page 32/Document Page 25

This is another conflating statement. "JUST LIKE" ... I address Barnett in this Brief #2 and show examples of differences like how Barnett was reported on after Due Process of Law while I was reported before Due Process of Law and after past exonerating Due Processes of Law.

Altice: "Here, as in Barnett, Lawrence's repeated, unsolicited, and frightening behavior toward women is fairly described as stalking." Appeal ECF Page 32/Document Page 25

FALSE!!! Where are there any proven documented "**repeated**" unwanted acts toward anyone – **repeated toward an individual? I WOULD HAVE BEEN ARRESTED! Once again, conflating different people with different times (2003, 2006, 2017).** Defense attempts to take a 55 year-old life of approaching people all over the world and make it seem as if there was **stalking** (in Westport) while there was never any arrests after thorough investigations. One can do this with anyone. Once again Defense is trying to inject the word "**repeated**" because they know the efficacy of my Brief #1 Exhibits on this very subject. I repeatedly go to markets. Being a free spirit I repeatedly meet people. That does not make me a repeated **stalker**.

FACT: "Repeated" must be shown toward an individual complainant and even then there best be some kind of arrest for which there was not let alone conviction after Due Process!!!

Altice: "Both Articles have the headline "Police: Westport man charged with stalking women. Judge Underhill found this headline to be inaccurate because Lawrence was charged with breach of the peace, and not stalking. But even if that were the case, additional facts of Lawrence's arrest – that he was "facing charges for allegedly stalking several women around town" is clearly laid out in the Article." Appeal ECF Page 33/Document Page 26

MORE LIES - "stalking" and "several women" and "around town. Lie after lie!!! I FACED A CHARGE NOT CHARGES and it was not stalking!!! ALL OTHER MATTERS ARE RESOLVED CASES KNOWN TO BE CLOSED. Police would have to have had an open case for a decade past "incident" (let alone stalking case) to which they did not. We need to get police on the stand for Altice is attempting to quote the police devoid of the police deploying the **stalking** language within the Arrest Warrant. **And AGAIN this LIE "facing charges for allegedly stalking several women around town" is another intended misrepresentation** so to make it seem there are multiple times and multiple locations outside of a supermarket.

Altice: “This case is similar to Finnelli v. Tepfer”, ... Appeal ECF Page 33/Document Page 26

Conflating nonsense. I walked up to someone in broad daylight with no damages done to anyone. I did a far less alleged act than allegedly killing an animal yet now because of Altice’s coverage cannot effectively search for work. The person in the Finelli v Tepfer case most likely does not lose his ability to get work (See ECF 36 – Ongoing Damages). This case cannot avoid the **socially scientific stigma of stalking** let alone all the solid arguments that shows what is **veritable stalking**. See Exhibit QQ.

Altice: “See also Baia v. Jackson Newspapers, Inc.,” Appeal ECF Page 33/Document Page 26

I would prefer to be reported on for being a thief than **stalking**. In Connecticut there are numerous types of stealing arrests while **stalking holds a much worse stigma**. Can you name a list of as many **stalking type arrests** as there are for stealing? NO. Much like the few voluntary murder statutes where killing is killing, **stalking is stalking**. Stealing on the other hand can be described in so many forms and is sometimes celebrated in media with sympathetic characters. There is no stalking characters depicted in sympathetic or celebratory ways within our various medias – **stalking is stalking**. PERIOD. Here are just some of the various forms of stealing in Connecticut: 5 types of Burglary, 6 types of Larceny, 6 types of Telephone Fraud, 3 types of Identity Theft, 4 types of Robbery, 3 types of Forgery.

Altice: “And if there can be any doubt as to whether Lawrence’s conduct as set forth in the Arrest Warrant Application can be described as “stalking,” all doubts are resolved by Lawrence’s 2019 arrest and the undisputed other “incidents” involving Lawrence.” Appeal ECF Page 34/Document Page 27

ONCE AGAIN, Judge Underhill (and any other Judge) must reject the significance of Altice’s “all doubts” Feb. 6, 2019 false arrest for Email Harassment. “All doubts” is more generalist/absolutist language. There is nothing but doubts – Presumption of Innocence – remember that America? Altice’s defense is based on pandering to feelings. This Guilt By Accusation zeitgeist must be properly dealt with by the courts to reign in the alarming increase in all kinds of extreme unjust persecutions.

