

FILED
ADAMS COUNTY
CLERK OF COURTS

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**COURT OF COMMON PLEAS
ADAMS COUNTY, OHIO**

Larry Heller
CLERK

SHAWN D. COOLEY, Et. al,

Plaintiffs,

v.

**JOSEPH EDGAR FOREMAN,
A/K/A AFROMAN, Et. al,**

Defendants,

CASE NO. 2023-0069

Judge Jerry McBride

**FIRST AMENDED AND
SUPPLEMENTAL COMPLAINT
FOR DAMAGES AND INJUNCTIVE
RELIEF, WITH JURY DEMAND
ENDORSED HEREON**

For their first amended and supplemental complaint against Joseph Edgar Foreman, aka Afroman, Hungry Hustler, Media Access, John Doe 1, John Doe 2, and John Doe 3, Plaintiffs Shawn D Cooley, Justin Cooley, Michael D. Estep, Shawn S. Grooms, Brian Newland, Lisa Phillips, and Randolph L. Walters, Jr. state as follows:

PARTIES

1. Plaintiff Shawn D. Cooley is an individual residing in Adams County, Ohio. At all relevant times, he has been a Deputy with the Adams County Sheriff's Office.
2. Plaintiff Justin Cooley is an individual residing in Adams County, Ohio. At all relevant times, he has been a Deputy with the Adams County Sheriff's Office.
3. Plaintiff Michael D. Estep is an individual residing in Adams County, Ohio. At all relevant times, he has been a Sergeant with the Adams County Sheriff's Office.
4. Plaintiff Shawn D Grooms is an individual residing in Adams County, Ohio. At all relevant times, he has been a Deputy with the Adams County Sheriff's Office.

5. Plaintiff Brian Newland is an individual residing in Adams County, Ohio. At all relevant times, he has been a Detective Sergeant with the Adams County Sheriff's Office.

6. Plaintiff Lisa Phillips is an individual residing in Adams County, Ohio. At all relevant times, she has been a Deputy with the Adams County Sheriff's Office.

7. Plaintiff Randolph L. Walters, Jr. is an individual residing in Adams County, Ohio. At all relevant times, he has been a Sergeant with the Adams County Sheriff's Office.

8. Defendant Joseph Edgar Foreman, a/k/a "Afroman," is an individual residing in Adams County, Ohio.

9. Defendant Hungry Hustler Records on information and belief is a business entity doing business in and with its principal place of business in Adams County, Ohio. On information and belief, Hungry Hustler is owned and operated by Defendant Joseph Edgar Foreman, and is used by Defendant Foreman to market and sell music, videos, merchandise, and other products.

10. Defendant Media Access, Inc., on information and belief is a Texas Corporation in the business of full-service video and music distribution and royalty collection. On information and belief, Joseph Edgar Foreman uses Media Access, Inc. to distribute his music and media posts, to collect royalties, and for other services. Through its distribution of videos and music in Ohio and its business dealings with Defendant Foreman and others in Ohio, Media Access, Inc. has significant contacts with the State of Ohio.

11. Defendant John Doe 1 on information and belief is a business entity doing business in and with its principal place of business in Adams County, Ohio. On information and belief, Defendant

John Doe 1 is owned and operated by Defendant Joseph Edgar Foreman, and is used by Defendant Foreman to market and sell music, videos, merchandise, and other products.

12. Defendant John Doe 2 on information and belief is a business entity doing business in and with its principal place of business in Adams County, Ohio. On information and belief, Hungry Hustler is owned and operated by Defendant Joseph Edgar Foreman, and is used by Defendant Foreman to market and sell music, videos, merchandise, and other products.

13. Defendant John Doe 3 on information and belief is a business entity doing business in and with its principal place of business in Adams County, Ohio. On information and belief, Hungry Hustler is owned and operated by Defendant Joseph Edgar Foreman, and is used by Defendant Foreman to market and sell music, videos, merchandise, and other products.

FACTUAL BACKGROUND

“Afroman” products and merchandise

14. Defendant Joseph Edgar Foreman (“Foreman”) is a creator, producer, and performer of music and videos who is known by the stage and commercial name “Afroman.”