Altice: “The 2019 arrest for harassment, which involved “multiple requests” by a woman that Lawrence “stop contacting her,” SA-195 ¶ 18, and the other incidents Lawrence himself describes in the Supplement, ¶¶ 19-27, constitute behavior that can accurately be described as stalking.” Appeal ECF Page 34/Document Page 27

AGAIN BEGGING THE ISSUE DEVOID OF KNOWLEDGE EVEN THOUGH FIRMLY ESTABLISHED BY JUDGE UNDERHILL LET ALONE THE LAW TO BE NOT RELEVANT AND AGAIN MAKING ME WASTE PRECIOUS WORD SPACE!

Altice: "A full reading of the article discloses "stalking" behavior." Appeal ECF Page 34/Document Page 27

SPINS. If the full article is disclosing **stalking behavior how does this article also "dull impact" of an "outright false" news report about me being "**charged for stalking several women**"? You cannot have it both ways!!! Are you "mitigating the problem and dulling impact" of the headline by referring to the **one count of second degree breach of peace** or are you making a case for **stalking** behavior which would certainly not be "dulling any impact".**

Altice: "characterizing Plaintiff's conduct as "stalking" can also be protected as a statement of opinion based on disclosed facts." Appeal ECF Page 34/Document Page 27

I have documented numerous types of recklessness and false opinions.
THE DISCLOSED FACTS – **SEE ALL FACTS, ARGUMENTS, EXHIBITS.**

What if News 12 said I somehow made a sexual contact toward someone? This would be a type of crime - **sex assault**, much like **stalking** is a type of crime. **Sex assaults** are the top companion crimes to **stalking (see Exhibit W)** as opposed to the crime **second degree breach of peace**. Do you allow for a broad range of "opinion" to concoct imagery of a **sex assault** from a **second degree breach of peace** arrest? YOUR "OPINION" IS NOT ALLOWED TO JUMP OVER MULTIPLE LEVELS LET ALONE DIFFERENT TYPES OF CRIMES AND CONFLATE DIFFERENT TYPES OF BEHAVIOR!!!! We are back at the word **STALK** – **My Brief socially scientifically defines stalk in ways Defense has not even dared to dispute.**

“B. Plaintiff Has Not Properly Pled An Infliction Of Emotional Distress Claim”
Appeal ECF Page 35/Document Page 28

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS:

- Altice **knew** I was investigated of past incidents resulting in no arrest aka no probable cause for arrest aka no criminal behavior at all let alone behavior worthy of a special story about *“charged with stalking several women”* that was never proven and can never be proved. They read within the same dubiously ascertained Arrest Warrant that I had (and still have) no criminal record in Connecticut - Westport supermarkets – place Altice and only Altice accuses me of **stalking** and they never share this information within their agenda-driven reports.

- Altice did not vet an obviously agenda driven woman – Wendy Higgins Chambers - their cohort and chief instigator for the special story before and after Due Processes of Law. For example, like asking the questions - Did you (woman shaded in the dark) go to police at the time of your encounter? Why not? Did you make a complaint to market manager? Why not? Did you (having James Lawrence’s contact info/business card) make a complaint to him? Why not? Why not direct this woman to the police for a proper investigation before doing an un-provable hit job about *“preying on women”*?

- Altice did not interview the officer to get more perspective and get more facts but instead rushed out a special story conflating my arrest with MeToo types of crimes. Fact: Within **stalking** organizations, **stalking and sex assault** are often companion issues – serious issues, but **stalking** is NOT a companion issue of an alleged supermarket **one count of second degree breach of peace** for *“getting into personal space”*. Defense had a chance to respond to my Exhibit X (See Exhibit X) and show one article or organization where when dealing with the issue of *“getting into personal space”* the article or organization uses **stalking or harassment** language. They obviously could not.

- Altice did a special story before and after Due Processes of Law unlike 99% of the arrests of anything (let alone a low-end \$5,000 bond **one count/charge of Second Degree Breach of Peace**) obviously hyping (not getting to a gist) of the Official Police Press Release. This is important. Official Press Release says “Press Release” for a reason, while aspects within an Arrest Warrant best not be hand selected and reported upon for police obviously intend these documents to be viewed by a prosecutor and judge meant for Due Process. Altice injected their own language and that is recklessness and certainly a mysteriously agenda-driven motive to which a much-deserved trial could figure out. See Exhibit A, and see Emails from Police verifying the Official Police Press Release – See Exhibit E, Exhibit BB.