15. In addition to music and music videos, Foreman markets and sells a variety of products under the trade name “Afroman.” These products include, beer, marijuana, T-shirts, and other merchandise.

16. Foreman sells his “Afroman” products on line, and at live events at which he performs.

Search of Defendant Foreman's residence

17. On or about August 21, 2022, law enforcement officials from the Adams County Sheriff's Office conducted a search of Foreman's Adams County residence, pursuant to a lawfully issued search warrant.

18. Foreman was not present at the time of the search, but his wife was in the home, observed the search, and recorded portions of the search on her camera phone, including the faces and bodies of many of the law enforcement officers involved.

19. Foreman's residence was equipped with several security video cameras, which also recorded many portions of the search, including the faces and bodies of many of the law enforcement officers involved.

Foreman creates commercial videos with faces and bodies of Plaintiffs

20. After the search was concluded, Foreman used portions of the recordings of the search from his wife's phone and his surveillance cameras to create music videos about the search. These music videos clearly portray the images, likenesses, and distinctive appearances ("personas"), of many of the officers involved in the search, including those of all Plaintiffs.

21. Foreman created dozens of videos and images of Plaintiffs' personas, and posted them on various social media platforms, including Facebook, YouTube, Snap Chat, TikTok, and Instagram. Thousands of people have viewed Foreman's postings.

22. Foreman has used, and continues to use, the videos and photos of the Plaintiffs' personas for commercial purposes, to promote his "Afroman" brand, to sell products, to promote his music tours, and to make money from the use of Plaintiffs' images on videos and other media.

23. Following are only some of the many examples of the Defendants' use of the personas of Plaintiffs for commercial purposes:

a. Instagram post containing an image of Foreman wearing a shirt with an image of Plaintiff Shawn Cooley beside an image of Peter Griffin (Family Guy). Caption: "Good Morning Ladies !!! What up Fellas??? Congratulations to Police Officer Poundcake Thank you for getting me 5.4 MILLION hits on TikTok I couldn't have done it without you obviously! Congratulations again you're famous for all the wrong reasons. As you can see all my poundcake is gone officer poundcake confiscated my poundcake he said something happened to his body camera on the way to the evidence room lol

<https://www.instagram.com/p/CiaIG3Zu1B4/?igshid=NTdlMDg3MTY=>

b. Instagram Post containing images of fans holding merchandise that contains images of Shawn Cooley. Caption: "LEMON POUNDCAKE !!!"

<https://www.instagram.com/p/CkBI8dyu5TM/?igshid=NTdlMDg3MTY=>

c. Instagram Post in which Foreman confirms that @ogafroman is his official account. Post contains images of Plaintiff Brian Newland, then advertises Afroman's new album.

d. Instagram post containing image of Foreman wearing a shirt with images of Plaintiff Justin Cooley. Post promotes new album. Caption: "What's your favorite song on lemon pound cake so far? Also what's your favorite line?"

<https://www.instagram.com/p/CjLOpLcuBml/?igshid=NTdlMDg3MTY=>

<https://www.instagram.com/p/CiFsuxuPEBj/?igshid=NTdlMDg3MTY=>

e. Instagram post containing image of Foreman wearing merchandise and promoting merchandise with images of Plaintiff Shawn Cooley. Caption: "I am pressing up merchandise for my up-and-coming Canada Tour which officer Poundcake shirt do you like the most the one to the left or the right? Let me know so I invest my money in the more popular shirt"

<https://www.instagram.com/p/CjMPZLzuOg1/?igshid=NTdlMDg3MTY=>

f. Instagram post containing images of merchandise. Some of the merchandise contains images of Plaintiff Shawn Cooley. Caption: "Canada get ready for the most hunted to most want the most blunted rapper in the world!!! For the first time I will have brand new merchandise available on the month long Canada Tour bring ya merchandise money. I WILL SIGN EVERYTHING THAT IS BOUGHT. T-shirts: \$35, Hoodies \$70, Bini's \$30"

<https://www.instagram.com/p/CjN971HOR5D/?igshid=NTdlMDg3MTY=>

g. Instagram post containing video of fans and defendant singing "Lemon Poundcake" while a fan wears merchandise that contains images of Plaintiff Shawn Cooley.