- Altice gave me a one line response *“I am not guilty”* in this pathetically unscientific report devoid of essential details **after ambushing me at my private home for a 45 minute interview** that I graciously gave to them in an effort to keep them from making mistakes they eventually took down from the internet. This was sloppy agenda-driven reporting to say the least. I say this for I have proven myself in this process to competently defend myself as a pro se litigant and I certainly shared similar types of competence during the interview at my house before their hit job. **This video evidence of this interview at my home has yet to be turned over and I**

deserve to have this evidence turned over and reviewed at a proper trial so it is firmly established what News 12 knew before their hit job!!!

- A woman reads about a low-end arrest of allegedly *“following a woman at a market”* and makes a beeline to the largest cable TV network in the tri-state area? When has this ever been done before? This overly loose and yes biased culture is allowing women to approach media devoid of police investigations about **sex assault** – veritable MeToo issues - but my low-end arrest? Read the words of this negligently vetted woman Wendy Higgins Chambers for it shows nothing criminal yet wreaks of a pretentious faux MeToo type of persecutions. Where is News 12 perspective, sense of fairness, and overall judgment? CONFLATING ME with other more serious types behaviors and crimes, CONFLATING ME with MeToo types of coverage. **SEE EXHIBIT OO** on a popular Wall Street Journal article about supermarket dating at the same time of arrest - March 10, 2018. **This Exhibit is proof I at least deserve a jury of my peers.**

- ETC....

THERE ARE MANY MYSTERIOUS HAPPENINGS THAT DEMAND A TRIAL.

SEE ACTUAL MALICE EVIDENCE IN CONCLUSION.

Δ - MORE CONCLUSIONS

In regards to the issues of Actual Malice:

10 FACTS:

1: News 12 was doing a special report 9-10 days after my arrest when all other news outlets got the arrest/charges correct and allowed for Due Process of Law to take over.

2: News 12 is not only doing a special report before Due Process of Law, but also after KNOWN Due Processes of Law (past investigations).

3: News 12's attempted special news story 9-10 days after arrest was done by mysteriously ascertaining a warrant (99% of arrests this does not happen) and against the Official Police Press Release, let alone according to police – against police matters of practice to redact the kind of information they play with, misrepresent, hype, and outright falsely portray.

4: News 12 had 9 days to get and verify essential facts and made no attempt to interview arresting officer to clear up obvious ambiguities.

5: News 12 had access to a 30-minute interview that I graciously gave them to which resulted in nothing but quoting me "I am not guilty".

6: News 12 had access to a warrant that described my side of the story yet News 12 cherry picked what fit their biased agenda and reported on only 1/3 of the warrant.

7: News 12 allowed some woman without a police complaint to guide their agenda. When this woman finally did go to police - documented March 15 – 1 day after News 12's initial March 14 impact, police themselves never write an individual incident report, contact me, let alone arrest me for this woman's story (News 12's big witness) thereby showing another obvious bias of their reporting 1 day before.

8: News 12 was doing a special story about someone (me James Lawrence) with a clean Internet search and clean Ct. record (maintained) in regards to the accusations.

9: News 12 empowered Wendy Higgins Chambers with a dubiously ascertained Arrest Warrant who paraded it around various towns and to other media who themselves did their own types of slander and libel.

10: There are so many necessary questions as to News 12's motivation given the fact that I have had a public life via my personal websites and thus the only way to fully reveal other obvious questions and potential forms of motivations/malice would be to put the people responsible for the "outright false" coverage on the stand via a well deserved trial.

There are too many shady aspects and unresolved issues of this strange hit job that given the zeitgeist demand a jury of my peers.
ETC...

It is time to proceed to the Damages and a proper trial with police taking the stand for News 12 reported in the following way:

“Police: Westport man charged with stalking women”

Yes Altice is claiming that police are saying this. The facts are police are not supportive of this presentation of me. The facts are the police are not happy about being held responsible for how I was portrayed by media. By saying that there were past **stalking or harassing** without any ability to show any proof is saying that the police did not do their job. Thus News 12’s story now should be police did not do their job for arresting someone they believe to have been **stalking and harassing**.