<https://www.instagram.com/reel/Cjmix9CA3Z7/?igshid=NTdlMDg3MTY=>

h. Interview on VLADTV during which Foreman discusses the use of the search as material for songs. Foreman admits to using images and clips from the search in videos

and promotion. Foreman states that his “Will you repair my door?” song went viral. Foreman states that his “Lemon Pound Cake” clip went viral on Tik Tok. Foreman says, “Everybody understood what I was talking about when I said ‘Lemon Pound Cake.’ That’s the cop, on the viral video, TikTok, that was going through the house that wanted a slice of the lemon pound cake.” (3:27 – 3:40) Includes image of Plaintiff Shawn Cooley on video. (2:26 – 2:38)

<https://www.youtube.com/watch?v=noYFt6hOHew>

i. Instagram post that portrays Plaintiff Shawn Grooms next to an image of Quasimodo (The Hunchback of Notre-Dame). Caption: “Good Moring Ladies The hatchbacc of Adams KKKounty said to get my New Album LEMON POUNDCAKE SEPTEMBER 30TH.” Snapchat-186486110

https://www.instagram.com/p/Ciw_ptkuPte/?igshid=NTdlMDg3MTY=

j. Instagram post that portrays Judge Gabbert (the judge who signed the search warrant) next to an image of Droopy. Caption: “This is the judge that signed the warrant that said kidnapping. His name is Roy Droopy Gabbert. Vote him out before he signs a fictitious warrant then send some over reacting paranoid KKKops to your House jeopardizing the lives of you and your family, Stealing your money and disconnecting your home video security surveillance system. Vote out judge Roy Droopy Gabbert. Then go get my new album lemon pound cake September 30 on all platforms.”

<https://www.instagram.com/p/Civ1NJrOiGE/?igshid=NTdlMDg3MTY=>

k. Instagram post that portrays Plaintiff Lisa Phillips next to an image of the Mona Lisa. Caption: "Good Morning Ladies ... here she is ... The Condescending C?nt ... ADAMS KKKOUNTY SHERIF LIEUTENANT MONA LICC'EM LOW LISA to serve and disconnect ... (your home video security surveillance system) so you won't have proof of the Adams county sheriff department stealing money and other things around your house even possibly planting false kidnapping evidence. I used to speak to this lady when I dropped my kids off to school I always wondered why she never spoke bacc just looked at me with the same condescending c?nt look you see in the picture. I spoke to her again at the metal detector in the Adams county courthouse her voice was three octaves lower than mine lo!!! Has anybody in Adams county verified her vagina? If you haven't you should or she might whoop out something bigger than yours. If this lady is your friend I wouldn't leave her alone in my house. Or I'll put it this way if you leave and your video system is messed up when you get bacc you know who did it. Why would a good cop want to disconnect a video security surveillance system Lt Licc'em Low Lisa ? NEW ALBUM "LEMON POUNDCAKE " DROPPING SEPTEMBER 30 ! My name for this particular officer is Lieutenant Mona Licc em Low Lisa! What nice-name did you come up with for her ? I'm good but I will admit yours might be better than mine! Whatcha got ?"

<https://www.instagram.com/p/CinMvhkuqtA/?igshid=NTdIMDg3MTY=>

l. YouTube videos depicting most or all of the officers involved in the search, set to music and used by Foreman to promote his brand and sell his products.

<https://www.youtube.com/watch?v=oponIfu5L3Y>

<https://www.youtube.com/watch?v=ISe3IVBBbyU>

24. Defendant Foreman created many other videos, posted on various social media platforms, that use the personas of each of the Plaintiffs for commercial purposes—that is, to promote his live performances, his music, his other merchandise, and his “Afroman” brand.

25. After the complaint in this action was filed, Foreman continued and intensified his efforts to use Plaintiffs’ personas for his own personal gain. A few examples follow:

a. Photo with Shawn Cooley’s image on merchandise, with caption, “Order your t-shirt now www.ogafroman.com order the new album and Lemon Pound Cake on all platforms thank you for your support.” <https://www.instagram.com/p/CqTpKIEjMdt/>

b. Photo with Lisa Phillips’s image on merchandise with caption, “Order your LT LICC’EM LOW LISA FULL OF SHIT PHILLIPS T-shirts from www.ogafroman.com see what the fuss is about !!! Get that new album called Lemon Pound Cake available on all platforms by Afroman” <https://www.instagram.com/p/CqUu5o8D6fF/>

c. Photo with Randal Walker’s image on merchandise, with caption, “Order your RANGER RANDY PRVATE PYLE BEETLE BAILEY WALTERS T-shirt Now www.ogafroman.com a portion of the proceeds will go to police reform, and fighting social injustice” <https://www.instagram.com/p/CqZGgHzORem/>

d. Video of image of merchandise with Shawn Cooley’s image with caption, “Thank you for all the support on the merch !!! We sold so many shirts we had to order more, but trust, your orders are ON THE WAY !! New shirts are about to be available in the merch store so stay tuned”   <https://www.instagram.com/p/CqeKbqwjFz8/>

e. Photo with Randal Walker's image on merchandise, with caption, "GOOD MORNING LADIES!!! PRE ORDER YOUR BABY MAKING BRIAN NEWBORN NEWLAND T-SHIRTS NOW" WWW.OGAFROMAN.COM
<https://www.instagram.com/p/CqnQq3bjPFI/>

f. New Police 🏠 Officer Poundcake shirts 🍷 are in let's goooooo
www.ogafroman.com <https://www.instagram.com/p/CrO64aYv8gR/>

g. Order your LT LICC'EM LOW LISA FULL OF SHIT PHILLIPS T-shirts from www.ogafroman.com see what the fuss is about !!! Get that new album called Lemon Pound Cake available on all platforms by Afroman
<https://www.instagram.com/p/CqUu5o8D6fF/>

26. Foreman created, performed, posted, and publicized these and other depictions of Plaintiffs' personas for commercial purposes without the authorization of any of the Plaintiffs to do so. Plaintiffs' personas have significant commercial value, which Foreman and the other Defendants are unlawfully exploiting for their own financial gain.

27. Foreman created, performed, posted, and publicized these and other depictions of Plaintiffs' personas for commercial purposes through, in cooperation with, or with the assistance of the other Defendants, all of whom knew that the use of Plaintiffs' images and identifying characteristics was not authorized by Plaintiffs.

Foreman defames Plaintiffs with false statements

28. In addition to and in connection with his use of Plaintiffs' personas for his own personal profit without Plaintiffs' permission, Foreman published false and defamatory information about

Plaintiffs, which he knew to be false, in a malicious and intentional effort to damage Plaintiffs' reputations and cause them emotional pain, suffering, humiliation, and embarrassment.

Examples of some of Foreman's false and defamatory statements about Plaintiffs are the following:

a. On or about March 18, 2023, Foreman published an Instagram post that, among other things, stated that Plaintiffs "stole my money," and were "criminals camouflaged by law enforcement." <https://www.instagram.com/p/CqGTr5CuucV/>

b. On or about January 24, 2023, Foreman published an Instagram post that, among other things, called Plaintiffs "the white supremacists operating inside of the Adams county sheriff department." <https://www.instagram.com/p/CnyTNKfjUs3/>

c. On or about April 6, 2023, Foreman published an Instagram post stating that Plaintiff Newland "used to do hard drugs," "snitched on all his friends," "Now he steals money from traffic stops bogus raids and from the Adams KKKounty Sherriff evidence room." <https://www.instagram.com/p/Cqsy1wGrQKT/>

d. On or about April 18 and 19, 2023, Foreman published Instagram posts stating that Plaintiff Newland "stole my money," <https://www.instagram.com/p/CrNCpB8LP0U/>; that "Bryan . . . Newland had stolen \$400 out of the evidence money." <https://www.instagram.com/p/CrMycF7OacT/>

e. In various posts on Instagram, Foreman clearly and unambiguously implies, with words and images, that Plaintiff Lisa Phillips is biologically male, is trans, or is lesbian. <https://www.instagram.com/p/CqNSmUZjiDH/>

<https://www.instagram.com/p/CinMvhkuqtA/>

<https://www.tiktok.com/@ogafroman/video/7203521498730990894?lang=en>

f. In various posts, Foreman states that a purpose of the search warrant was to permit the Sheriff's department to "kill me,"

<https://www.instagram.com/p/CqLBi6cjlzV/>, and that the Plaintiffs "attempt[ed] to kill me in front of my kids," and "came to kill me in front of my children," and that Plaintiffs constituted "a hit squad . . . to kill me in front of my kids."