FACT: I am never guilty. Attempting to finger the police for depicting me as a **stalker can never be proven for if the police are to be sued next they will simply and accurately show they did not arrest me for **stalking** – ever – nor arrest me for anything before, and they will accurately argue that they did not deploy the **stalking language** within the Arrest Warrant.**

I will not be some sacrificial lamb for powerful interests. Someone is responsible for the destruction of my life and must be held accountable. There are 4 potential culprits - myself, Wendy Higgins Chambers, News 12, or the Police. I have had Due Process of Law but the other potential culprits have not. Logic dictates all 4 potential culprits can have a type of guilt. But in reference to public defamation ALL evidence certainly points to media powerhouse Altice/News 12.

I have submitted beginning evidence that police do not stand by Altice’s **“outright false”** interpretation of the Arrest Warrant. POLICE DO NOT CLAIM THEY SAID, OR ASCRIBE TO, OR IMPLY, OR CONNOTE, OR INSINUATE, OR HINT AT THIS **“outright false”** coverage **“stalking several women”** replete with other numerous errors. Since Altice is claiming the police are _____ ??? then justice would see that we move to proper interrogations and witnesses and evidence with a jury of our peers within a zeitgeist that demands everyday people to decide this case. 50 year-old News 12 reporter Mark Sudol cannot be let off the hook (free from interrogation) for behaving in ways that obviously show his numerous forms of negligence. There cannot be a simple cry that he is not qualified and that gave him the right to make all the mistakes. These are numerous mistakes he made and extreme mistakes to say the least.

Strangely, Judge Underhill NEVER asked for a Local Rule 26(f) Case Management Plan to set various deadlines for preparations for potential trial. JUSTICE WOULD SEE THAT THIS CASE MANAGEMENT PLAN IS THE NEXT STEP. Perhaps this was my mistake being Pro Se and not initiating this process. Another Federal Judge in my newer lawsuit against Hearst/Westport News has already asked for a Case Management Plan to which has been submitted in federal case James Lawrence v. Hearst Communications/Westport News. This is a case to which I hold Altice partially responsible for – blowback and influence on the world.

Finally, given all the socially scientific details from my various Exhibits, I wish to conclude with

the following question. How can you take the no more than 1% of the 99% legal, linguistic, and cultural evidence of the word **stalk** (a needle in the haystack) and base a decision on this 1% and then talk about “*the mind of the average viewer/reader*” and “*popular acceptance*”? This case belongs in front of a jury for the culture is fed up with reckless media conflating, spinning, lying, and doubling down causing more problems (damages) for the country as a whole related to a wide range of issues. Let us ask the people to judge so to be considering the very real underlying everyday issues aka particular zeitgeist that this case obviously has numerous examples of to which I will talk about at Oral Argument.

A significant part of this case is the carefully chosen language by the officer - “*following them out to their cars where he would either stare at them or get right into their personal space*”. Altice never addresses my numerous Exhibits particularly on the use of this language (See Exhibit X). NEVER. I invited Altice to share one article/reference on this “*get into personal space*” behavior where the terms **stalking** are deployed and they shared nothing. There is a reason for this – after thorough research about potential behavior of “*get into personal space*” I could not find one article in any scholarly, professional, or everyday publication let alone dictionary that uses **stalking** in their descriptions of this alleged behavior.

Can Altice make a jury of our peers believe the following?

≈ Judge Underhill: “**The headlines (*Police: Westport Man Charged for Stalking Several Women*) are not defamatory because the average person reading the (News 12) Articles would not have been affected differently if the headlines read, for instance, “*Police: Westport man charged with breach of peace for following woman*”. Thus, the headlines are substantially true.” ECF 66 Page 20**

Given ALL the Arguments, Exhibits, Evidence, and Established Results I disagree. Everyday people most certainly would agree with me, or at least given any unresolved issues would add significant everyday opinions from multiple backgrounds and multiple age and sex perspectives and thus this case should be before a jury of our peers.

Certificate of Compliance

I, James Lawrence, certify that this Reply Brief Argument contains 7,000 words within 30 pages (many not fully filled and some with pictures) excluding introductory material like the 7 pages of Cover, Outline, and Introductory Statement, numerous pages of Quotes from Altice and Quotes from Judge Underhill, and 3 pages of Concluding Statements.