<https://www.instagram.com/p/CqLZdiesXvE/>

29. The above-enumerated statements, and others, are false. They were known by Foreman to be false when he published them, or he made them with reckless disregard as to their truth or falsity.

30. The above-enumerated false statements are injurious to the Plaintiffs' reputations.

31. Defendants' above-described actions were willful, wanton, malicious, and done with conscious or reckless disregard for the rights of Plaintiffs.

32. As a result of Defendants' actions, Plaintiffs have been subjected to ridicule, even in the further performance of their official duties, by members of the public who have seen some of Defendants' above-described postings. In some instances, it has made it more difficult and even more dangerous for Plaintiffs to carry out their official duties because of comments made and attitudes expressed toward them by members of the public.

33. As a further result of Defendants' actions, Plaintiffs have been subjected to threats, including death threats, by anonymous members of the public who have seen some of Defendants' above-described postings, and have suffered damage to their reputations.

34. As a result of Defendants' actions, Plaintiffs have suffered damages, including all profits derived from and attributable to Defendants' unauthorized use of Plaintiffs' personas, and have suffered humiliation, ridicule, mental distress, embarrassment, and loss of reputation.

35. Plaintiffs continue and will continue in the future to suffer damages unless Defendants are enjoined from further violations of Plaintiffs' rights.

COUNT ONE

Violations of Ohio Rev. Code Chapt. 2741—Unauthorized Use of Individual's Persona

36. Plaintiffs repeat the allegations contained in paragraphs 1 through 35 of the Complaint as if fully rewritten herein.

37. The Plaintiffs are each law enforcement officers in Adams County, Ohio, whose names and personas are known in that community and beyond, both as public servants and private citizens. Plaintiffs' personas are distinct and recognizable within Adams County and the surrounding area, and Plaintiffs have built that distinct recognizability through years of public service and private activities, and exposure to the public, often at great risk to themselves. As such, the persona of each Plaintiff has significant commercial value because the reputation, prestige, social standing, public interest, and other values of Plaintiffs' recognizable personas add value to any product or service with which Plaintiffs' personas are associated.

38. Defendants used the personas of the Plaintiffs for commercial purposes, during Plaintiffs' lifetimes, without their authorizations to do so.

39. The personas of the Plaintiffs were not used by Defendants in connection with any news, public affairs, sports broadcast, or political campaign, and their unauthorized use of Plaintiffs' personas for commercial purposes was not justified or excused.

40. All Defendants had knowledge of the unauthorized use of Plaintiffs' personas as prohibited by Rev. Code § 2741.02.

41. Defendants' actions constitute the unauthorized commercial use of Plaintiffs' personas, in violation of Rev. Code § 2741.02.

42. Defendants' actions were willful, wanton, malicious, and done with conscious or reckless disregard for the rights of Plaintiffs.

43. As a result of Defendants' violations of the statute, Plaintiffs have been damaged in the amount of profits made by Defendants by the unauthorized use of their personas; have suffered embarrassment, ridicule, emotional distress, humiliation, and loss of reputation, and are entitled to injunctive relief and other remedies under the statute.

COUNT TWO
**(Invasion of Privacy by Misappropriation—
Restatement (Second) of Torts, § 652C (1977))**

44. Plaintiffs repeat the allegations contained in paragraphs 1 through 43 of the Complaint as if fully rewritten herein.

45. In using Plaintiffs' personas as alleged herein, Defendants have appropriated for their own use and benefit the reputation, prestige, social standing, public interest, and other values of Plaintiffs' names and likenesses, which have intrinsic value, in contravention of Plaintiffs' right to privacy.

46. Defendants' actions were willful, wanton, malicious, and done with conscious or reckless disregard for the rights of Plaintiffs.

47. As a result of Defendants' Invasion of Privacy by Misappropriation, Plaintiffs have been damaged monetarily, and have suffered embarrassment, ridicule, emotional distress, humiliation, and loss of reputation, and are entitled to monetary and injunctive relief and other remedies.

COUNT THREE
**(Invasion of Privacy—False Light Publicity—
Restatement (Torts), Second § 652E (1977))**

48. Plaintiffs repeat the allegations contained in paragraphs 1 through 47 of the Complaint as if fully rewritten herein.

49. In their depictions and descriptions of Plaintiffs on social media postings and elsewhere, Defendants made statements that were false, and that they knew to be false, and which portrayed Plaintiffs in a false light, subjecting them to reputational injury, undue ridicule, embarrassment, mental distress, and danger.

50. The false light in which Defendants placed Plaintiffs would be highly offensive to a reasonable person.

51. Defendants' actions were willful, wanton, malicious, and done with conscious or reckless disregard for the rights of Plaintiffs.

52. As a result of Defendants' false depictions of Plaintiffs, they have suffered loss of reputation, embarrassment, ridicule, emotional distress, humiliation, and loss of reputation, and are entitled to monetary and injunctive relief and other remedies.

COUNT FOUR

**(Invasion of Privacy—Unreasonable Publicity Given to Private Lives—
Restatement (Second)Torts, § 652D (1977))**

53. Plaintiffs repeat the allegations contained in paragraphs 1 through 52 of the Complaint as if fully rewritten herein.

54. Some of Defendants' postings as described above gave publicity to matters concerning the private lives of Plaintiffs which were not of legitimate concern to the public, and the exposure of which a reasonable person would find to be highly offensive.

55. For example, postings alluding to the alleged sexual orientation or gender identity of Plaintiffs, or the alleged criminality of family members of Plaintiffs, are not of legitimate concern to the public and would be highly offensive and objectionable to a reasonable person of ordinary sensibilities.

56. Defendants' actions were willful, wanton, malicious, and done with conscious or reckless disregard for the rights of Plaintiffs.

57. As a result of Defendants' unreasonable publicity of the private lives of Plaintiffs, they have suffered embarrassment, ridicule, emotional distress, humiliation, and loss of reputation, and are entitled to monetary and injunctive relief and other remedies.

COUNT FIVE
(Defamation)

58. Plaintiffs repeat the allegations contained in paragraphs 1 through 57 of the Complaint as if fully rewritten herein.

59. Many of the above-enumerated statements published by Defendants, specifically but not limited to those set forth in paragraph 28 above, are false. They were known by the Defendants at the time of their publication to be false, and were published in spite of Defendants' knowledge of their falsity, or with reckless disregard as to their truth or falsity.

60. Specifically, Defendants' statements that Plaintiffs stole money from Foreman; that Plaintiffs threatened to kill Foreman; that Plaintiffs threatened to kill Foreman in front of his children; that Plaintiffs were sent as a hit squad for the purpose of killing Foreman; that Plaintiffs are white supremacists; that Plaintiffs are criminals; that Plaintiff Newland "used to do hard drugs," is a "snitch," that he "steals money from traffic stops and bogus raids," and "stole \$400" from Foreman; and that Plaintiff Phillips is not a female and is trans or lesbian, are all false statements.

61. These and other false statements about Plaintiffs were made and published by Foreman and the other Defendants with actual malice. Defendants knew that these statements were false, but made them anyway for the purpose of injuring Plaintiffs.

62. These and other false statements about Plaintiffs have damaged Plaintiffs' reputations, and have caused them additional harm, including but not limited to embarrassment, ridicule, emotional distress, and humiliation.

COUNT SIX
(Injunctive Relief)

63. Plaintiffs repeat the allegations contained in paragraphs 1 through 62 of the Complaint as if fully rewritten herein.

64. As described above, Defendants continue to violate Plaintiffs' rights, damage their reputations, and subject them to undue ridicule, mental distress, and danger by posting untrue and demeaning depictions of them on social media and elsewhere.

65. Unless Defendants are restrained, Plaintiffs will suffer irreparable injury to their reputations, their mental health, and their legally protected rights as Defendants continue to willfully and maliciously violate those rights.

66. The continuing injury to Plaintiffs outweighs any potential injury to Defendants that would result from an injunction.

67. The requested injunctive relief is not adverse to public interest.

68. Plaintiffs have a substantial likelihood of success on the merits of their claims.

69. Plaintiffs should be preliminarily and permanently enjoined from continuing to violate Plaintiff's rights and from posting their personas for commercial purposes, posting false information and information that puts Plaintiffs in a false light, and posting unreasonable private information about them.

WHEREFORE, Plaintiffs demand judgment against all Defendants as follows:

1. On Count One, against all Defendants, jointly and severally, an award for actual damages, in excess of \$25,000, in the amount of profits made by Defendants by the unauthorized use of Plaintiffs' personas; or, in the alternative, for monetary damages as provided by statute; for punitive or exemplary damages; for their attorney's fees, costs, and expenses of litigation; for

permanent injunctive relief; for impoundment of merchandise, goods, and other materials, and/or their destruction, as provided by Rev. Code §2741.07(D) and (E);

2. On Count Two, against all Defendants, jointly and severally, an award for actual damages, in excess of \$25,000, in the amount of profits made by Defendants by the invasion of their privacy; for damages for the emotional distress, embarrassment, ridicule, loss of reputation, and humiliation suffered by Plaintiffs; for punitive or exemplary damages; and for their attorney's fees, costs, and expenses of litigation;

3. On Count Three, against all Defendants, jointly and severally, an award for actual damages, in excess of \$25,000, in the amount of profits made by Defendants by the invasion of their privacy; for damages for the emotional distress, embarrassment, ridicule, loss of reputation, and humiliation suffered by Plaintiffs; for punitive or exemplary damages; and for their attorney's fees, costs, and expenses of litigation;

4. On Count Four, against all Defendants, jointly and severally, an award for actual damages, in excess of \$25,000, in the amount of profits made by Defendants by the invasion of their privacy; for damages for the emotional distress, embarrassment, ridicule, loss of reputation, and humiliation suffered by Plaintiffs; for punitive or exemplary damages; and for their attorney's fees, costs, and expenses of litigation;

5. On Count Five against all Defendants, jointly and severally, an award for actual damages in an amount in excess of \$25,000; for punitive or exemplary damages; and for their attorney's fees, costs, and expenses of litigation;

6. On Count Six, an Order permanently enjoining all Defendants from continuing to violate Plaintiff's rights and from publishing Plaintiffs' personas for commercial purposes, publishing false information and information that puts Plaintiffs in a false light, and publishin unreasonable private information about them;

7. As to all counts, for their costs, attorney fees, and all other relief to which they may be entitled.

JURY DEMAND: Plaintiff demands a trial by jury on all issues so triable.

Respectfully submitted,

/s/ Robert A. Klingler
Robert A. Klingler (0031603)
ROBERT A. KLINGLER CO., L.P.A.
895 Central Avenue, Ste. 300
Cincinnati, Ohio 45202
Telephone: (513) 665-9500
Facsimile: (513) 621-3240
Email: rak@klinglerlaw.com
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing First Amended and Supplemental Complaint for Damages and Injunctive Relief With Jury Demand Endorsed Hereon was served on May 9, 2023 by electronic mail upon the following:

Tyler Cantrell
225 N. Cross St.
West Union, OH 45693
tystang2001@yahoo.com

Bruce Rivers
701 Fourth Avenue S.
Minneapolis, MN 55415
riverslaw@aol.com
Counsel for Defendants Foreman and Hungry Hustler

Arthur West
120 State Ave NE #1497
Olympia, WA 98501
Amicus

David J. Carey (0089787)
ACLU of Ohio Foundation
1108 City Park Avenue
Ste. 203
Columbus, OH 43206
Phone: (614) 586-1972
Fax: (614) 586-1974
dcarey@acluohio.org

Amy R. Gilbert (100887)
Freda J. Levenson (0045916)
ACLU OF OHIO FOUNDATION
4506 Chester A venue
Cleveland, OH 44102
Phone: (614) 586-1972
Fax: (614)586-1974
agilbert@acluohio.org
flevenson@acluohio.org

Vera Eidelman (*pro hac vice* pending)
American Civil Liberties Union Foundation
125 Broad St, 18 Fl.
New York, NY 10004
Phone: (212)549-2500
Fax: (212) 549-2654
veidelman@aclu.org
Counsel for Amici Curiae

/s/ Robert A. Klingler
Attorney for Defendant